



Annual Electors Meeting

MINUTES

15 April 2021

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SHIRE OF BROOMEHILL-TAMBELLUP

Minutes of the Annual Electors Meeting
held in the Shire of Broomehill-Tambellup Council Chambers
Norrish Street, Tambellup on Thursday 15 April 2021 commencing at 6.02pm.

1. ATTENDANCE AND APOLOGIES

Present:	Cr MC Paganoni	President
	Cr ME White	Deputy President
	Cr MC Nazzari	
	Cr CJ Letter	
	Cr DT Barritt	
	Cr SH Penny	
	KB Williams	Chief Executive Officer
	P Vlahov	Manager of Works
	KP O'Neill	Manager Finance & Administration
	PA Hull	Strategic Support & Projects Officer
	LK Cristinelli	Executive Assistant
	Aileen Prout	
	Gloria Hilder	
	Ray Squibb	
	Eleanor Swinburn	
	Michael Reynolds	(Entered at 6.10pm)
Apologies:	Cr KJ Holzknacht	
	Trevor Prout	

2. CONFIRMATION OF PREVIOUS MEETING MINUTES

Minutes of the Annual Electors Meeting held on Thursday 12 March 2020.

AE210401

Moved Cr Penny, seconded Cr Nazzari

That the minutes of the Annual Electors Meeting for the Shire of Broomehill-Tambellup held on 12 March 2020 be accepted.

CARRIED

3. ANNUAL REPORT FOR 2019/2020

Presidents Report

Cr Paganoni advised the meeting that the President's report was contained in the Annual Report, and welcomed any questions about it.

CEO Report

The Chief Executive Officer commended the community for their resilience and perseverance during the COVID-19 period.

Financial Report

Cr Paganoni advised the meeting that the financial report is included in the annual report, and welcomed any queries.

The Chief Executive Officer advised:

The Financial Report had been delayed as it is now checked by the Auditor General as well as the Shire's Auditors. The Shire had a good result and a 'clean audit'.

The Shire of Broomehill-Tambellup is one of the first Shire's in the region to hold their Electors meeting even with the delays.

AE210402

Moved Cr White, seconded Ray Squibb

That the 2019/20 Annual Report, including annual financial report, be received.

CARRIED

Michael Reynolds entered the meeting at 6.10pm.

4. GENERAL BUSINESS

Gloria Hilder commented on the signage at the Gorden River, Tambellup. The signs have been blank for some time and was it possible that the Shire could look at these. Gloria was suggesting 'welcome' signs with information on one side and swans or cockatoos on the other side of the signage.

Gloria Hilder commented that the Tambellup Community Pavilion entrance was lacking in appeal and could the Shire look at upgrading the gravel driveway leading to the Pavilion. There is currently no signage and a better road would be beneficial and much more attractive. Gloria commented that the oval was beautiful, but just the lack of signage and the road needed addressing if possible. The Shire Chief Executive Officer, Keith Williams, said that the Shire would try to include this in a future Budget and that the Tambellup Community Pavilion Association were looking at signage. Directional signage on the Great Southern Highway should be completed by the following week.

Eleanor Swinburn requested the trees overhanging her property on Gnowangerup-Tambellup Road please be looked at as they were overhanging in to her yard. Works Manager, Peter Vlahov will look at these trees to see what needs to be done to rectify.

Eleanor is part of a group that walk regularly around the town of Tambellup and queried if anything may be done to control the bridle creeper which is an issue. Works Manager, Peter Vlahov will go to the Agricultural Department and get rust to fix this.

Gloria Hilder suggested there was not really anything to attract tourists in Tambellup and could the Railway Tower on Norrish Street, Tambellup have an enclosed stairway added as an attraction. The Shire will do a costing on this. The Public Transport Authority owns the tower and it might be a possibility to get some funding to do something with the tower.

Cr Mark Paganoni suggested a better access to the Boot Rock in Broomehill would also be beneficial as currently there was nowhere to pull in safely off the Great Southern Highway. The Shire will look in to the Trails Program to see if there was something available.

Chief Executive Officer, Keith Williams mentioned that the trees on the Great Southern Highway on the North side of Tambellup needed to be pruned and cleaned up and if removed there was the possibility of having a foot path there. Works Manager, Peter Vlahov will get a quote for these works.

Ray Squibb said the roads were looking really good out East of Tambellup and are as good as they have ever been. The road around Andersons Bore could do with some work. There is an upgrade to be done in the next few months on the tank. The bore has been very handy for all residents out East.

Michael Reynolds commented that Pindellup and Crosby Roads were in bad condition out West of Tambellup. Tambellup West Road has a large pothole that has been in need of repair for the last 18 months. Works Manager, Peter Vlahov said work was commencing on Tambellup West Road in mid-April.

Other items discussed at the meeting included:

- Grading was the best way to fix roads. In summer it is best to avoid grading and winter is the best time to do this. As the Shire of Broomehill-Tambellup is a large shire to cover it was not always possible to complete all the grading in winter. Plus the Shire has been short of grader drivers currently and Contractors were hard to source as they were very busy.
- The trees would need clearing and pruning on the edges of Etna, Crosby and Pindellup Roads before works could commence.

9. CLOSURE

There being no further business, the President thanked Councillors, staff and community members for their attendance, and declared the meeting closed at 6.32pm.



Bush Fire Advisory Committee Meeting

MINUTES

14 May 2021

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Meeting opened 7:37am.

2. ATTENDANCE

Wayne Newbey	CBFCO
Kim Oliver	DCBFCO
Andrew Webster	Broomehill Central
Laurie Hull	Tambellup VFES
Craig Dewar	Broomehill East
Mario Cristinelli	Tambellup East
Ed Anderson	Broomehill West
Nick Lockyer	Tambellup West
Michael Altus	DCBFCO
Cindy Pearce	CESM
Damon Powell	Shire Ranger
Keith Williams	Chairperson

2.1 APOLOGIES

Cr Mark Paganoni

3. CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 Confirmation of the minutes of the committee meeting held on **31 March 2021**

Recommendation:

Moved: *Laurie Hull* **Seconded:** *Nick Lockyer*

That the Minutes of the Bush Fire Advisory Committee Meeting of 31 March 2021 be accepted.

Carried 9/0

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. MATTERS FOR DECISION

5.1 ENDORSEMENT OF BRIGADE FIRE CONTROL OFFICER – BROOMEHILL CENTRAL BUSHFIRE BRIGADE

Attachment:	• Policy No. 6.2 'Appointment of Bush Fire Control Officers'
File Ref:	ADM0119
Author:	Lesley Paskevicius, Finance/Administration Officer
Date:	30 April 2021
Disclosure of Interest:	Nil

SUMMARY

The Committee to endorse the appointment of Brigade Fire Control Officer for the 2021/2022 bushfire season for the Broomehill Central Bushfire Brigade.

BACKGROUND

Fire Control Officers and Fire Weather Officers for the Shire of Broomehill-Tambellup are appointed on an annual basis, in accordance with Section 38 of the *Bushfires Act 1954*.

Brigade Fire Control Officers are nominated by the respective Brigade annually. Nominations are presented to the Bushfire Advisory Committee for acceptance, with the Bushfire Advisory Committee subsequently making a recommendation to Council for endorsement of the nominee.

At the previous Bushfire Advisory Committee Meeting held on March 31st 2021 the nominated Fire Control Officer for the Broomehill Central Bushfire Brigade was not endorsed and the Brigade is required to submit an alternate nomination.

Council endorsement of these appointments is required.

COMMENT

Andrew Webster has been nominated for the Broomehill Central Brigade to take the role of Brigade Fire Control Officer for a one year term.

Nominations will be forwarded to Council for endorsement and inclusion in the Fire Break Order that is produced each year.

It should be noted Council has adopted *Policy No. 6.2 - Appointment of Bush Fire Control Officers*, a copy of which is attached for information. The policy contains information on requirements for training and qualifications for incoming Fire Control Officers.

CONSULTATION

Community Emergency Services Manager
Brigade Officers

STATUTORY ENVIRONMENT

Bushfires Act 1954, Section 38

Shire of Broomehill-Tambellup Bushfire Brigades Local Law 2020

POLICY IMPLICATIONS

Policy 6.2 - Appointment of Bush Fire Control Officers

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028: Key Result Area One - Our People

1.1.3 Promote and support activities that enhance the community's sense of safety and wellbeing.

FINANCIAL IMPLICATIONS

This issue has no financial implications for Council.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved: Kim Oliver Seconded: Laurie Hull

That the Bushfire Advisory Committee advises Council that the following appointments to the position of Brigade Fire Control Officer for the 2021/2022 fire season are endorsed:

Broomehill Central Brigade - Andrew Webster

Carried 9/0

<i>Policy No:</i>	6.2 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS
<i>Policy Objective:</i>	<ul style="list-style-type: none"> • To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer • To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer
<i>Minute No:</i>	131213
<i>Date of adoption:</i>	19 December 2013
<i>Date of Amendment:</i>	
<i>Date of Review:</i>	19th May 2016

INTRODUCTION

Within the Bushfire Brigades, there are various officers appointed by Council to undertake various roles and responsibilities. The persons occupying these positions, although volunteers, are nonetheless officers of the Council and are appointed by the Council (under section 38 of the *Bush Fires Act 1954*) upon their nomination by the Brigade and endorsement by the Bush Fire Advisory Committee.

In accordance with Occupational Safety and Health legislation, Council has a duty of care to all its brigade volunteers to provide as safe a working environment as possible. This extends to ensuring Fire Control Officers are appropriately skilled to manage a fire incident, and the volunteers assisting.

Establishing the rules for the appointment of Fire Control Officers will assist in meeting Council's obligations for duty of care.

This policy provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer.

POLICY STATEMENT

1. To be eligible for appointment as a Bush Fire Control Officer a person must have completed the Bush Fire Control Officer Training Program not more than five years prior to appointment.
2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training Program within six months of appointment.
3. For a person to continue as a Bush Fire Control Officer they must complete the Bush Fire Control Officers Course or a Refresher Course at intervals of no more than every five years.
4. Nominations of Bush Fire Control Officers from Brigades should be endorsed by the Bush Fire Advisory Committee for recommendation to Council by 1 May each year.
5. A Bush Fire Control Officer, other than the Chief or Deputy Chief Bush Fire Control Officer shall not issue a Permit to Burn for land within another Shire of Broomehill-Tambellup Bush Fire Brigade district unless mutual agreement exists between the Bush Fire Control Officers concerned.

6. CLOSURE

Meeting closed 7:43

SHIRE OF BROOMEHILL-TAMBELLUP

MONTHLY FINANCIAL REPORT

For the Period Ended 30 April 2021

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SHIRE OF BROOMEHILL-TAMBELLUP
STATEMENT OF FINANCIAL ACTIVITY
By Nature or Type
For the Period Ended 30 April 2021

	Note	Revised Budget 2020/21	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(b)	
Operating Revenues							
Rate Revenue		2,577,400	2,578,400	2,581,021.86	2,622	0.1%	
Grants, Subsidies and Contributions		1,454,900	1,188,709	1,104,467.49	(84,242)	(7.6%)	
Profit on Asset Disposal	10	358,500	260,700	0.00	(260,700)	(100.0%)	▼
Fees and Charges		398,400	339,078	257,155.62	(81,922)	(31.9%)	▼
Interest Earnings		44,200	37,100	14,933.15	(22,167)	(148.4%)	▼
Other Revenue		99,200	96,164	81,028.37	(15,136)	(18.7%)	▼
Total		4,932,600	4,500,151	4,038,606.49	(461,545)		
Operating Expense							
Employee Costs		(2,077,800)	(1,771,032)	(1,695,566.03)	75,466	4.5%	
Materials and Contracts		(1,970,300)	(1,658,563)	(1,232,408.64)	426,154	34.6%	▼
Utilities Charges		(294,600)	(245,803)	(181,416.99)	64,386	35.5%	▼
Depreciation (Non-Current Assets)		(1,855,000)	(1,543,722)	(1,614,653.11)	(70,931)	(4.4%)	
Interest Expenses		(62,000)	(60,400)	(39,642.59)	20,757	52.4%	▼
Insurance Expenses		(175,800)	(175,800)	(165,223.73)	10,576	6.4%	
Loss on Asset Disposal	10	(114,100)	(108,200)	0.00	108,200	100.0%	▼
Other Expenditure		(92,000)	(78,466)	(67,072.19)	11,394	17.0%	▼
Total		(6,641,600)	(5,641,986)	(4,995,983.28)	646,003		
Funding Balance Adjustment							
Add Back Depreciation		1,855,000	1,543,722	1,614,653.11	70,931	4.4%	
(Profit)/Loss on Asset Disposal	10	(244,400)	(152,500)	0.00	152,500	(100.0%)	
Adjust Provisions and Accruals		0	0	(10,662.50)	(10,663)	0.0%	
Net Operating		(98,400)	249,387	646,613.82	397,227		
Capital Revenues							
Grants, Subsidies and Contributions	8	4,127,000	2,501,200	1,299,666.46	(1,201,534)	(92.4%)	▼
Proceeds from Disposal of Assets	10	1,227,000	920,000	516,181.82	(403,818)	(78.2%)	▼
Transfer from Reserves	9	884,700	402,000	0.00	(402,000)	(100.0%)	▼
Proceeds - Short Term Loan Facilities		600,000	0	0.00	0		
Total		6,838,700	3,823,200	1,815,848.28	(2,007,352)		
Capital Expenses							
Land Held for Resale		0	0	0.00	0	0.0%	
Land and Buildings	12	(988,500)	(833,500)	(575,202.66)	258,297	44.9%	▼
Plant and Equipment	12	(1,032,000)	(936,000)	(943,617.52)	(7,618)	(0.8%)	
Furniture and Equipment	12	(12,000)	(12,000)	0.00	12,000	100.0%	▼
Infrastructure - Roads	12	(2,095,900)	(1,420,500)	(1,310,273.87)	110,226	8.4%	
Infrastructure - Other	12	(1,936,500)	(591,500)	(90,911.04)	500,589	550.6%	▼
Repayment of Debentures	12	(123,500)	(60,500)	(60,481.94)	18	0.0%	
Payment of Short Term Loan Facilities		(600,000)	0	0.00	0		
Transfer to Reserves	9	(534,100)	(506,955)	(3,195.88)	503,759	15762.8%	▼
Total		(7,322,500)	(4,360,955)	(2,983,682.91)	1,377,272		
Net Capital		(483,800)	(537,755)	(1,167,834.63)	(630,080)		
Total Net Operating + Capital		(582,200)	(288,368)	(521,220.81)	(232,853)		
Opening Funding Surplus(Deficit)		582,200	582,200	578,625.16	(3,575)	(0.6%)	
Closing Funding Surplus(Deficit)	4	0	293,832	56,258.34	(236,428)		

SHIRE OF BROOMEHILL-TAMBELLUP
STATEMENT OF FINANCIAL ACTIVITY
By Reporting Program
For the Period Ended 30 April 2021

Note	Revised Budget 2020/21	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(b)	
Operating Revenues						
	80,800	67,640	59,904.17	(7,736)	(12.91%)	
	3,533,600	3,304,455	3,280,236.44	(24,219)	(0.74%)	
	293,900	283,200	110,298.38	(172,902)	(156.76%)	▼
	2,900	2,050	472.00	(1,578)	(334.32%)	
	118,800	112,200	7,665.55	(104,534)	(1363.69%)	▼
	571,500	441,440	138,379.70	(303,060)	(219.01%)	▼
	85,400	79,250	78,478.44	(772)	(0.98%)	
	728,200	328,510	476,812.12	148,302	31.10%	▲
	3,090,900	1,935,100	1,029,823.74	(905,276)	(87.91%)	▼
	466,200	368,606	123,047.93	(245,558)	(199.56%)	▼
	87,400	78,900	33,154.48	(45,746)	(137.98%)	▼
Total	9,059,600	7,001,351	5,338,272.95	(1,663,078)		
Operating Expense						
	(582,300)	(478,319)	(495,522.11)	(17,203)	(3.47%)	
	(312,500)	(251,697)	(239,270.92)	12,426	5.19%	
	(297,400)	(251,532)	(246,634.96)	4,897	1.99%	
	(53,100)	(44,860)	(32,336.69)	12,523	38.73%	▼
	(95,100)	(78,500)	(37,857.53)	40,642	107.36%	▼
	(198,100)	(174,860)	(218,365.37)	(43,505)	(19.92%)	▲
	(449,500)	(370,662)	(332,949.30)	37,713	11.33%	▼
	(1,393,000)	(1,181,631)	(816,444.03)	365,187	44.73%	▼
	(2,846,500)	(2,394,887)	(2,167,926.48)	226,961	10.47%	▼
	(375,200)	(320,855)	(190,308.72)	130,546	68.60%	▼
	(38,900)	(94,183)	(218,367.17)	(124,184)	(56.87%)	▲
Total	(6,641,600)	(5,641,986)	(4,995,983.28)	646,003		
Funding Balance Adjustment						
	1,855,000	1,543,722	1,614,653.11	70,931	4.39%	
	(244,400)	(152,500)	0.00	152,500	(100.00%)	
	0	0	(10,662.50)	(10,663)		
Net Operating	4,028,600	2,750,587	1,946,280.28	(804,307)		
Capital Revenues						
	1,227,000	920,000	516,181.82	(403,818)	(78.23%)	▼
	884,700	402,000	0.00	(402,000)	(100.00%)	▼
	600,000	0	0.00	0		
Total	2,711,700	1,322,000	516,181.82	(805,818)		
Capital Expenses						
	0	0	0.00	0	0.00%	
	(988,500)	(833,500)	(575,202.66)	258,297	44.91%	▼
	(1,032,000)	(936,000)	(943,617.52)	(7,618)	(0.81%)	
	(12,000)	(12,000)	0.00	12,000	0.00%	
	(2,095,900)	(1,420,500)	(1,310,273.87)	110,226	8.41%	
	(1,936,500)	(591,500)	(90,911.04)	500,589	550.64%	▼
	(123,500)	(60,500)	(60,481.94)	18	0.03%	
	(600,000)	0	0.00	0		
	(534,100)	(506,955)	(3,195.88)	503,759	15762.77%	▼
Total	(7,322,500)	(4,360,955)	(2,983,682.91)	1,377,272		
Net Capital	(4,610,800)	(3,038,955)	(2,467,501.09)	571,454		
Total Net Operating + Capital	(582,200)	(288,368)	(521,220.81)	(232,853)		
	582,200	582,200	578,625.16	(3,575)	(0.62%)	
Closing Funding Surplus(Deficit)	0	293,832	56,258.34	(236,428)		

SHIRE OF BROOMEHILL-TAMBELLUP
BALANCE SHEET
For the Period Ended 30 April 2021

	Actual 2020/21	C/fwd 1 July 2020
CURRENT ASSETS		
Cash	3,514,692.77	4,146,346.54
Receivables	739,951.26	587,049.36
Inventories - Stock on Hand	77,721.59	32,540.24
TOTAL CURRENT ASSETS	4,332,365.62	4,765,936.14
CURRENT LIABILITIES		
Creditors and Provisions	3,159,444.70	3,085,652.79
Borrowings	63,024.53	123,506.47
TOTAL CURRENT LIABILITIES	3,222,469.23	3,209,159.26
NET CURRENT ASSETS	1,109,896.39	1,556,776.88
NON-CURRENT ASSETS		
Receivables	60,852.80	60,852.80
Inventories - Land Held for Resale	216,000.00	216,000.00
Financial Assets	71,220.00	71,220.00
Property, Plant and Equipment	20,377,852.40	19,879,996.03
Infrastructure Assets	118,690,540.33	118,399,226.54
TOTAL NON-CURRENT ASSETS	139,416,465.53	138,627,295.37
NON-CURRENT LIABILITIES		
Creditors and Provisions	53,066.93	53,066.93
Borrowings	1,941,696.15	1,941,696.15
TOTAL NON-CURRENT LIABILITIES	1,994,763.08	1,994,763.08
NET ASSETS	138,531,598.84	138,189,309.17
EQUITY		
Accumulated Surplus	39,129,131.94	38,790,038.15
Reserves - Asset Revaluation	97,749,894.05	97,749,894.05
Reserves - Cash Backed	1,652,572.85	1,649,376.97
TOTAL EQUITY	138,531,598.84	138,189,309.17

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

1: (a) Nature or Type Classifications

REVENUES

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, facility hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Includes rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments and interest on rate arrears.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

EXPENSES

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

1: (a) Nature or Type Classifications

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, information technology and communications expenses, advertising, memberships, periodicals, publications, hire expenses. rental. leases. postage and freight etc.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas, telephone or water services.

Insurance

All insurance premiums - excluding worker's compensation which is included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

1: (b) Reporting Program Classifications (Function / Activity)

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE

Objective:

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific Shire activities.

GENERAL PURPOSE FUNDING

Objective:

To collect revenue to allow for the provision of services

Activities:

Rates; general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

Objective:

To provide services to help ensure a safer and environmentally conscious community.

Activities:

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

HEALTH

Objective:

To provide an operational framework for environmental and community health.

Activities:

Inspection of food outlets and their control; mosquito control and maintenance of the Infant Health Clinic in Tambellup

EDUCATION AND WELFARE

Objective:

To provide services to the elderly, children and youth.

Activities:

Assistance to the Broomehill and Tambellup Primary Schools; support of the "A Smart Start" program.

HOUSING

Objective:

To provide and maintain staff housing, and accommodation for 'well aged' seniors in the Community.

Activities:

Provision and maintenance of staff housing; and the Independent Living Seniors accommodation in Tambellup.

COMMUNITY AMENITIES

Objective:

To provide services required by the Community.

Activities:

Rubbish collection services; operation of the tip sites and waste transfer stations; administration of the Town Planning Scheme; Cemetery maintenance at Broomehill, Tambellup and Pindellup cemeteries; public conveniences and protection of the environment.

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

1: (b) Reporting Program Classifications (Function / Activity)

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resources which will assist with the social well-being of the Community.

Activities:

Maintenance of public halls, recreation grounds, parks, gardens, reserves and playgrounds. Operation of the Broomehill Library and support to the Tambellup Community Resource centre for management of the Tambellup library. Museums and other cultural facilities.

TRANSPORT

Objective:

To provide safe, effective and efficient transport services to the Community.

Activities:

Construction and maintenance of streets, roads and bridges. Cleaning and lighting of streets; maintenance of the Broomehill and Tambellup works depots. Provision of the Department of Transport licensing services to the Community.

ECONOMIC SERVICES

Objective:

To assist in promoting the Shire and its economic wellbeing.

Activities:

Tourism and area promotion, including operation of the Broomehill Caravan Park. Provision of rural services which includes noxious weed control, vermin control and standpipes. Provision of Building

OTHER PROPERTY & SERVICES

Objectives:

To monitor and control councils works overhead operating accounts.

Activities:

Private works operations; public works overhead costs; plant operation costs and unclassified items.

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
by Reporting Program
For the Period Ended 30 April 2021

2: REPORT ON SIGNIFICANT VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$10,000 or 10% whichever is greater.

	Variance	
	Timing	Permanent
OPERATING REVENUES		
Law, Order & Public Safety The final claim for funding from DFES for the Broomehill Fire Station is to be submitted.	■	
Education & Welfare Recoup from A Smart Start funding held in the balance sheet is still to be transferred to operating revenue.	■	
Housing Final payment of grant funding for the housing project is still to be received. An extension has been approved to enable completion of the project for a number of Shires.	■	
Recreation & Culture The first instalment of Drought Communities Program funding was received in January. The Broomehill Recreation Complex have recouped expenditure incurred to purchase an honour board and replace exterior lights with LED.	■	■
Transport The first instalment of Drought Communities Program funding and Local Roads and Community Infrastructure program have been received. Progress claims for Regional Road Group funding were submitted in May as works are progressing or completed.	■ ■	
Economic Services Final payment of grant funding for the housing project is still to be received, for construction of the cabins at the caravan park.	■	
Other Property & Services Sale of the former Bowling Club was anticipated to have occurred, and a profit on disposal of this asset was budgeted. Sale of this property has not progressed.	■	
OPERATING EXPENSE		
Health Contract services for the Environmental Health Officer are lower than anticipated due to change in Shire providing this service.	■	
Education & Welfare The Youth Worker trainee has resigned and this position is on hold. The role is being reviewed and readvertised.	■	
Housing Depreciation allocated to the newly constructed houses and units is higher than anticipated; final values for these properties were not known when preparing the budget. Depreciation is a non cash expense.		■

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
by Reporting Program
For the Period Ended 30 April 2021

2: REPORT ON SIGNIFICANT VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

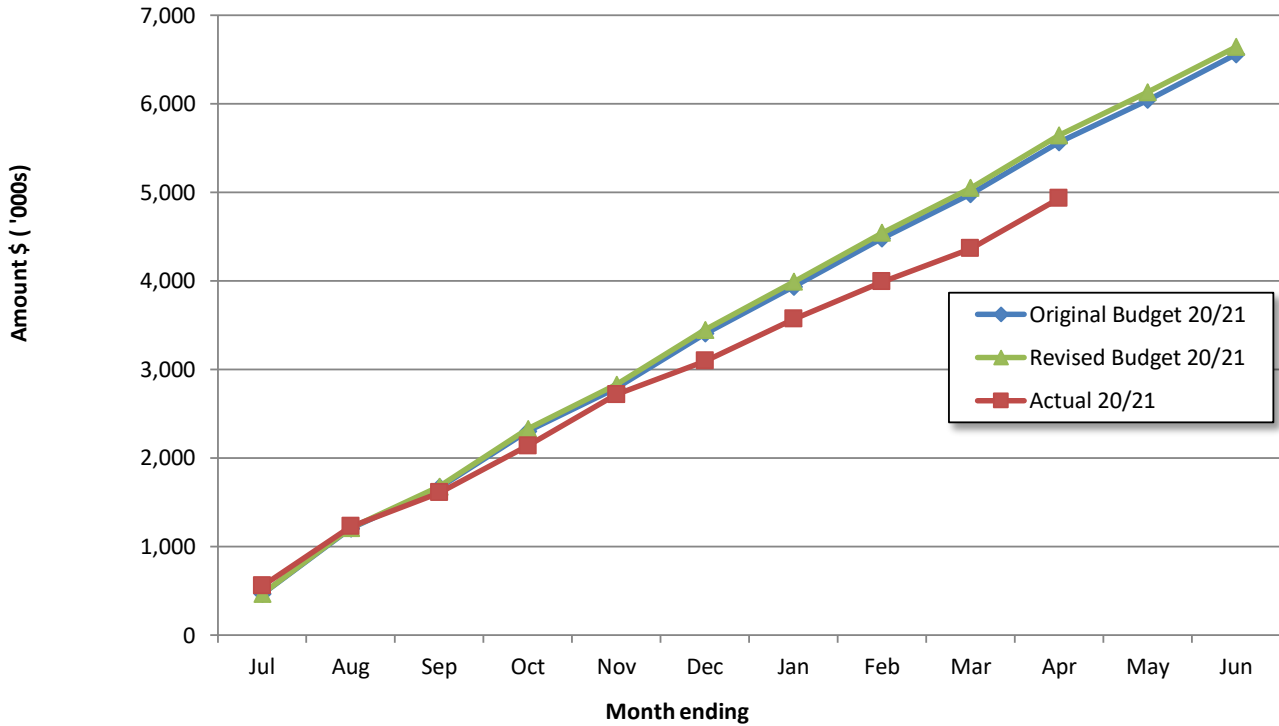
The material variance adopted by Council for the 2020/21 year is \$10,000 or 10% whichever is greater.

	Variance	
	Timing	Permanent
<p>Community Amenities Expenditure has not been as high as anticipated to date</p>	■	
<p>Recreation & Culture Due to staff movements, employee costs (wages and overheads) and plant operation costs reported under this heading are lower than anticipated</p>		■
<p>Economic Services Changeover in arrangements for the Building Surveyor resulted in lower expenditure than anticipated. Great Southern Treasures expenditure is lower than expected for this time of year.</p>	■ ■	
<p>Other Property & Services Public Works Overheads and Plant Operation Costs are allocated over the full year as entries through the payroll system. Some costs are incurred in the early months of the new year (eg insurances, licenses) however are allocated across the various works programs over the full year. The allocations are monitored, and where internal rates require review adjustments will be made as required.</p>	■ ■	
<p>CAPITAL REVENUE</p>		
<p>Proceeds from Disposal of Assets The variance relates to the timing of vehicle changeovers. There have been delays in supply of vehicles as a result of the Covid pandemic. Sale of the three houses budgeted for has not yet occurred. The sale of all houses is being managed by Professionals Katanning Sale of the former Bowling Club was anticipated to have occurred, however has not progressed at this stage.</p>	■ ■ ■	
<p>Transfer from Reserves Transfers to and from Reserve Funds will be processed in May, later than originally expected.</p>	■	
<p>CAPITAL EXPENSE</p>		
<p>Land & Buildings The cabins at the Broomehill Caravan Park are complete, the Broomehill Fire Station is complete. Landscaping is still to be finished at the Holland Court Units. Construction of the two houses in Broomehill is due to be completed mid April.</p>	■	
<p>Infrastructure - Other Capital projects are underway, included under this heading is installation of new water tanks in Broomehill and Tambellup.</p>	■	
<p>Transfer to Reserves Transfers to and from Reserve Funds will be processed in May, later than originally expected.</p>	■	

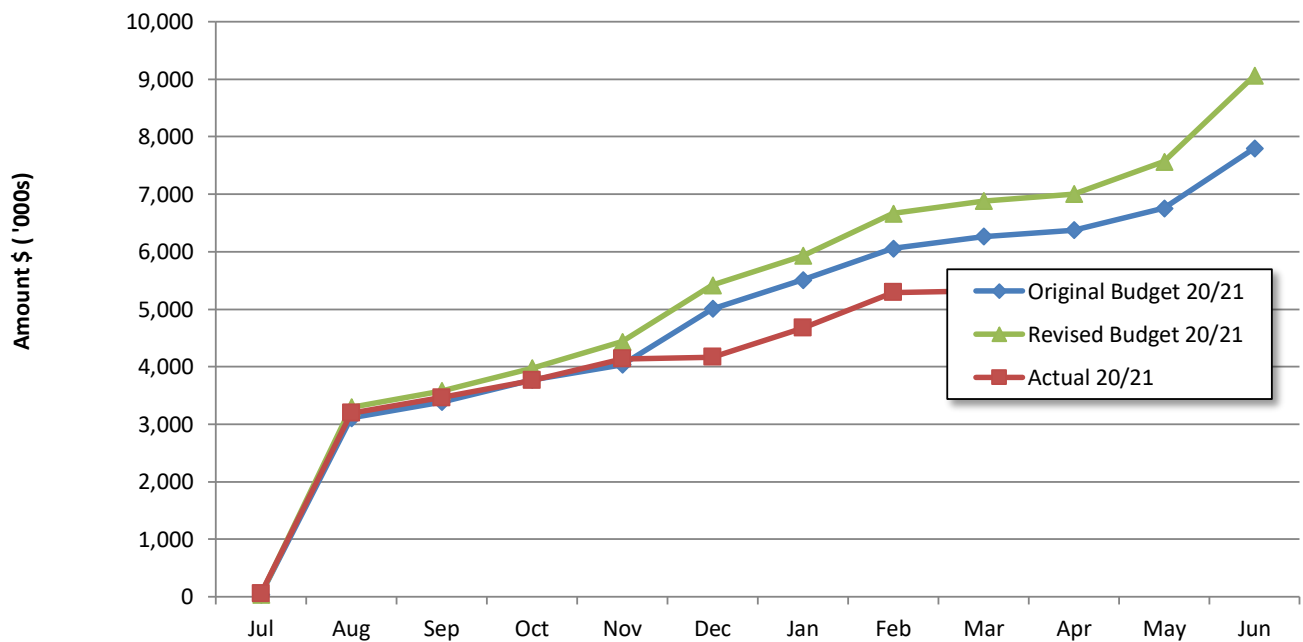
SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

3: Graphical Representation - Source Statement of Financial Activity

Budget Operating Expenses -v- YTD Actual



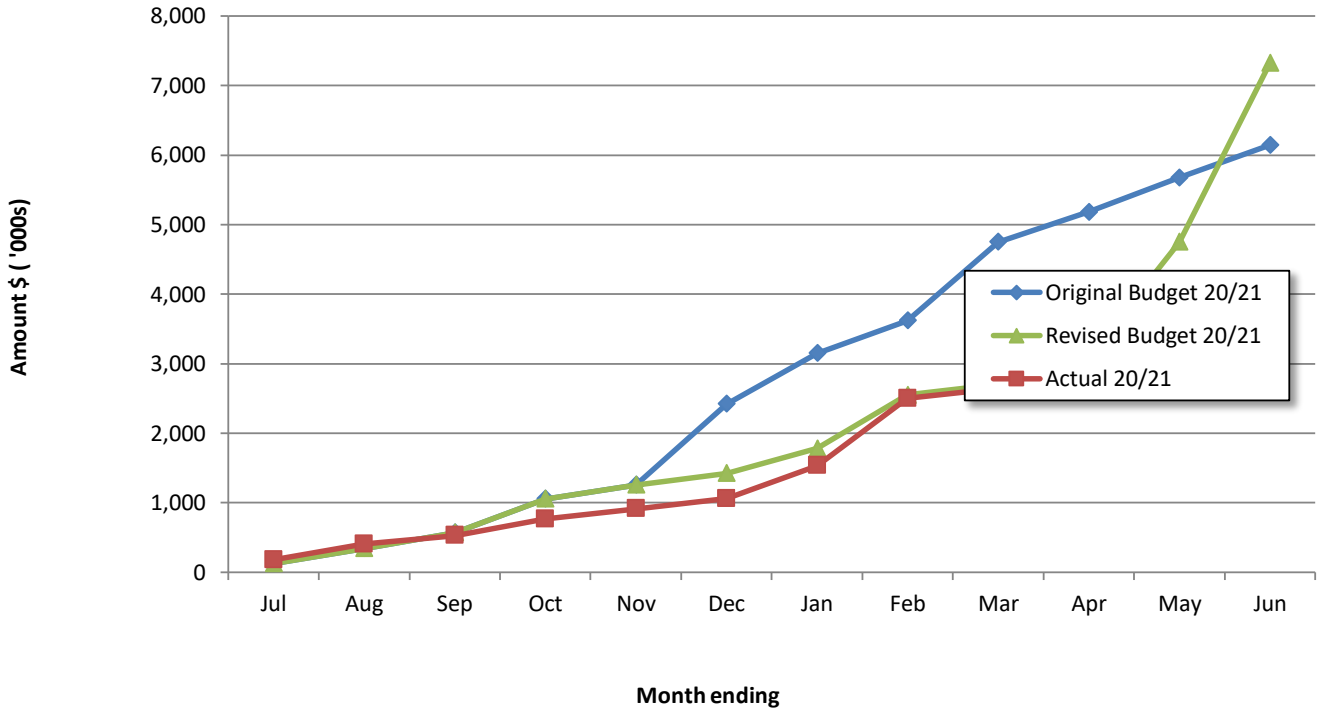
Budget Operating Revenues -v- Actual



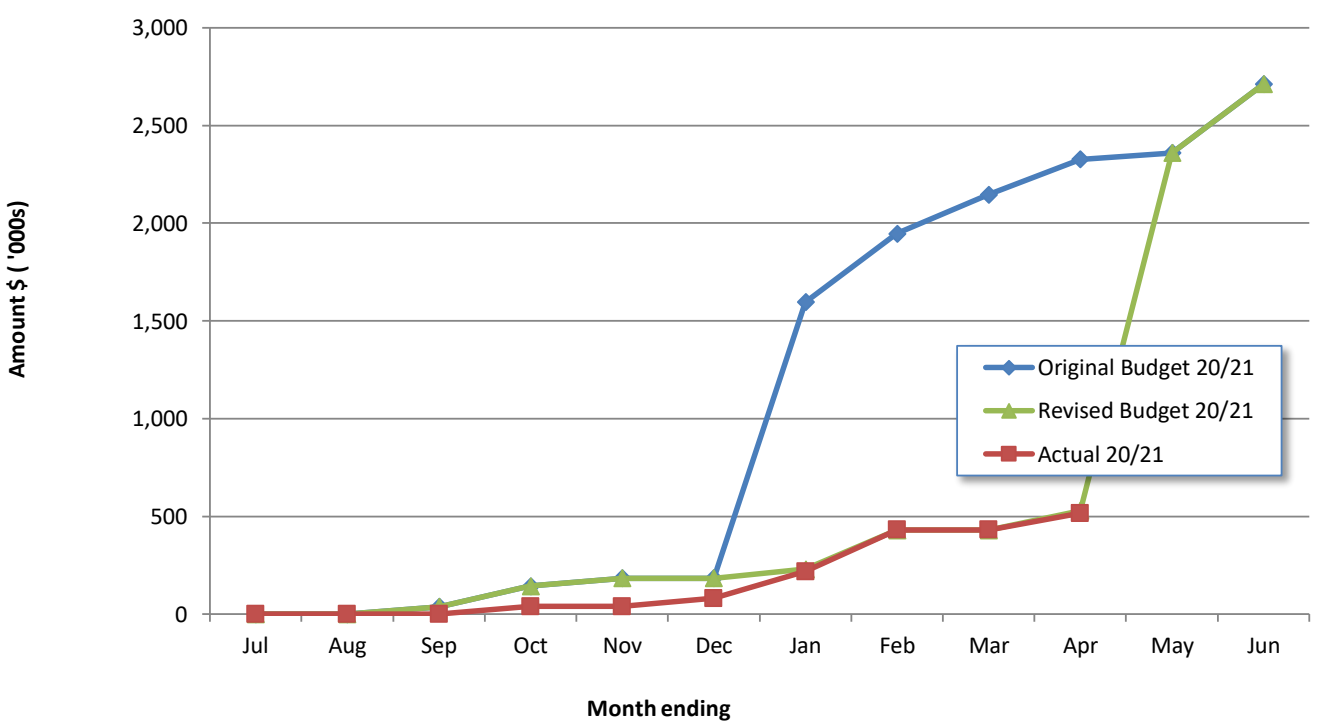
SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

3: Graphical Representation - Source Statement of Financial Activity

Budget Capital Expenses -v- Actual



Budget Capital Revenue -v- Actual



SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

4: NET CURRENT FUNDING POSTION

	Note	Actual 2020/21	C/fwd 1 July 2020
		\$	\$
Current Assets			
Cash Unrestricted		(1,289,110.35)	110,758.95
Cash Restricted - Other Payables		3,151,230.27	2,386,210.62
Cash Restricted - Reserves	9	1,652,572.85	1,649,376.97
Receivables - Rates and Rubbish	6	271,997.64	290,568.23
Receivables - Other	6	49,749.54	90,602.70
Inventories		77,721.59	32,540.24
Accruals and Provisions		157,504.26	157,504.26
		4,071,665.80	4,717,561.97
Less: Current Liabilities			
Payables		(162,631.05)	(45,226.83)
Net GST & PAYG		(64,209.10)	(45,155.83)
Other Payables - Bonds & Deposits		(7,750.00)	(3,890.00)
Other Payables - Building Retention Bonds		(98,372.25)	(141,174.34)
Other Payables - A Smart Start		(82,908.89)	(90,574.44)
Other Payables - Great Southern Treasures		(41,724.32)	(41,724.32)
Other Payables - Great Sthn Housing Initiative		(1,889,739.00)	(2,057,342.00)
Accruals and Provisions		(15,500.00)	(64,472.08)
		(2,362,834.61)	(2,489,559.84)
Less: Cash Restricted - Reserves	9	(1,652,572.85)	(1,649,376.97)
Net Current Funding Position		56,258.34	578,625.16

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

5: CASH AND INVESTMENTS

Ref	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Fund		(1,289,110.35)	3,151,230.27		1,862,119.92	Bendigo	
Trust Fund				15,148.22	15,148.22	Bendigo	
Cash on Hand		1,500.00			1,500.00		
(b) Term Deposits							
Reserve Funds	0.15%		1,652,572.85		1,652,572.85	Bendigo	19/05/2021
Total		(1,287,610.35)	4,803,803.12	15,148.22	3,531,340.99		

Comments/Notes - Investments

a) Cash Deposits

The balance reported for the Municipal Fund is the reconciled closing balance of the bank account at the end of the period. The closing balance takes into account unrepresented items at the end of the reporting period.

b) Term Deposits
Reserve Funds

Councils Reserve Funds are held collectively in one investment. Further detail in relation to Councils Reserve Funds are shown in Note 9.

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

6: RECEIVABLES

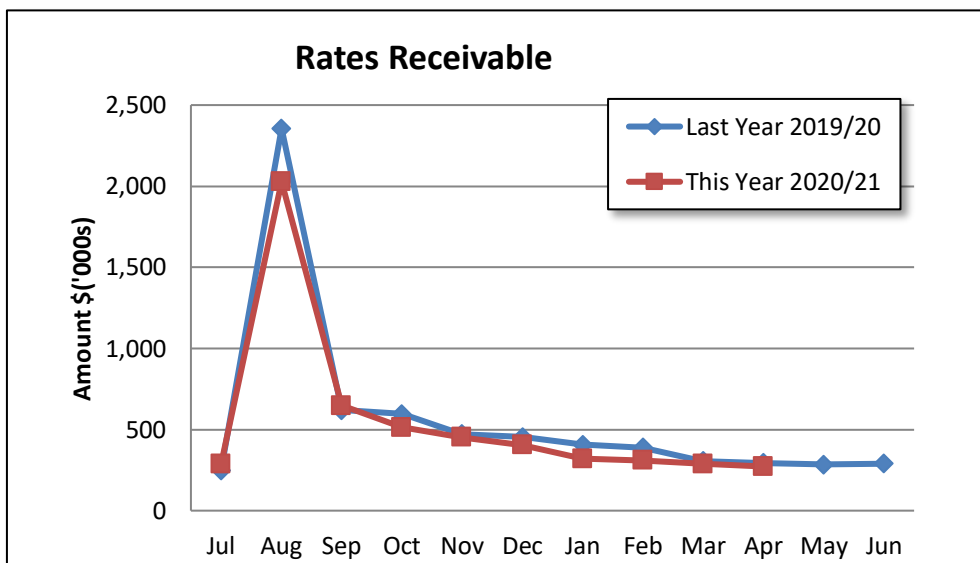
Rates & Rubbish

Opening Arrears Previous Years
 Rates Levied this year
 Less Collections to date
 Equals Current Outstanding

	Actual 2020/21	c/fwd 1 July 2020
	\$	\$
Opening Arrears Previous Years	290,568.23	290,568.23
Rates Levied this year	2,664,024.80	2,660,485.27
Less Collections to date	(2,682,595.39)	(2,660,485.27)
Equals Current Outstanding	271,997.64	290,568.23
Net Rates Collectable	271,997.64	290,568.23
% Collected	90.79%	90.15%

Net Rates Collectable

% Collected

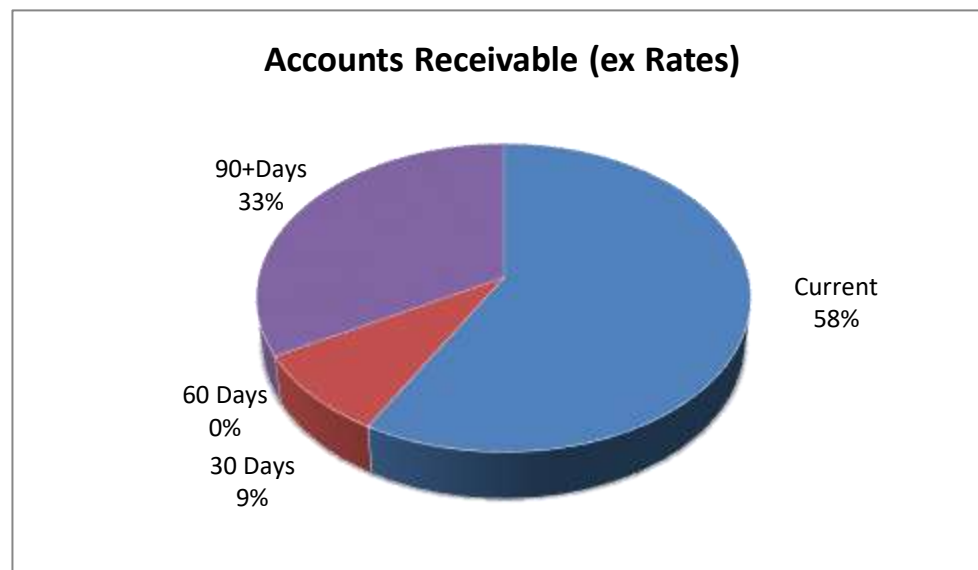


Comments/Notes - Receivables Rates and Rubbish

Accounts Receivable

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Sundry Debtors	15,607.16	4,782.24	-	18,125.84
Pensioner Rebates	2,425.75			
Emergency Services Levy	13,808.55			
	31,841.46	4,782.24	-	18,125.84
		Total Outstanding		54,749.54

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables General

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

7: BUDGET AMENDMENTS

Amendments to original budget since budget adoption.

Council Resolution	GL	Revenue / (Expense)	Description	Comment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
Balanced Budget Adopted							0
GENERAL PURPOSE FUNDING							0
S210304	03005.70	Operating Revenue	Discount - Rates	Increase take up of discount		(5,300)	(5,300)
S210304	03013.86	Operating Revenue	Instalment Interest	Increase in instalment interest	1,800		(3,500)
S210304	03016.83	Operating Revenue	Rate Enquiries	Increase in enquiries from agents	1,000		(2,500)
S210304	03030.74	Operating Revenue	Reimbursements	Debt collection charges on-charged	45,000		42,500
S210304	03110.16	Operating Expenses	Contract Services	Debt collection charges increased		(40,000)	2,500
S210304	03229.71	Operating Revenue	FAGS General Purpose	Allocations advised by WALGGC	17,600		20,100
S210304	03230.71	Operating Revenue	FAGS Local Roads	Allocations advised by WALGGC		(15,000)	5,100
GOVERNANCE							5,100
S210304	04001.73	Operating Revenue	Members - Contributions	Increased LGIS rebates	5,000		10,100
S210304	04101.60	Operating Expenses	Members - insurances	Increase in premiums		(700)	9,400
S210304	04202.74	Operating Revenue	Admin - Reimbursements	Paid Parental Leave payments	8,000		17,400
LAW, ORDER & PUBLIC SAFETY							17,400
EDUCATION & WELFARE							17,400
HOUSING							17,400
S210304	09004.74	Operating Revenue	Other Housing - reimbursements	GSHI project admin reimbursements	10,000		27,400
S210304	09007.80	Operating Revenue	Holland Court - rents	Rental income from Holland Court	10,000		37,400
S210304	09127.16	Operating Expenses	GSHI Project Admin	Costs incurred		(5,000)	32,400
S210304	09132.16	Operating Expenses	Holland Court - Contract services	Mtce costs if required		(5,000)	27,400
COMMUNITY AMENITIES							27,400
RECREATION & CULTURE							27,400
S210304	11002.74	Operating Revenue	Bhill Recreation Complex - reimbursements	Honour board, replace light fittings	14,500		41,900
S210304	11002.81	Capital Revenue	Bhill Recreation Complex - contrib non-operating	Towards spectator pavilion	120,000		161,900
S210304	11076.15	Operating Expenses	Bhill Hall - repairs & mtce	Building mtce allocated twice	8,500		170,400
S210304	11077.15	Operating Expenses	Bhill Recreation Complex - contract services	Honour board, replace light fittings		(14,500)	155,900
TRANSPORT							155,900
S210304	12003.72	Capital Revenue	Bridge funding	FAGs/MRWA - Martinup Rd bridge 4250A	720,000		875,900
S210304	12007.72	Capital Revenue	LRCIP	Phase 2 funding announced	323,100		1,199,000
S210304	12159.71	Operating Revenue	Direct Grant	Increase per MRWA advice	4,400		1,203,400
S210304	12226.16	Operating Expenses	Road Maintenance - contract services	increased expenditure		(11,300)	1,192,100
ECONOMIC SERVICES							1,192,100
S210304	13156.71	Operating Revenue	Other Tourism & Ec Services - grants	Aust Day funding	1,000		1,193,100
S210304	13226.15	Operating Expenses	Bhill Caravan Park - repairs & mtce	Fitout for new cabins		(15,000)	1,178,100

7: BUDGET AMENDMENTS

Amendments to original budget since budget adoption.

Council Resolution	GL	Revenue / (Expense)	Description	Comment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	OTHER PROPERTY & SERVICES						1,178,100
	CAPITAL REVENUE & EXPENDITURE						1,178,100
S210304	CAP152	Capital Expenses	Bhill Admin Building - enclose underneath building	Additional funding required to secure		(15,000)	1,163,100
S210304	CAP167	Capital Expenses	Bhill Complex - spectator pavilion	Construction of spectator pavilion		(120,000)	1,043,100
S210304	BS8	Capital Expenses	Flat Rocks/Greenhills Sth Rd - black spot	Realloc funding per MRWA approvals		(73,300)	969,800
S210304	BS10	Capital Expenses	Tieline/Norrish Rd - black spot	Realloc funding per MRWA approvals	73,300		1,043,100
S210304	LRCIP	Capital Expenses	Inclusion of Phase 2 projects	Phase 2 allocation announced		(323,100)	720,000
S210304	CC19	Capital Expenses	Martinup Rd bridge 4250A	Works undertaken by MRWA		(720,000)	0
					Closing Funding Surplus (Deficit)		0

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

8: GRANTS AND CONTRIBUTIONS

Program/Provider	Purpose	c/fwd 1 July 2020	Received 2020/21	Expended 2020/21	Closing Balance
		\$			
GOVERNANCE					
Department of Local Govt	Amalgamation (Bhill & Tamb)	51,505.52	0.00	(17,694.00)	33,811.52
LAW, ORDER & PUBLIC SAFETY					
Dept Fire & Emergency Services	Broomehill Fire Station	0.00	0.00	0.00	0.00
HOUSING					
Regional Aged Accommodation Project	GSHI - Independent Living Units - Broomehill	0.00	0.00	0.00	0.00
Building Better Regions Fund	GSHI - Independent Living Units / GROH Housing	0.00	0.00	0.00	0.00
Building Better Regions Fund	GSHI - Staff Housing	0.00	0.00	0.00	0.00
RECREATION & CULTURE					
Drought Communities Program	Various townscape & recreation projects	0.00	454,545.46	(38,102.17)	416,443.29
TRANSPORT					
Main Roads WA	Regional Road Group 2019/20	0.00	235,653.00	(235,653.00)	0.00
Main Roads WA	Black Spot Funding 2019/20	0.00	28,987.00	(28,987.00)	0.00
Dept Infrastructure, Regional Develop...	Roads to Recovery	0.00	0.00	0.00	0.00
WA Local Govt Grants Commission	Bridge funding - Martinup Rd bridge	0.00	360,000.00	0.00	360,000.00
Local Roads & Community Infrastructure Prog	Phase 1 allocation	0.00	220,481.00	0.00	220,481.00
ECONOMIC SERVICES					
Dept Water & Environmental Regulation	Water Harvesting project - Broomehill CBH dam	0.00	0.00	0.00	0.00
TOTALS		51,505.52	1,299,666.46	(320,436.17)	1,030,735.81

Comments - Grants and Contributions

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

9. CASH BACKED RESERVES

	Budget 2020/21				Actual 2020/21			
	Opening Balance	Transfers To	Transfers From	Closing Balance	Opening Balance	Transfers To	Transfers From	Closing Balance
Leave Reserve	112,800	51,800	(82,700)	81,900	112,774.20	218.60	0.00	112,992.80
Plant Reserve	324,400	304,000	(455,000)	173,400	324,387.87	628.63	0.00	325,016.50
Building Reserve	355,700	55,000	0	410,700	355,734.03	689.35	0.00	356,423.38
Information Technology Reserve	53,400	10,900	(12,000)	52,300	53,400.62	103.55	0.00	53,504.17
Tambellup Rec Ground & Pavilion Reserve	57,400	5,900	0	63,300	57,353.08	111.22	0.00	57,464.30
Broomehill Rec Complex Reserve	95,900	10,100	0	106,000	95,883.48	185.68	0.00	96,069.16
Building Maintenance Reserve	22,300	23,000	0	45,300	22,314.96	43.14	0.00	22,358.10
Sandalwood Villas Reserve	93,300	11,200	0	104,500	93,276.36	180.88	0.00	93,457.24
Bhill Synthetic Bowling Green Reserve	75,200	9,600	0	84,800	75,191.48	145.73	0.00	75,337.21
Refuse Sites Post Closure Management Reserve	31,900	5,500	0	37,400	31,954.54	62.00	0.00	32,016.54
Lavieville Lodge Reserve	80,800	11,100	(25,000)	66,900	80,769.88	156.60	0.00	80,926.48
Townscape Plan Implementation Reserve	272,700	27,500	(300,000)	200	272,694.35	527.64	0.00	273,221.99
Tambellup Synthetic Bowling Green Reserve	23,000	7,800	0	30,800	23,065.89	44.74	0.00	23,110.63
Tourism & Economic Development Reserve	50,600	700	(10,000)	41,300	50,576.23	98.12	0.00	50,674.35
	1,649,400	534,100	(884,700)	1,298,800	1,649,376.97	3,195.88	0.00	1,652,572.85

In accordance with council resolutions in relation to each reserve account, the purpose for which the funds are set aside are as follows:

Reserve name

- | | |
|--|--|
| Leave Reserve | - to be used to meet the Councils Long Service Leave liability for its employees. |
| Plant Reserve | - to be used for the purchase of plant and equipment in accordance with the Plant Replacement Program. |
| Building Reserve | - to be used to finance replacement, major repair or construction of new Shire buildings, and costs associated with subdivision of land. |
| Information Technology Reserve | - to be used to purchase, replace or upgrade computer hardware, software and associated equipment |
| Tambellup Recreation Ground & Pavilion Reserve | - to be used to maintain and develop sport and recreational facilities at the Tambellup Recreation Ground and Pavilion. |
| Broomehill Recreation Complex Reserve | - to be used for works at the Broomehill Recreation Complex in agreeance with the Complex Management Committee |
| Building Maintenance Reserve | - to be used to fund building maintenance requirements for all Shire owned buildings. |
| Sandalwood Villas Reserve | - to be utilised towards upgrade and maintenance of the 6 units at Sandalwood Villas. |
| Broomehill Synthetic Bowling Green Reserve | - to be used for the future replacement of the synthetic bowling green at the Broomehill Recreational Complex. |
| Refuse Sites Post Closure Management Reserve | - to meet the financial requirements for the closure of the Broomehill and Tambellup landfill sites when their useful life expires |
| Lavieville Lodge Reserve | - to be utilised towards upgrade and maintenance of the 4 units at Lavieville Lodge. |
| Townscape Plan Implementation Reserve | - to be used for implementation of the Townscape Plans for the Broomehill and Tambellup townsites. |
| Tambellup Synthetic Bowling Green Reserve | - to be used for the future replacement of the synthetic bowling green at the Tambellup Sportsground |

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

10. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

	Budget 2020/21				Actual 2020/21			
	Net Book Value	Sale Proceeds	Profit	Loss	Net Book Value	Sale Proceeds	Profit	Loss
By program:								
<i>Governance</i>								
Ford Ranger XLT dual cab - OTA	34,200	40,000	5,800	0	0.00	0.00	0.00	0.00
Ford Everest Wagon - BH000	46,800	40,000	0	(6,800)	0.00	0.00	0.00	0.00
<i>Housing</i>								
11 Lavarock Street, Broomehill	102,200	200,000	97,800	0	0.00	0.00	0.00	0.00
20 Henry Street, Tambellup	102,200	200,000	97,800	0	0.00	0.00	0.00	0.00
27 East Terrace, Tambellup	64,600	200,000	135,400	0	0.00	0.00	0.00	0.00
<i>Transport</i>								
Caterpillar Grader - BH006	186,800	120,000	0	(66,800)	0.00	0.00	0.00	0.00
Caterpillar Backhoe - BH013	92,200	80,000	0	(12,200)	0.00	0.00	0.00	0.00
Caterpillar Road Broom	8,000	5,000	0	(3,000)	0.00	0.00	0.00	0.00
Ford Ranger XLT with canopy - 1TA	41,800	38,000	0	(3,800)	0.00	0.00	0.00	0.00
Ford Ranger dual cab - TA052	38,700	33,000	0	(5,700)	0.00	0.00	0.00	0.00
Ford Ranger Wildtrak - TA001	44,200	44,000	0	(200)	0.00	0.00	0.00	0.00
Ford Ranger Wildtrak - TA001	44,200	44,000	0	(200)	0.00	0.00	0.00	0.00
Ford Ranger dual cab - BH00	34,600	30,000	0	(4,600)	0.00	0.00	0.00	0.00
Ford Ranger extra cab - BH014	35,700	35,000	0	(700)	0.00	0.00	0.00	0.00
Ford Ranger dual cab - BH003	43,000	38,000	0	(5,000)	0.00	0.00	0.00	0.00
Ford Ranger dual cab - TA005	35,100	30,000	0	(5,100)	0.00	0.00	0.00	0.00
<i>Economic Services</i>								
Lot 19 Taylor Street, Tambellup	28,300	50,000	21,700	0	0.00	0.00	0.00	0.00
	982,600	1,227,000	358,500	(114,100)	0.00	0.00	0.00	0.00
By Class:								
Land and Buildings	297,300	650,000	352,700	0	0.00	0.00	0.00	0.00
Plant and Equipment	685,300	577,000	5,800	(114,100)	0.00	0.00	0.00	0.00
	982,600	1,227,000	358,500	(114,100)	0.00	0.00	0.00	0.00

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

11: OPERATING REVENUE AND EXPENSE

	Budget Revenue 2020/21	Budget Expense 2020/21	Actual Revenue 2020/21	Actual Expense 2020/21
GENERAL PURPOSE FUNDING				
Rate Revenue	2,607,200	(202,500)	2,632,446.12	(189,379.64)
General Purpose Funding	855,900	0	643,866.75	0.00
Other General Purpose Funding	25,400	(70,000)	3,923.57	(49,891.28)
TOTAL GENERAL PURPOSE FUNDING	3,488,500	(272,500)	3,280,236.44	(239,270.92)
GOVERNANCE				
Members Of Council	16,000	(564,800)	19,912.89	(495,419.06)
Administration General	47,800	0	39,991.28	3,300.00
Other Governance	4,000	(16,800)	0.00	(3,403.05)
TOTAL GOVERNANCE	67,800	(581,600)	59,904.17	(495,522.11)
LAW, ORDER & PUBLIC SAFETY				
Fire Prevention	285,700	(205,700)	107,463.36	(195,270.58)
Animal Control	8,200	(90,700)	2,835.02	(50,892.05)
Other Law, Order & Public Safety	0	(1,000)	0.00	(472.33)
TOTAL LAW,ORDER & PUBLIC SAFETY	293,900	(297,400)	110,298.38	(246,634.96)
HEALTH				
Maternal & Infant Health	600	(15,900)	0.00	(11,982.20)
Health Inspection & Administration	2,300	(24,000)	472.00	(13,867.71)
Preventative Services - Pest Control	0	(13,200)	0.00	(6,486.78)
TOTAL HEALTH	2,900	(53,100)	472.00	(32,336.69)
EDUCATION & WELFARE				
Other Education	38,800	(45,100)	7,665.55	(32,956.91)
Other Welfare	80,000	(50,000)	0.00	(4,900.62)
TOTAL EDUCATION & WELFARE	118,800	(95,100)	7,665.55	(37,857.53)
HOUSING				
Staff Housing	371,000	0	0.00	(30,043.69)
Other Housing	180,500	(188,100)	138,379.70	(188,321.68)
TOTAL OTHER HOUSING	551,500	(188,100)	138,379.70	(218,365.37)
COMMUNITY AMENITIES				
Household Refuse	63,500	(257,800)	62,496.10	(205,839.10)
Protection Of The Environment	2,500	(2,500)	4,529.29	(4,259.16)
Town Planning & Regional Development	8,000	(77,300)	6,365.66	(58,037.55)
Other Community Amenities	11,400	(44,500)	5,087.39	(24,203.94)
Public Conveniences	0	(67,400)	0.00	(40,609.55)
TOTAL COMMUNITY AMENITIES	85,400	(449,500)	78,478.44	(332,949.30)

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

11: OPERATING REVENUE AND EXPENSE

	Budget Revenue 2020/21	Budget Expense 2020/21	Actual Revenue 2020/21	Actual Expense 2020/21
RECREATION & CULTURE				
Public Halls & Civic Centres	172,600	(295,500)	113,420.53	(213,438.89)
Other Sport & Recreation	421,000	(898,000)	362,444.76	(508,644.92)
Libraries	100	(135,100)	10.92	(73,079.05)
Other Culture	0	(58,400)	935.91	(21,281.17)
TOTAL RECREATION & CULTURE	593,700	(1,387,000)	476,812.12	(816,444.03)
TRANSPORT				
Road Construction	1,649,400	0	845,121.00	0.00
Streets Roads Bridges & Depot Maint	375,800	(2,751,000)	173,347.00	(2,121,178.73)
Transport - Other	18,200	(84,200)	11,355.74	(46,747.75)
TOTAL TRANSPORT	2,043,400	(2,835,200)	1,029,823.74	(2,167,926.48)
ECONOMIC SERVICES				
Rural Services	0	(1,500)	0.00	(744.91)
Tourism & Area Promotion	226,700	(172,100)	93,784.13	(100,113.26)
Building Control	12,200	(56,500)	5,200.75	(24,586.91)
Other Economic Services	226,300	(130,100)	24,063.05	(64,863.64)
TOTAL ECONOMIC SERVICES	465,200	(360,200)	123,047.93	(190,308.72)
OTHER PROPERTY & SERVICES				
Private Works	5,000	(3,500)	5,801.32	(9,867.30)
Public Works Overhead	2,700	(900)	1,264.20	(72,478.56)
Plant Operation Costs	50,000	0	18,566.76	(81,493.31)
Workers Compensation	0	0	5,443.20	(5,564.16)
Salaries & Wages	0	0	0.00	(43,959.84)
Unclassified	29,700	(34,500)	2,079.00	(5,004.00)
TOTAL OTHER PROPERTY & SERVICES	87,400	(38,900)	33,154.48	(218,367.17)
TOTAL OPERATING	7,798,500	(6,558,600)	5,338,272.95	(4,995,983.28)

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

12: CAPITAL DISPOSALS AND ACQUISITIONS

		Revised Budget Revenue 2020/21	Revised Budget Expense 2020/21	Actual Revenue 2020/21	Actual Expense 2020/21
GOVERNANCE					
Administration PC's upgrade	F&E	0	(12,000)	0.00	0.00
Bhill Admin Building - enclose carport/install roller doors	BS	0	(32,000)	0.00	0.00
Plant Replacement					
Ford Ranger dual cab - OTA (sale of)	P&E	40,000	0	0.00	0.00
Ford Everest wagon - BH000	P&E	40,000	(51,000)	85,454.54	(104,120.08)
Total		80,000	(95,000)	85,454.54	(104,120.08)
LAW, ORDER & PUBLIC SAFETY					
Broomehill Fire Shed	BS	0	(155,000)	0.00	(185,506.48)
Total		0	(155,000)	0.00	(185,506.48)
EDUCATION & WELFARE					
Youth Centre Tambellup (DCP funding)	BS	0	(80,000)	0.00	0.00
Total		0	(80,000)	0.00	0.00
HOUSING					
Independent Living Units - Broomehill	BNS	0	(50,000)	0.00	(60,245.60)
Staff housing - 4x2 Lathom St, Broomehill	BNS	0	(50,000)	0.00	(30,022.76)
Staff housing - 3x2 Leven St, Broomehill	BNS	0	(50,000)	0.00	(29,992.01)
Staff housing - 3x2 Taylor St, Tambellup	BNS	0	0	0.00	(1,199.52)
Sale of 11 Lavarock Street, Broomehill	BNS	200,000	0	0.00	0.00
Sale of 20 Henry Street, Tambellup	BNS	200,000	0	0.00	0.00
Sale of 27 East Terrace, Tambellup	BNS	200,000	0	0.00	0.00
GROH Housing - 4x2 Parnell St, Tambellup	BNS	0	0	0.00	(2,080.73)
GROH Housing - 3x2 Taylor St, Tambellup	BNS	0	0	0.00	(3,353.48)
GROH Housing - 3x2 Taylor St, Tambellup	BNS	0	0	0.00	(3,946.44)
Unit 1 Lavieville Lodge - renovations	BNS	0	(25,000)	0.00	(10,550.67)
Total		600,000	(175,000)	0.00	(141,391.21)
COMMUNITY AMENITIES					
Bhill Cemetery - gazebo, bench seating	I-O	0	(21,500)	0.00	0.00
Total		0	(21,500)	0.00	0.00
RECREATION & CULTURE					
Broomehill Hall - security upgrades windows/doors	BS	0	(8,500)	0.00	0.00
Tambellup Pavilion - drinking fountains	BS	0	(9,000)	0.00	(6,751.00)
Broomehill RSL Hall - toilet upgrades	BS	0	(19,000)	0.00	0.00
Broomehill Rec Complex upgrades (DCP funding)	I-P	0	(150,000)	0.00	(8,261.25)
Holland Park - nature play (DCP funding)	I-P	0	(100,000)	0.00	0.00
Town Square development - Tambellup (DCP funding/Reserve)	I-P	0	(495,000)	0.00	(11,252.92)
Broomehill Rec Complex - spectator pavilion	BS	0	(120,000)	0.00	(4,471.00)
Total		0	(901,500)	0.00	(30,736.17)
TRANSPORT					
Tambellup Depot - perimeter fencing & parking	BS	0	(15,000)	0.00	(3,364.90)
Tambellup Depot - concrete bays in machinery shed	BS	0	(20,000)	0.00	(5,184.00)
Plant Replacement					
Caterpillar Grader - BH006	P&E	120,000	(350,000)	125,000.00	(357,470.00)
Caterpillar Backhoe - BH013	P&E	80,000	(210,000)	88,000.00	(195,960.00)
Caterpillar Road Broom	P&E	5,000	(35,000)	0.00	0.00
Ford Ranger XLT with canopy - 1TA	P&E	38,000	(49,000)	36,363.64	(51,657.85)
Ford Ranger dual cab - TA052	P&E	33,000	(43,000)	0.00	0.00
Ford Ranger Wildtrak - TA001	P&E	88,000	(96,000)	85,000.00	(97,848.02)
Ford Ranger dual cab - BH00	P&E	30,000	(40,000)	27,272.73	(41,223.94)
Ford Ranger extra cab - BH014	P&E	35,000	(50,000)	30,909.09	(41,434.39)
Ford Ranger dual cab - BH003	P&E	38,000	(48,000)	38,181.82	(53,903.24)
Ford Ranger dual cab - TA005	P&E	30,000	(40,000)	0.00	0.00
Sundry Plant	P&E	0	(20,000)	0.00	0.00

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

12: CAPITAL DISPOSALS AND ACQUISITIONS

		Revised Budget Revenue 2020/21	Revised Budget Expense 2020/21	Actual Revenue 2020/21	Actual Expense 2020/21
TRANSPORT					
<i>Townscape</i>					
Town/Streetscape works - Broomehill (DCP funding/Reserve)	I-P	0	(210,000)	0.00	(4,598.80)
Town/Streetscape works - Tambellup (DCP funding)	I-P	0	(100,000)	0.00	(13,989.20)
<i>Road Construction</i>					
<i>Regional Road Group</i>					
Tambellup West Rd - pavement repair & reseal	I-R	0	(69,500)	0.00	(34,019.27)
Pootenup Road - pavement repair & reseal	I-R	0	(106,200)	0.00	(52,799.27)
Toolbrunup Road - pavement repair, widen shoulders & reseal	I-R	0	(300,000)	0.00	(310,931.20)
Broomehill-Kojonup Road - pavement repair & reseal	I-R	0	(120,000)	0.00	(148,562.24)
Gnowangerup-Tambellup Road - pavement repair & reseal	I-R	0	(288,000)	0.00	(283,448.32)
<i>Black Spot</i>					
Flat Rocks / Greenhills South Road	I-R	0	(195,000)	0.00	(266,935.82)
Tieline / Moultryerup Road	I-R	0	(108,700)	0.00	(75,859.82)
Tieline / Norrish Road	I-R	0	(19,100)	0.00	(4,196.82)
<i>Roads to Recovery</i>					
Pallinup Road - seal	I-R	0	(220,000)	0.00	(196,966.35)
Warrenup Road - stabilise & reseal failed sthn section	I-R	0	(25,500)	0.00	(16,298.40)
<i>Local Roads & Community Infrastructure Program</i>					
Nymbup Road - repair & extend culverts	I-R	0	0	0.00	0.00
Etna Road - repair & extend culverts	I-R	0	0	0.00	0.00
Journal Street - widen seal, kerb & footpath (PO to C/Park)	I-R	0	(95,000)	0.00	0.00
Kerbing - town streets	I-R	0	(21,000)	0.00	(15,000.00)
Beejenup Road - resheeting - slk 6.20 to 7.44	I-R	0	(30,000)	0.00	0.00
Birt Road - resheeting 2-3kms	I-R	0	(30,000)	0.00	0.00
Paul Valley Road - resheeting 2-3kms	I-R	0	(60,000)	0.00	0.00
Yetermerup Road - resheeting 2-3kms	I-R	0	(60,000)	0.00	0.00
Stirling Access Road - resheeting 2-3kms	I-R	0	(60,000)	0.00	0.00
Flat Rocks Road - resheeting 2-3kms	I-R	0	(85,000)	0.00	0.00
<i>Local Roads & Community Infrastructure Program Phase 2</i>					
Nymbup Road - repair & extend culverts	I-R	0	(20,000)	0.00	0.00
Etna Road - repair & extend culverts	I-R	0	(20,000)	0.00	0.00
Broomehill Primary School - car park	I-R	0	(40,000)	0.00	0.00
Broomehill Fire Shed - carpark	I-R	0	(15,000)	0.00	(13,636.36)
Emergency Management - incident control centre	I-R	0	(25,000)	0.00	0.00
Greenhills South Road - widen reconstruct & seal	I-R	0	(150,000)	0.00	0.00
Beejenup Road - reconstruct & seal corners	I-R	0	(53,100)	0.00	0.00
<i>Footpaths</i>					
Footpath Plan	I-F	0	(35,000)	0.00	(41,400.00)
<i>Bridgeworks</i>					
Martinup Bridge 4250A	I-F	0	(720,000)	0.00	0.00
Add back Job Depreciation	I-R	0	120,200	0.00	108,380.00
Total		497,000	(4,176,900)	430,727.28	(2,218,308.21)
ECONOMIC SERVICES					
Holland Track Interpretive Centre (DCP funding)	BS	0	(115,000)	0.00	0.00
Chalets - Broomehill Caravan Park	BS	0	(240,000)	0.00	(228,534.07)
Water Harvesting - CBH Dam to Complex/Caravan Park	I-O	0	0	0.00	(1,523.82)
Sale of Lot 19 Taylor St, Tambellup	LF	50,000	0	0.00	0.00
Water efficiencies - Tambellup (DCP funding)	I-W	0	(25,000)	0.00	0.00
Water efficiencies - Broomehill (DCP funding)	I-W	0	(25,000)	0.00	0.00
Water tanks adjacent to standpipes (4 locations)	I-W	0	(55,000)	0.00	(9,885.05)
Total		50,000	(460,000)	0.00	(239,942.94)
Total		1,227,000	(6,064,900)	516,181.82	(2,920,005.09)

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

12: CAPITAL DISPOSALS AND ACQUISITIONS

		Revised Budget Revenue 2020/21	Revised Budget Expense 2020/21	Actual Revenue 2020/21	Actual Expense 2020/21
LAND HELD FOR RESALE	LR	0	0	0.00	0.00
LAND - FREEHOLD	LF	50,000	0	0.00	0.00
BUILDINGS - NON SPECIALISED	BNS	600,000	(175,000)	0.00	(141,391.21)
BUILDINGS - SPECIALISED	BS	0	(813,500)	0.00	(433,811.45)
PLANT & EQUIPMENT	P&E	577,000	(1,032,000)	516,181.82	(943,617.52)
FURNITURE & EQUIPMENT	F&E	0	(12,000)	0.00	0.00
INFRASTRUCTURE - ROADS	I-R	0	(2,095,900)	0.00	(1,310,273.87)
INFRASTRUCTURE - FOOTPATHS	I-F	0	(755,000)	0.00	(41,400.00)
INFRASTRUCTURE - PARKS & OVALS	I-P	0	(1,055,000)	0.00	(38,102.17)
INFRASTRUCTURE - WATER SUPPLY	I-W	0	(105,000)	0.00	(9,885.05)
INFRASTRUCTURE - OTHER	I-O	0	(21,500)	0.00	(1,523.82)
		1,227,000	(6,064,900)	516,181.82	(2,920,005.09)
RESERVE TRANSFERS - from/(to)					
Leave Reserve		82,700	(51,800)	0.00	(218.60)
Plant Replacement Reserve		455,000	(304,000)	0.00	(628.63)
Building Reserve		0	(55,000)	0.00	(689.35)
Computer Reserve		12,000	(10,900)	0.00	(103.55)
Tambellup Rec Ground & Pavilion Reserve		0	(5,900)	0.00	(111.22)
Broomehill Rec Complex Reserve		0	(10,100)	0.00	(185.68)
Building Maintenance Reserve		0	(23,000)	0.00	(43.14)
Sandalwood Villas Reserve		0	(11,200)	0.00	(180.88)
Broomehill Synthetic Bowling Green Replacement Reserve		0	(9,600)	0.00	(145.73)
Refuse Sites Post Closure Management Reserve		0	(5,500)	0.00	(62.00)
Lavieville Lodge Reserve		25,000	(11,100)	0.00	(156.60)
Townscape Plan Implementation Reserve		300,000	(27,500)	0.00	(527.64)
Tambellup Synthetic Bowling Green Replacement Reserve		0	(7,800)	0.00	(44.74)
Tourism & Economic Development Reserve		10,000	(700)	0.00	(98.12)
		884,700	(534,100)	0.00	(3,195.88)
LOANS					
Loan Repayments		0	(123,500)	0.00	(60,481.94)
Proceeds from New Loans		0	0	0.00	0.00
Proceeds - Short Term Loan Facilities		600,000	0	0.00	0.00
Repayment- Short Term Loan Facilities		0	(600,000)	0.00	0.00
		600,000	(723,500)	0.00	(60,481.94)
TOTAL CAPITAL		2,711,700	(7,322,500)	516,181.82	(2,983,682.91)

SHIRE OF BROOMEHILL-TAMBELLUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2021

13: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows -

Description	Opening Balance 1 July 2020	Amount Received	Amount Paid	Closing Balance
Broomehill Liaison Group	1,243.74	0.00	0.00	1,243.74
Fire Prevention	5,834.27	0.00	0.00	5,834.27
Youth Support Donations	130.00	0.00	0.00	130.00
Tourism Donations	43.83	0.00	0.00	43.83
Roadwise	329.18	0.00	0.00	329.18
Broomehill Dramatic Society	3,417.86	0.00	0.00	3,417.86
Rates - held in trust upon sale of property	4,149.34	0.00	0.00	4,149.34
	15,148.22	0.00	0.00	15,148.22

SHIRE OF BROOMEHILL-TAMBELLUP
Municipal Fund & Trust Fund Payments for the month ending 30 April 2021
Presented to Council on 20 May 2021
Local Government (Financial Management) Regulations 1996 - No. 12 & No. 13

Chq/EFT	Date	Name	Description	Municipal Fund	Trust Fund
4191	13/04/2021	SYNERGY	Electricity Usage 25/2/21 to 24/3/2021; charges 4/3/21 to 1/4/21	2,897.55	
4192	15/04/2021	PETTY CASH	BH Petty Cash - 24/11/20 to 06/04/21	587.90	
4193	22/04/2021	PETTY CASH	TA Petty Cash - 15/04/21 to 22/04/21	392.60	
4194	30/04/2021	BUNNINGS ALBANY	Assorted Plants, Hedge shear, trowel, pruner x2, Hose 12mm x15M	289.17	
4195	30/04/2021	SYNERGY	Electricity Usage & charges Feb 21 to Apr 21	4,077.68	
4196	30/04/2021	TELSTRA	Phone Usage Charges to 01/04/2021; service charges to 02/05/2021	2,015.99	
4197	30/04/2021	WATER CORPORATION	Water Service Charges to 30/04/21 - Usage Charges to April 2021	17,324.30	
EFT13358	12/04/2021	CARL LETTER	Councillors Annual Meeting Fees July 2020 to June 2021	7,000.00	
EFT13359	12/04/2021	DOUGLAS TERENCE BARRITT	Councillors Annual Meeting Fees July 2020 - June 2021	7,000.00	
EFT13360	12/04/2021	KELLY HOLZKNECHT	Councillors Annual Meeting Fees - July 2020 to June 2021	7,000.00	
EFT13361	12/04/2021	MARK PAGANONI	Presidents annual meeting fees July 2020 to June 2021	15,500.00	
EFT13362	12/04/2021	MICHAEL WHITE	Councillors Annual Meeting Fees - July 2020 to June 2021	7,500.00	
EFT13363	12/04/2021	MONICA NAZZARI	Councillors Annual Meeting Fees July 2020 - June 2021	7,000.00	
EFT13364	12/04/2021	STEVEN PENNY	Councillors Annual Meeting Fees July 2020 to June 2021	7,000.00	
EFT13365	13/04/2021	124 TAMBELLUP STORE	March 2021 - Newspapers, fuel, groceries and Catering	1,055.66	
EFT13366	13/04/2021	AMPOL CARD (prev Caltex Star Card)	Fuel - March 2021	316.59	
EFT13367	13/04/2021	BOC LIMITED	Cylinder Rent - Depot - 26/02/21 to 28/03/21 - Oxygen x1, Dissolved Acetylene x2, Argoshield x1	50.90	
EFT13368	13/04/2021	CHARLIE WILLIAMSON	Vacate House Clean & clean carpets - 20 Henry Street, Tambellup	1,702.00	
EFT13369	13/04/2021	CHILD SUPPORT AGENCY	Payroll deductions	962.50	
EFT13370	13/04/2021	EASI	CEO Vehicle Lease	2,762.63	
EFT13371	13/04/2021	RM SMITH & SONS	22 Taylor Street, Tambellup - Balance of Retention	20,591.78	
EFT13372	13/04/2021	SONYA WOODS	Return of Hall & Key Bond - Tambellup hall hire 12/02/2021	550.00	
EFT13373	21/04/2021	KARINA COLBUNG	Return of Hall & Key Bond - Tambellup Hall Hire - 17/04/2021	550.00	
EFT13374	21/04/2021	RUSSELL KEMP	Refund of Payment for 3 Pallets of Pavers - Not Collected	300.00	
EFT13375	22/04/2021	AARON PARNELL	Gardening at Lavieville Lodge to 07/04/2021	337.50	
EFT13376	22/04/2021	ABA SECURITY	Carry out monthly fire system test & show BH staff how to conduct test	773.89	
EFT13377	22/04/2021	AMPAC Debt Recovery (WA) Pty Ltd	Rate debt collection costs	1,656.60	
EFT13378	22/04/2021	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	Land Mobile Licence 341882/1 to 30/04/2022	114.00	
EFT13379	22/04/2021	BEST OFFICE SYSTEMS	Minimum Charge Bhill photocopier - 23/02/21 to 23/03/21	49.50	
EFT13380	22/04/2021	BETTA HOME LIVING KATANNING HOUSE AND HOME	Fridges, TV's, microwaves, kettle & toasters - Bhill cabins	3,468.75	
EFT13381	22/04/2021	BTW RURAL SUPPLIES	Honda engine GP200x - TA2251	609.00	
EFT13382	22/04/2021	CHRIS OBST PANEL AND PAINT	Repair damage to RH side - TA001	1,123.86	
EFT13383	22/04/2021	CORSIGN WA Pty Ltd	Signs - 'Reduce Speed' 'Curved Road' 'T Junction', street signs, Camel Sign	3,731.20	

10.02 - List of Payments April 2021

Chq/EFT	Date	Name	Description	Municipal Fund	Trust Fund
EFT13384	22/04/2021	DEPT OF PREMIER AND CABINET	Special Gazette - advertising Local Laws 2020	16,631.10	
EFT13385	22/04/2021	DHU SOUTH ELECTRICAL	Various electrical work - camera system 17 Taylor Street Tamb; install generator switches to Bhill Complex, Bhill Depot, Tamb Depot, Tamb Pavilion; install GPOs for retic at Holland Park; connect oven & replace exhaust fan U1 Lavieville; repair light fittings 20 Henry St; inspect smoke alarms U1 & U4 Sandalwood; supply & install ducting & connect power to rangehoods Holland Court	19,813.09	
EFT13386	22/04/2021	DUGGINS	Works crew clothing order - new employees	770.39	
EFT13387	22/04/2021	ELITE STEEL FABRICATION	Solenoid valve x10, roller valve ball bearing x2 - BHT0	1,289.75	
EFT13388	22/04/2021	GOOP TRADING T/AS BROOMEHILL POST OFFICE &	Broomehill Postage - March 2021	2.20	
EFT13389	22/04/2021	GRAHAMS SMALL MOTOR CENTRE	Chainsaw chains x2 - edger blade	110.00	
EFT13390	22/04/2021	GREAT SOUTHERN PAVING	Asphalt Works - Broomehill Kojonup Road & Pootenup Road	39,536.00	
EFT13391	22/04/2021	J BLACKWOOD & SON	Cleaning products	782.92	
EFT13392	22/04/2021	KATANNING GLAZING & SECURITY	Internal Lever Handle on round rose - Unit 3 Holland Court	120.00	
EFT13393	22/04/2021	KATANNING H HARDWARE	Wheel 800x8 Heavy duty x 2 - Skidsteer Angle Broom	454.60	
EFT13394	22/04/2021	KATANNING STOCK AND TRADING	Jack stand - BHT0	188.10	
EFT13395	22/04/2021	KATANNING VET CLINIC	Microchip Dog	65.00	
EFT13396	22/04/2021	LANDGATE	Interim rate valuations	419.80	
EFT13397	22/04/2021	LW HULL	Spread Fertiliser TA Oval - 08/04/21	165.00	
EFT13398	22/04/2021	MARKETFORCE	Advertising - Local Laws - Public Notices - GSH 11/03/2021	416.46	
EFT13399	22/04/2021	NEWMANS CONCRETE	300mm Internal concrete pipe x2, Headwall to suit x2	2,149.40	
EFT13400	22/04/2021	NUTRIEN AG SOLUTIONS LTD	Syng Talon Wax Block x 1kg	48.31	
EFT13401	22/04/2021	OFFICE OF THE AUDITOR GENERAL	Audit Fees - year ended 30/06/2020	29,700.00	
EFT13402	22/04/2021	OFFICEWORKS	Hand Towel Dispenser, AAA & AA Batteries, Ultra SDHC cards	279.22	
EFT13403	22/04/2021	OBST CONTRACTING	Slashing - 604 Spencer Road Bhill	1,210.00	
EFT13404	22/04/2021	PERFECT COMPUTER SOLUTIONS PTY LTD	IT Support - Monthly Fee Daily Monitoring March 2021 - Resolution of Disaster Recovery options	85.00	
EFT13405	22/04/2021	PROJECT DIRECTORS AUSTRALIA	March 2021 - GSHI Project Management Services	8,052.00	
EFT13406	22/04/2021	QFH MULTIPARTS	Repair hose - 1TMR361	196.97	
EFT13407	22/04/2021	RECHARGE-IT (Danai Pty Ltd)	Refill printer cartridges	115.00	
EFT13408	22/04/2021	SHIRE OF CRANBROOK	Building Surveyor Services - March 2021	1,105.06	
EFT13409	22/04/2021	SIGNS PLUS	Staff Name Badges x 3	51.50	
EFT13410	22/04/2021	SOUTHERN TOOL AND FASTENER CO	Rotary Nozzle Stihl REi30 - Pressure Washer	46.29	
EFT13411	22/04/2021	ST LUKES FAMILY PRACTICE	New employee - pre-start medical	264.00	
EFT13412	22/04/2021	T QUIP	Blade Atomic x12	512.95	
EFT13413	22/04/2021	TAMBELLUP G & T MOTORS	March 2021 - Fuel line, nuts, screws, washers, paint spray, blow gun, spark	725.80	
EFT13414	22/04/2021	TOLL TRANSPORT PTY LTD	Freight to 28/03/2021	136.57	
EFT13415	22/04/2021	VANGUARD PRESS	Hidden Treasures - Brochure Display, Transport, Warehousing Fee -	602.31	

10.02 - List of Payments April 2021

Chq/EFT	Date	Name	Description	Municipal Fund	Trust Fund
EFT13416	22/04/2021	WARREN BLACKWOOD WASTE	March 2021 - Management of Waste Transfer Stations; household rubbish & recycling collection	18,059.54	
EFT13417	22/04/2021	WATKINS PLUMBING	Replace tap U2 Sandalwood; replace toilet seat U1 Lavieville; unblock sink Tamb transfer station	802.62	
EFT13418	22/04/2021	WESTERN STABILISERS PTY LTD (Corrigin)	Cement stabilise pavement failure - Bhill-Koji Rd - Wet mix 3 intersections - Tamb West Rd	30,680.68	
EFT13419	22/04/2021	WESTRAC EQUIPMENT PTY LTD	Bracket AS-R & AS-L, RH & LH fender - Backhoe BH013; mobilisation for warranty repair on reversing camera & wrenches grader BH004; gasket, seal & o-ring grader TA18;	3,033.63	
EFT13420	22/04/2021	BROOMEHILL HERITAGE GROUP	ANZAC Day 2021 Contribution	200.00	
EFT13421	30/04/2021	ALBANY CITY MOTORS	Service Kit - Fuel filter, Filter ACL, Element Oil - BH012	297.86	
EFT13422	30/04/2021	ALBANY FORD	Changeovers for Ford Everest BH000 & Ford Ranger Wildtrak TA001	17,951.34	
EFT13423	30/04/2021	BENARA NURSERIES	Assorted Plants - Broomehill and Tambellup parks & gardens	331.76	
EFT13424	30/04/2021	BETTA HOME LIVING KATANNING HOUSE AND HOME	Vacuum Cleaners - Bhill & Tamb offices; 3 x tv brackets Bhill cabins	1,650.85	
EFT13425	30/04/2021	BUILDING COMMISSION	Building Services Levy (BSL) - March 2021	56.65	
EFT13426	30/04/2021	BURGESS RAWSON	Norrish St Toilets - Water Account	256.88	
EFT13427	30/04/2021	CAMTRANS ALBANY PTY LTD	40 packs Flagstone pavers delivered to Tambellup	12,200.00	
EFT13428	30/04/2021	CHILD SUPPORT AGENCY	Payroll deductions	481.25	
EFT13429	30/04/2021	CORSIGN WA Pty Ltd	Bracket x200, L clamps x200 Tieline/Moulyerup Rd; 'No Waste 15 minutes prior to closing' signs for transfer stations; 5x 'No Through Road' signs; Morgan Rd street sign	1,252.90	
EFT13430	30/04/2021	DHU SOUTH ELECTRICAL	Regas aircon U4 Lavieville; check external lights Tamb pavilion; repair faulty aircon U3 Holland Court	1,275.56	
EFT13431	30/04/2021	DOWNER EDI WORKS PTY LTD	Sealing - Flat Rocks Rd intersection, Broomehill-Kojonup Rd	93,396.78	
EFT13432	30/04/2021	ELITE STEEL FABRICATION	Equaliser pin, Equaliser bush tapered - 1TMR361	157.30	
EFT13433	30/04/2021	ELLENBY TREE FARM PTY LTD	Trees - Coastal Sheoak x4, Kimberley Bauhinia x2	1,782.00	
EFT13434	30/04/2021	FLOWERS BY TONI	Anzac Wreath 50cm delivered	150.00	
EFT13435	30/04/2021	GREAT SOUTHERN FUEL SUPPLIES	10,000L Diesel delivered Tambellup depot	12,440.01	
EFT13436	30/04/2021	GREAT SOUTHERN PAVING	Asphalt Works BH Central Fire Brigade Car Park	15,000.00	
EFT13437	30/04/2021	HOWARD + HEAVER ARCHITECTS	Architectural Services - March 2021 Drought Communities projects	12,894.75	
EFT13438	30/04/2021	J BLACKWOOD & SON	Cleaning products	156.13	
EFT13439	30/04/2021	KATANNING FURNISHINGS	Roller blinds x3 fitted - 11 Lavarock St Bhill	1,447.00	
EFT13440	30/04/2021	KATANNING H HARDWARE	Tek timber & metal screws, tape measure, Recipro Blade x3 - TA017	274.77	
EFT13441	30/04/2021	KATANNING STOCK AND TRADING	Single folding & compact folding Clothes Lines - Bhill Caravan Park; Bird Spikes Tamb pavilion	864.25	
EFT13442	30/04/2021	KJB PLUMBING AND GAS	Install new 50mm ball valve for Fire Fighting filling - Anderson Bore	792.00	
EFT13443	30/04/2021	KNIGHTLINE COMPUTERS	Batteries C 2pk x2, D 4pk, D 2pk x2, 9V 6pk, C 2pk x3, D 2pk x2	105.30	
EFT13444	30/04/2021	KOJONUP TYRE SERVICE	Truck tyres - Toyo 627 x2 - BHTO	1,014.00	
EFT13445	30/04/2021	Let's Talk Flowers	Flowers x 2 Bunches - J Taylor & M Tuffley	185.00	

10.02 - List of Payments April 2021

Chq/EFT	Date	Name	Description	Municipal Fund	Trust Fund
EFT13446	30/04/2021	MOORE AUSTRALIA PTY LTD	2021 Financial Reporting Workshop 28/05/21 - Kay O'Neill	1,925.00	
EFT13447	30/04/2021	NUTRIEN AG SOLUTIONS LTD	Jambro ring fasteners 1000pk - Depot Fence	15.84	
EFT13448	30/04/2021	PERFECT COMPUTER SOLUTIONS PTY LTD	IT Support - Monthly Fee Daily Monitoring Jan21 - resolve remote login issue	510.00	
EFT13449	30/04/2021	SHAMARA LETTER	Catering for Council Meeting - 15/04/21	510.00	
EFT13450	30/04/2021	ST JOHN AMBULANCE TAMBELLUP SUB-CENTRE	First Aid Kit Supplies - Update all kits	273.51	
EFT13451	30/04/2021	STATE LIBRARY OF WA	Freight Recoup 2020/2021 Financial Year Bhill & Tamb Libraries	637.82	
EFT13452	30/04/2021	STRUCTERRE CONSULTING ENGINEERS	Bhill Rec Complex - Geotech Report - Bhill Oval Pavilion Plans	859.10	
EFT13453	30/04/2021	TAYLOR'S PAINTING SERVICE	Paint ceiling and general maintenance - 20 Henry Street	300.00	
EFT13454	30/04/2021	TOLL TRANSPORT PTY LTD	Freight to 25/04/21	435.23	
EFT13455	30/04/2021	TRUCK CENTRE WA PTY LTD	Rod and latch assy RH - BHT125	94.58	
EFT13456	30/04/2021	VISIMAX	Infringement Notice Bush Fires Act x3	94.83	
EFT13457	30/04/2021	WESTRAC EQUIPMENT PTY LTD	Greases, coolant, DEO, oil filters, elements; element PRIM x2, hammer, air filter & coolant kit grader BH004	3,170.92	
EFT	13/04/2021	SALARIES & WAGES	Wages fortnight ending 9 April 2021	57,192.01	
EFT	27/04/2021	SALARIES & WAGES	Wages fortnight ending 23 April 2021	57,925.75	
DD6150.1	13/04/2021	AWARE SUPER	Superannuation contributions	10,427.46	
DD6150.2	13/04/2021	BT SUPER	Superannuation contributions	703.97	
DD6150.3	13/04/2021	REST SUPERANNUATION	Superannuation contributions	405.76	
DD6150.4	13/04/2021	AMP SUPERANNUATION SAVINGS TRUST (SST)	Superannuation contributions	436.34	
DD6150.5	13/04/2021	SUPER DIRECTIONS FUND	Superannuation contributions	93.94	
DD6150.6	13/04/2021	NETWEALTH SUPERANNUATION	Superannuation contributions	160.04	
DD6150.7	13/04/2021	AUSTRALIAN SUPER	Superannuation contributions	218.17	
DD6165.1	27/04/2021	AWARE SUPER	Superannuation contributions	10,430.12	
DD6165.2	27/04/2021	BT SUPER	Superannuation contributions	677.46	
DD6165.3	27/04/2021	REST SUPERANNUATION	Superannuation contributions	497.05	
DD6165.4	27/04/2021	AMP SUPERANNUATION SAVINGS TRUST (SST)	Superannuation contributions	436.99	
DD6165.5	27/04/2021	SUPER DIRECTIONS FUND	Superannuation contributions	234.85	
DD6165.6	27/04/2021	NETWEALTH SUPERANNUATION	Superannuation contributions	106.70	
DD6165.7	27/04/2021	AUSTRALIAN SUPER	Superannuation contributions	218.17	
151	01/04/2020	BANK FEES	Merchant Fees - EFTPOS service	198.87	
151	01/04/2020	BANK FEES	Transaction & Overdraft Fees	12.55	
151	01/04/2020	WESTNET	Subscription - Broomehill Library	12.55	
151	13/04/2021	AUSSIE BROADBAND	NBN - CEO's house	79.00	
151	14/04/2021	MESSAGE MEDIA	SMS Messages - fire brigades/road closures	3.63	
151	14/04/2021	Ricoh - PHOTOCOPIER LEASE	Photocopier Lease	1,398.10	
				632,223.46	-

10.02 - List of Payments April 2021

Chq/EFT	Date	Name	Description	Municipal Fund	Trust Fund
CREDIT CARDS			Description	Amount	
March	14/04/2021	Chief Executive Officer	Ikea - furniture Bhill cabins	1,473.92	
			Thankyou gifts - City of Albany staff for advice	99.90	
			Monthly Card Fee	4.00	
			Total CEO	1,577.82	
March	14/04/2021	Manager Finance & Administration	Fuel BH000	80.00	
			Refreshments - council meetings & kitchen	214.60	
			Airconditioning license - S Oclarit	234.00	
			Aussie Broadband - Tamb Admin	79.00	
			Zoom monthly subscription	46.18	
			Monthly Card Fee	4.00	
			Total MFA	657.78	
			Total Credit Cards	2,235.60	



Honours Nomination 2021

Eminent Service Award

Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR PERSONAL COMMITMENT, EMINENT SERVICE AND CONTRIBUTION TO THE LOCAL GOVERNMENT SECTOR OR THE ASSOCIATION:

ELIGIBILITY:

- As a President or Mayor
- As a State Councillor
- As an Elected Member or employee of the Association or a member Local Government
- As an employee of a Government Agency

PRESENTED IN RECOGNITION OF:

- Notable contribution to the Association and/or the Local Government sector.

PRIVILEGES

- Eminent Service Award - certificate

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS



Honours Nomination 2021

Local Government Distinguished Officers Award

Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR OUTSTANDING CONTRIBUTIONS MADE BY OFFICERS OF MEMBER LOCAL GOVERNMENTS TO THEIR LOCAL GOVERNMENT AND THE LOCAL GOVERNMENT SECTOR:

PRESENTED IN RECOGNITION OF:

- Demonstrating outstanding contributions to the Local Government sector.
- Leading by example, sustainable performance and highlights best practice operations for the sector
- Outstanding achievements, both professionally and personally, in the advancement of the Local Government sector.

PRIVILEGES

- Local Government Officer Award - Certificate

State Councillors, Zones and Member Local Governments are eligible to nominate officers for this category.

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS

Honours Nomination 2021

Life Membership



Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR LONG AND OUTSTANDING SERVICE TO THE ASSOCIATION AND TO THE LOCAL GOVERNMENT SECTOR

ELIGIBILITY:

- As a State Councillor
- Years of service to the Association and to Local Government for a minimum of two election terms (i.e. 8 years).
- As an employee of the Association or a Member Local Government for a minimum of 15 years.

PRESENTED IN RECOGNITION OF:

- For long and outstanding service to the Association and to the Local Government sector.
- For significant achievement and/or active involvement in intergovernmental relations as a State Councillor.

PRIVILEGES

- Certificate of Life Membership and Lapel Pin
- Complimentary registration at Association Conference, but not including travelling, accommodation, meals or functions
- Complimentary subscription to Local Government News and Western Councillor.

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS

Honours Nomination 2021

Local Government Medal



Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTION TO THE LOCAL GOVERNMENT SECTOR / WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

ELIGIBILITY:

- President of the Association
- As a State Councillor
- As an Elected Member

PRESENTED IN RECOGNITION OF:

- Exceptional service which advances the goals of WALGA and / or the Local Government sector;
- Exemplary character and ongoing championing of the Local Government sector;
- The personal contribution given in pursuit of benefits for the community within the concept of Local Government;
- Outstanding achievements and/or significant contributions, both professionally and personally, in the advancement of the position and value of the Western Australian Local Government Association and/or Local Government within the wider community.

These key factors form the basis for the selection of recipients and will be applied in the nomination and selection process.

PRIVILEGES

- Local Government Medal, Certificate and Lapel Pin
- Complimentary registration at Association Conferences, but not including travelling, accommodation, meals or functions
- Automatic nomination for Australian Honours/Western Australia Week Awards

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS



Honours Nomination 2021

Long and Loyal Service Award

Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR LONG SERVICE OF A HIGH DEGREE TO LOCAL GOVERNMENT, THE LOCAL GOVERNMENT SECTOR OR THE ASSOCIATION:

ELIGIBILITY:

- As a State Councillor for 8 or more years
- As an Elected Member for 12 or more years

PRESENTED IN RECOGNITION OF:

- Outstanding service to the Association, Local Government, and/or the Local Government sector.
- Long and loyal service to the Association, Local Government, and/or the Local Government sector.

NB: This award is for outstanding and long and loyal service from Elected Members that have at least served 12 years.

PRIVILEGES

- Long and Loyal Service Award – certificate

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS

Honours Nomination 2021

Merit Award



Closing date: 5:00pm Friday, 18 June

ELIGIBILITY

FOR DISTINGUISHED SERVICE TO THE COMMUNITY THROUGH THE LOCAL GOVERNMENT OF THE CITY/SHIRE/TOWN OF _____

ELIGIBILITY:

- As an Elected Member
- Must have served for 4 years or more

PRESENTED IN RECOGNITION OF:

- Committed and dedicated to the pursuit of achievement for the community of a Local Government.

PRIVILEGES

- Local Government Merit Award – certificate

IMPORTANT NOTES

Electronic submission of nominations must be emailed to honours@walga.asn.au.

Eligibility to nominate persons for this award can be found in the Honours Policy 2021.

- Reference should be made to the nominating authority section below to ensure that an eligible nominator has been identified to support the nomination.
- Nominations from Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to WALGA.
- Nominations submitted by State Councillors do not require supporting signatures.
- Please provide a biographical profile as detailed as possible (page 2) for the person you are nominating, and a colour photo, preferably a digital image (no less than 1mb in file size, JPEG format). The photo should be passport type (head and shoulders).
- Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

CONTACTS

Honours Program 2021

Policy



WALGA recognises service to Local Government by the award of the following Honours:

- Local Government Medal
- Life Membership
- Eminent Service Award (previously Certificate of Appreciation)
- Long and Loyal Service Award
- Merit Award (previously Distinguished Service Award)
- Local Government Distinguished Officers Award

LOCAL GOVERNMENT MEDAL

FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTION TO THE LOCAL GOVERNMENT SECTOR / WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

ELIGIBILITY:

- President of the Association
- As a State Councillor
- As an Elected Member

PRESENTED IN RECOGNITION OF:

- Exceptional service which advances the goals of WALGA and / or the Local Government sector;
- Exemplary character and ongoing championing of the Local Government sector;
- The personal contribution given in pursuit of benefits for the community within the concept of Local Government;
- Outstanding achievements and/or significant contributions, both professionally and personally, in the advancement of the position and value of the Western Australian Local Government Association and/or Local Government within the wider community; and,

These key factors form the basis for the selection of recipients and will be applied in the nomination and selection process.

PRIVILEGES

- Local Government Medal, Certificate and Lapel Pin
- Complimentary registration at Association Conferences, but not including travelling, accommodation, meals or functions
- Automatic nomination for Australian Honours/Western Australia Week Awards

LIFE MEMBERSHIP

FOR LONG AND OUTSTANDING SERVICE TO THE ASSOCIATION AND TO THE LOCAL GOVERNMENT SECTOR

ELIGIBILITY:

- As a State Councillor
- Years of service to the Association and to Local Government for a minimum of two election terms (i.e. 8 years).
- As an employee of the Association or a Member Local Government for a minimum of 15 years.

PRESENTED IN RECOGNITION OF:

- For long and outstanding service to the Association and to the Local Government sector.
- For significant achievement and/or active involvement in intergovernmental relations as a State Councillor.

PRIVILEGES

- Certificate of Life Membership and Lapel Pin
- Complimentary registration at Association Conference, but not including travelling, accommodation, meals or functions
- Complimentary subscription to Local Government News and Western Councillor.

EMINENT SERVICE AWARD (Previously Known As Certificate Of Appreciation)

FOR PERSONAL COMMITMENT, EMINENT SERVICE AND CONTRIBUTION TO THE LOCAL GOVERNMENT SECTOR OR THE ASSOCIATION:

ELIGIBILITY:

- As a President or Mayor
- As a State Councillor
- As an Elected Member or employee of the Association or a Member Local Government
- As an employee of a Government Agency

PRESENTED IN RECOGNITION OF:

- Notable contribution to the Association and/or the Local Government sector.

PRIVILEGES

- Eminent Service Award - Certificate

LONG AND LOYAL SERVICE AWARD

FOR LONG SERVICE OF A HIGH DEGREE TO LOCAL GOVERNMENT, THE LOCAL GOVERNMENT SECTOR OR THE ASSOCIATION:

ELIGIBILITY:

- As a State Councillor for 8 or more years
- As an Elected Member for 12 or more years

PRESENTED IN RECOGNITION OF:

- Outstanding service to the Association, Local Government, and/or the Local Government sector.
- Long and loyal service to the Association, Local Government, and/or the Local Government sector.

NB: This award is for outstanding long and loyal service from Elected Members that have at least served 12 years.

PRIVILEGES

- Long and Loyal Service Award – Certificate

MERIT AWARD (Previously Known As the Distinguished Service Award)

FOR DISTINGUISHED SERVICE TO THE COMMUNITY THROUGH THE LOCAL GOVERNMENT OF THE CITY/SHIRE/TOWN OF _____

ELIGIBILITY:

- As an Elected Member
- Must have served for 4 years or more

PRESENTED IN RECOGNITION OF:

- Committed and dedicated to the pursuit of achievement for the community of a Local Government.

PRIVILEGES

- Local Government Merit Award – Certificate

LOCAL GOVERNMENT DISTINGUISHED OFFICER AWARD

FOR OUTSTANDING CONTRIBUTIONS MADE BY OFFICERS OF MEMBER LOCAL GOVERNMENTS TO THEIR LOCAL GOVERNMENT AND THE LOCAL GOVERNMENT SECTOR:

PRESENTED IN RECOGNITION OF:

- Demonstrating outstanding contributions to the Local Government sector.
- Leading by example, sustainable performance and highlights best practice operations for the sector
- Outstanding achievements, both professionally and personally, in the advancement of the Local Government sector.

PRIVILEGES

- Local Government Officer Award - Certificate

State Councillors, Zones and Member Local Governments are eligible to nominate officers for this category.

WHO CAN NOMINATE FOR AWARDS?

Nominations for awards within the WALGA Honours program can be made by the following nominators:

- **Local Government Medal** - Available for nomination by State Council Members and Member Local Governments with a co-sign by a State Councillor.
- **Life Membership** - Available for nomination by State Council Members and Member Local Governments
- **Eminent Service Award** - Available for nomination by State Council Members and Member Local Governments
- **Long and Loyal Service Award** - Available for nomination by State Council Members and Member Local Governments
- **Merit Award** - Available for nomination by State Council Members and Member Local Governments
- **Local Government Distinguished Officer Award** - Available for nomination by State Council Members and Member Local Governments

PLEASE NOTE:

State Council Members are those individuals elected to the State Council of WALGA and that nominations submitted by State Council Members do not require supporting signatures.

10.03.2 - Honours Program Policy 2021

Eligibility to nominate persons for Honours varies between award categories. Reference should be made to the nominating authority section of the 2021 nomination forms to ensure that an eligible nominator has been identified to support the nomination.

Nominations by Member Local Governments require that the Local Government is a Member of the WA Local Government Association (WALGA). The support of the nominator (who must be an Elected Member) plus two other Elected Members is required and the nomination must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to the Association.

In the case of the Local Government Distinguished Officer Award the final sign-off should be performed by the Mayor or President of the Local Government.

Nominations will not be accepted for persons who have retired or ceased working for Local Government before 1 July 2018.

NOMINATION PROCESS

Nominations will be invited and will close on Friday, **18 June**.

Additional copies of Nomination forms are available by visiting <http://www.walga.asn.au/Policy-Advice-and-Advocacy/Governance-and-Strategy/Local-Government-Honours.aspx>

The Nomination form, and any attachments, should be submitted to the Association's Secretariat either by hand, post, email or facsimile. **Please note, emailed nominations must be dated and digitally signed.**

The WA Local Government Association Honours Panel will meet after the closing date for nominations and undertake to adjudicate in the selection of recipients.

Successful Honours nominees will be notified of their nomination, and arrangements will be made as appropriate in respect of the award presentation.

Nominating bodies will be advised of any unsuccessful nominations in due course.

FURTHER ENQUIRIES

Executive Officer Governance
WALGA

Phone: (08) 9213 2036

**SHIRE OF BROOMEHILL-TAMBELLUP CORPORATE BUSINESS PLAN 2018/2019 - 2021/2022
QUARTERLY REPORT FINANCIAL YEAR 2020-2021**

OUR KEY RESULT AREAS and OBJECTIVES <small>(extract from Strategic Community Plan)</small>	OUR ACTIONS <small>(extract from Corporate Business Plan)</small> Note, these should be broad activities required to: 1) Achieve a target 2) Create a critical success factor 3) Overcome a barrier	ACTION DELIVERY TIMELINE			ON TRACK MONITOR HOLD COMPLETED	JANUARY - MARCH 2021 ACTION UPDATE COMMENTS
		FY 20/21	FY 21/22	→		

1. OUR PEOPLE							
1.1	Our community is safe, connected, harmonious and inclusive	A1.1.1.1	Utilise a range of media to promote Shire and community events and activities	✓	✓	✓	Topics, website, Facebook, flyers, noticeboards utilised to circulate information to the community.
		A1.1.1.2	Review Disability Access and Inclusion Plan and improve outcomes	✓	✓	✓	Review of DAIP is complete. Accessibility upgrade at Broomehill Rec Complex to be funded as part of the Drought Communities Program. Handrails to be installed to steps at Tambellup Oval.
		A1.1.2.1	Liaise with organisations and agencies (including CRC, schools, support agencies) for delivery of youth activities and programs in Broomehill and Tambellup	✓	✓	✓	Support and promotion of CRC activities. Assistance and in kind support for funding application to DLGSC Active Regional Communities Program. South Coast NRM Strong & Proud Program recommenced in Term 1 and has been well attended. The program is supported by a steering committee consisting of Shire, Police, school, DLGSC and community representation. The program ends at the end of Semester 1 and SCNRM are seeking funding to continue either in Semester 2 or commencement of 2022.
		A1.1.2.2	Liaise with and support neighbouring Councils in developing youth activities and programs	✓	✓	✓	Promotion of neighbouring Shire youth events on Facebook
		A1.1.3.1	Liaise with and continue to support volunteer emergency services (including Bushfire Brigades, St John Ambulance, Tambellup Volunteer Fire & Emergency Service)	✓	✓	✓	Council delegate & admin support for Bushfire Advisory Committee Admin support to CESM Council Policy 2.9 - Emergency Service Leave
		A1.1.3.2	Coordinate the activities and resources of the Local Emergency Management Committee	✓	✓	✓	Staff attended quarterly regional emergency management forums in Cranbrook. LEMC meeting held March 2021.
		A1.1.3.3	Provide community education on risks as identified by the Local Emergency Management Committee and mitigation strategies	✓	✓	✓	Promotion of harvest ban notifications, brigade contact and fire season information to Facebook, website, Topics.
		1.2	Our community has services and facilities that meet our needs and expectations	A1.2.1.1	Identify requirements and advocate to improve local service provision	✓	✓
A1.2.1.2	Support agency delivery of services and activities			✓	✓	✓	Ongoing liaison with agencies - inc WA Country Health Service, Relationships WA, Aboriginal Health, Mental Health, Police, CRC, Palmerston, Wanslea, Baldjamaar Foundation, South Coast NRM, Albany Youth Support Association to ensure appropriate service delivery.
A1.2.2.1	Identify requirements and implement/advocate to improve local service provision			✓	✓	✓	Youth Worker - ongoing discussion with Albany Youth Support Association re opportunities to partner in service provision
A1.2.2.2	Support and facilitate upgrade of youth facilities			✓	✓	✓	Drought Communities Program projects include construction of nature playground in Holland Park, upgrade of Tambellup Railway Station to be utilised as Youth Centre. Feedback sought and meeting held with facility users to determine best options - either upgrade Railway Station or youth centre. Will require more consultation.
A1.2.3.1	Liaise with service providers and advocate for infrastructure upgrades where required			✓	✓	✓	Discussion with community organisations and industry partners re development of short stay caravan park accommodation in Broomehill and Tambellup.
A1.2.3.2	Support external funding applications for communications infrastructure			✓	✓	✓	Nil this quarter

SHIRE OF BROOMEHILL-TAMBELLUP CORPORATE BUSINESS PLAN 2018/2019 - 2021/2022
QUARTERLY REPORT FINANCIAL YEAR 2020-2021

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				FY 20/21	FY 21/22	→		
1.3	Our community provides opportunities to enhance local employment	A1.3.1.1	Investigate and initiate Shire Mechanical apprenticeship				Red	Action deleted - July 2020 CBP review
		A1.3.1.2	Investigate and initiate traineeship program – works/admin	✓		✓	Yellow	Nil this quarter
		A1.3.2.1	Partner with the Tambellup CRC and others to develop and implement programs across shire	✓	✓	✓	Green	CRC business trainee is working at the Shire one day per week. Shire staff accessing training hosted by the CRC.
1.4	Organisations in our community demonstrate strong leadership and commitment	A1.4.1.1	Support and encourage community groups to plan and deliver events, programs and services	✓	✓	✓	Green	Support to Broomehill Recreational Complex committee - development of plans for new deck in conjunction with accessibility upgrade.
		A1.4.1.2	Maintain facilities and infrastructure utilised by community groups	✓	✓	✓	Green	Sporting facilities, parks, community buildings maintained
1.5	Our Shire demonstrates strong leadership, effective governance and efficient service delivery to our community	A1.5.1.1	Promote and coordinate participation in Councillor training opportunities for Elected Members	✓	✓	✓	Green	Training promoted as opportunities arise.
		A1.5.1.2	Review and communicate Council's Customer Service Charter	✓			Blue	Review completed. Customer Service Charter is on Shire's website for public information.
		A1.5.1.3	Demonstrate a high standard of legislative compliance and effective internal controls	✓	✓	✓	Green	Auditors report received, no issues noted. Annual Report adopted by council at Special Meeting 29 March 2021. Local Laws review process finalised.
		A1.5.1.4	Demonstrate sound financial planning and management	✓	✓	✓	Green	Monthly financials presented to Council.
		A1.5.1.5	Ensure transparency of Council decision making through effective communication with residents	✓	✓	✓	Green	Agendas and minutes of all meetings available for public perusal - hard copy and on the Shire's website. Summary of Council decisions from meetings and other relevant information published in Topics. Website and Facebook used to convey time-sensitive information and seek public feedback. Topics, flyers and in-person meetings are also utilised to seek feedback
		A1.5.1.6	Effectively manage organisational risk	✓	✓	✓	Yellow	Monitoring completion of Broomehill key worker housing.
		A1.5.2.1	Conduct biennial Community Perceptions Survey	✓		✓	Yellow	2020-2021 activity. This activity was previously completed as a regional task. At this time, a number of LGs have undertaken their own community survey with the result that the cost to complete for remaining LGs is significant. In terms of our requirements, the Strategic Community Plan is due for a full review in 2022. It is recommended that the survey be completed prior to the SCP review, as an informing strategy. Follow up early 2022.
		A1.5.2.2	Promote engagement opportunities widely, and utilise a range of engagement methods to increase and encourage participation	✓	✓	✓	Green	Feedback methods are promoted monthly in Topics.
		A1.5.2.3	Collaborate with regional partners and other organisations on matters of importance to the community	✓	✓	✓	Green	Ongoing participation in WALGA Zone, Southern Link VROC, lead organisation in Great Southern Housing Initiative. Collaboration with Tambellup Interagency working group, Early Years Initiative working group. CEO is WALGA Zone representative on District Emergency Management Committee. Represented on regional committees including Recreation Advisory Group, Regional Roads Group, Great Southern Treasures, GSCORE project working group. In relation to COVID-19 response: DEMC meets bi-monthly to monitor the situation in the region in relation to state, national and international situation,
		A1.5.3.1	Identify and prioritise staff training needs annually	✓	✓	✓	Blue	Staff reviews completed October 2020, training needs identified for scheduling.
		A1.5.3.2	Conduct biennial staff satisfaction survey		✓	✓	Blue	Completed March 2020. Workforce Plan review presented to Council March 2021
		A1.5.3.3	Ensure ongoing implementation and commitment to continual improvement in workplace health and safety	✓	✓	✓	Green	OSH committee meets bimonthly. Monthly administration and toolbox meetings.
		A1.5.3.4	Maintain quality staff housing	✓	✓	✓	Green	Maintenance program completed as per annual inspection checklist/budget provision and as required. New staff housing in Tambellup completed, Broomehill houses in progress.

SHIRE OF BROOMEHILL-TAMBELLUP CORPORATE BUSINESS PLAN 2018/2019 - 2021/2022 QUARTERLY REPORT FINANCIAL YEAR 2020-2021

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				FY 20/21	FY 21/22	→					
2. OUR ECONOMY											
2.1	Our community provides a unique tourism and visitor experience	A2.1.1.1	Review information signage across the Shire	✓						Ongoing	
		A2.1.1.2	Promote the towns and Shire through tourism media where appropriate	✓	✓	✓					Ongoing inclusion on Great Southern Treasures website, promotions.
		A2.1.2.1	Provide in kind support and venues to local organisations that deliver whole of community events	✓	✓	✓					Nil this quarter
		A2.1.3.1	Investigate provision of short stay accommodation at Broomehill Caravan Park	✓							Broomehill Caravan Park cabins completed and handed over December 2020. Furniture and soft fitout underway.
		A2.1.3.2	Investigate establishment of a Caravan Park in Tambellup	✓	✓						Ongoing liaison with proposed purchaser of Lot 19 Taylor St for development as caravan park. The Tambellup Community Cropping Group has committed funds to partner with the shire to develop the proposed caravan park, including short stay accommodation. Funding to be secured to progress this project.
		A2.1.4.1	Continue to support Great Southern Treasures/regional tourism organisations	✓	✓	✓					Budget provision for 2020-2021 Great Southern Treasures contribution Shire is providing in kind financial management to Great Southern Treasures Council delegates nominated to Great Southern Treasures committee CEO is working with the GST committee to determine an effective operating structure Budget provision for implementation of GSCORE trails projects in Broomehill and Tambellup (subject to GSCORE funding)
		A2.1.4.2	Participate in regional tourism events where appropriate	✓	✓	✓					Great Southern Treasures - participation at Harmony Festival (Katanning), Perth Caravan and Camping Show.
2.2	A stable population base is important to the sustainability of our community	A2.2.1.1	Develop key worker housing in Broomehill and Tambellup	✓						Great Southern Housing Initiative - Broomehill key worker houses to be progressed. Tambellup houses complete, 2 x leased to GROH 1 x staff, all tenanted.	
		A2.2.1.2	Develop independent living units in Broomehill	✓						Great Southern Housing Initiative - Holland Court units are complete, three units tenanted.	
		A2.2.2.1	Participate in regional marketing events and initiatives	✓	✓	✓					Great Southern Treasures - participation at Harmony Festival (Katanning), Perth Caravan and Camping Show.
		A2.2.3.1	Review and implement Housing and Land Strategy	✓	✓	✓					Three Council properties to be sold - Lavarock St is on the market, waiting for completion of Broomehill key worker housing to relocate staff and place East Terrace and Henry St on the market.
		A2.2.4.1	Continue financial and in kind support of A Smart Start Great Southern and local schools	✓	✓	✓					Broomehill Primary School -budget allocation throughb Local Roads & Community Infrastructre Program to construct a 'Kiss and Drop' parking area off Hassell St.. A Smart Start Great Southern - ongoing provision of HR and financial management (in kind), annual budget contribution.
A2.2.4.2	Advocate to WA Country Health Services to maintain/increase levels of service available at Tambellup Health Centre	✓	✓	✓					Statistics unavailable		
2.3	Our Shire actively supports existing local business and encourages new business ventures	A2.3.1.1	Advocate for the identification and release of light industrial land in the Shire	✓	✓	✓				Response to DPLH queries re Native Title Settlement - identification of land for future industrial use (around Tambellup Business Centre)	
		A2.3.1.2	Continue to support the Tambellup Business Centre	✓	✓	✓				Council delegate appointed to Tambellup Business Centre Management Committee	
		A2.3.2.1	Expand support for local business by the application of Buy Local and Regional Price Preference principles within Council's Purchasing Policy	✓	✓	✓					Opportunities are explored to increase local content in day to day purchasing and capital works projects. Drought Communities Program projects will provide opportunities for local business participation.
		A2.3.2.2	Ensure the Local Planning Scheme and Local Planning Strategy enable expansion of businesses	✓	✓	✓					Support for new daycare business to be established in Tambellup.

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				FY 20/21	FY 21/22	→						
		A2.3.3.1	Liaise with local and regional stakeholders, service providers and advocate for infrastructure upgrades where required	✓	✓	✓					Nil this quarter	
3. OUR PLACES												
3.1	The history, heritage and culture of our communities is reflected in attractive townscapes	A3.1.1.1	Consolidate existing tourism based plans for Broomehill and implement	✓	P						Drought Communities Program funding element - implementation of historical interpretation in townsites. 2020-2021 action	
		A3.1.1.2	Explore options for the development of a Holland Track Interpretive Centre	✓	✓						Drought Communities Program funding element - implementation of historical interpretation in townsites. 2020-2021 action	
		A3.1.1.3	Collaborate with and provide support to local history groups	✓	✓	✓						Provision of venues for heritage group collections and operations.
		A3.1.1.4	Review Tambellup Heritage Trail information signage	✓	P							Regional Trails Master Plan element. 2020-2021 action
		A3.1.2.1	Continue implementation of townscaping program in Broomehill and Tambellup	✓	P							Drought Communities Program funding element - implementation of historical interpretation in townsites. 2020-2021 action
		A3.1.2.2	Develop and implement a maintenance program for public areas, cemeteries	✓	✓	✓						Budget provision for ongoing maintenance, requirements monitored and actioned.
3.2	Our community and Council are environmentally aware and engaged	A3.2.1.1	Investigate implementation of a three-bin waste system	✓	P						Nil this quarter	
		A3.2.1.2	Investigate alternative locations for landfill sites	✓	✓	✓					Nil this quarter	
		A3.2.1.3	Continue to support the Drum Muster program in Broomehill and Tambellup	✓	✓	✓					Collection completed October 2020 by Tambellup P & C. 26 participants, 3798 containers collected with 36 containers rejected.	
		A3.2.2.1	Explore and implement energy and water saving initiatives to all Shire properties	✓	✓	✓						Under surface reticulation installed at Holland Court units due to low water pressure
		A3.2.2.2	Explore and initiate community education programs eg Waterwise, recycling	✓	✓	✓						Nil this quarter
		A3.2.3.1	Undertake weed control on road reserves in the Shire	✓	✓	✓						Road spraying program completed for 2020
		A3.2.3.2	Manage vegetation in agricultural corridors	✓	✓	✓						Roadside vegetation pruning program continuing
3.3	Our transport networks are safe and efficient	A3.3.1.1	Maintain 10 year Roads Program	✓	✓	✓					2020-2021 roads construction program underway. Approval of Local Roads & Community Infrastructure Round 1 projects, Council endorsement of Round 2 projects.	
		A3.3.1.2	Continue to work collaboratively with regional stakeholders to secure external funding for road improvements	✓	✓	✓					Funding for Regional Roads Group, Roads to Recovery and Blackspot 2020-2021 projects confirmed. Ongoing liaison with Regional Roads Group.	
		A3.3.1.3	Collaborate with key stakeholders to enable appropriate RAV rating changes	✓	✓	✓					Ongoing consultation with stakeholders	
		A3.3.1.4	Develop and implement a Footpath Program for both towns	✓	✓	✓						Budget provision for footpath maintenance and/or replacement. Approval of Local Roads & Community Infrastructure Round 1 projects including footpath from Broomehill Caravan Park - Post Office, Council endorsement of Round 2 projects including parking at Broomehill Primary School, Broomehil Fire Station.
3.4	Our Council facilities and infrastructure are managed sustainably to meet current and future needs	A3.4.1.1	Develop and implement sustainable levels of service for all Council facilities and public spaces	✓	✓	✓					Strategic Resource Plan 2019-2039 endorsed by Council April 2019. 2 year desktop review scheduled - April 2021	
		A3.4.1.2	Review and implement the Asset Management Strategy	✓	✓	✓					Strategic Resource Plan 2019-2039 endorsed by Council April 2019. 2 year desktop review scheduled - April 2021	
		A3.4.1.3	Continue to implement the Housing and Land Strategy to lower the average age of Council housing	✓	✓	✓					Great Southern Housing Initiative will provide new housing, older housing stock to be sold.	

PART 3 - FINANCE

3.1 PURCHASING POLICY

Objective:	To deliver a best practice approach and procedures to internal purchasing for the Shire.		
Date of adoption:	13th October 2008	Minute No.	081008
Date of amendment:	20th August 2020		
Date of last review:	20th August 2020		
Legislative References:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>State Records Act 2000</i> <i>Public Sector Management Act 1994</i> <i>Corruption, Crime and Misconduct Act 2003</i>		
Internal References:	Shire of Broomehill-Tambellup Recordkeeping Plan Employee Code of Conduct Councillor Code of Conduct		

1. POLICY

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

2. OBJECTIVES

The Shire's purchasing activities will:

- a) Achieve best value for money that considers sustainable benefits, such as; environmental, social and local economic factors;
- b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire's Policies and procedures;
- g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Broomehill-Tambellup.
- h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management framework;

- i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan;
- j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

3. ETHICS & INTEGRITY

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

4. VALUE FOR MONEY

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

4.1 Assessing Value for Money

Value for money assessment will consider:

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

5. PURCHASING THRESHOLDS AND PRACTICES

5.1 Defining the Purchasing Value

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

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

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

(1) Strategic Purchasing Value Assessments

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

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

(2) Individual Purchasing Value Assessments

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

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

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

5.2 Table of Purchasing Thresholds and Practices

(1) Supplier Order of Priority

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

Priority 1:	Existing Prequalified Supplier Panel or other Contract Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract. If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.
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<p>Priority 2:</p>	<p>Local Suppliers</p> <p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
<p>Priority 3:</p>	<p>Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)</p> <p>Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <p>Local supplier availability (that are not within the PSA); or,</p> <p>Social procurement – preference to use Aboriginal business or Disability Enterprise.</p> <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>
<p>Priority 4:</p>	<p>Tender Exempt - WA State Government Common Use Arrangement (CUA)</p> <p>Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.</p> <p>If no relevant CUA is available, then a Tender Exempt <i>[F&G Reg.11(2)]</i> arrangement may be used.</p>
<p>Priority 5:</p>	<p>Other Tender Exempt arrangement <i>[F&G Reg. 11(2)]</i></p> <p>Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.</p>
<p>Priority 6:</p>	<p>Other Suppliers</p> <p>Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.</p>

(2) Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Purchase Value Threshold (<i>ex GST</i>)	Purchasing Practice
Up to \$1,000 (<i>ex GST</i>)	Small incidental purchases made from local suppliers with a running monthly account up to the value of \$1,000 do not require quotations or purchase orders eg. groceries from the Deli, workshop supplies from the garage. All care and responsibility must still be taken by all employees.
From \$1,001 to \$5,000 (<i>ex GST</i>)	Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 5.2(1). The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$5,001 to \$10,000 (<i>ex GST</i>)	Obtain at least two (2) verbal or written quotations from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 5.2(1). The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$10,001 and up to \$40,000 (<i>ex GST</i>)	Seek at least three (3) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 5.2(1). If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers response to: <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price. The purchasing decision is to be evidenced using the Brief Evaluation Report Template retained in accordance with the Shire's Record Keeping Plan.
From \$40,001 and up to \$149,999 (<i>ex GST</i>)	Seek at least three (3) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 5.2(1) except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers' responses to: <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest quote. The purchasing decision is to be evidenced using the Brief Evaluation Report Template retained in accordance with the Shire's Record Keeping Plan.

<p>From \$150,000 and up to \$250,000 (ex GST)</p>	<p>Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 5.2(1).</p> <p>The purchasing decision is to be based upon assessment of the suppliers response to:</p> <ul style="list-style-type: none"> • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assesses all best and sustainable value considerations. <p>The procurement decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire’s Record Keeping Plan.</p>
<p>Over \$250,000 (ex GST)</p>	<p>Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under <i>F&G Reg.11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 5.2(1).</p> <p><u>OR</u></p> <p>Public Tender undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:</p> <ul style="list-style-type: none"> • a detailed specification; and • pre-determined selection criteria that assesses all best and sustainable value considerations. <p>The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire’s Record Keeping Plan.</p>
<p>Emergency Purchases <i>(Within Budget)</i> Refer to Clause 1.4.3</p>	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 5.2(1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire’s Record Keeping Plan.</p>

<p>Emergency Purchases <i>(No budget allocation available)</i> Refer for Clause 1.4.3</p>	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
<p>LGIS Services Section 9.58(6)(b) Local Government Act</p>	<p>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

Other purchasing threshold points to note:

- a) Where the Shire has already conducted a similar quotation process within the previous two years or is currently using a regular supplier, an existing supplier may be used with the approval of the CEO. This only applies to purchases below the tender threshold and where it would be financially and/or operationally beneficial to do so.
- b) The authorised officer that is signatory on the purchase order must also be the signatory on the corresponding invoice.

5.3 Emergency Purchases

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

- a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); OR
- c) A State of Emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

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

5.4 Inviting Tenders though not required to do so

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

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

5.5 Expressions of Interest

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

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

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

5.6 Unique Nature of Supply (Sole Supplier)

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

- a) purchasing value is estimated to be over \$5,000; and
- b) purchasing requirement has been documented in a detailed specification; and
- c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

5.7 Anti-Avoidance

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

5.8 Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless

- a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

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

6. SUSTAINABLE PROCUREMENT

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

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

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

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

6.1 Local Economic Benefit

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

As much as practicable, the Shire will:

- a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;

- e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- g) provide adequate and consistent information to local suppliers.

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

6.2 Socially Sustainable Procurement

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

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

(1) Aboriginal Businesses

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

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

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

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

(2) Australian Disability Enterprises

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

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

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

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

6.3 Environmentally Sustainable Procurement

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

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

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

7. PANELS OF PRE-QUALIFIED SUPPLIERS

7.1 Objectives

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

Part of the consideration of establishing a panel includes:

- a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- b) the Panel will streamline and will improve procurement processes; and
- c) the Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

7.2 Establishing and Managing a Panel

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

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

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

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

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

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

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

7.3 Distributing Work amongst Panel Members

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

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

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

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under *Functions and General Regulation 24AD(5)(f)* when establishing the Panel.
 - i. The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.
 - ii. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.
 - iii. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause 1.4.2(2) of this Policy.
 - iv. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

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

7.4 Purchasing from the Panel

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

7.5 Communications with Panel Members

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

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured in accordance with the Shire's Record Keeping Plan. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

8. RECORD KEEPING

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

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

9. PURCHASING POLICY NON-COMPLIANCE

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

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

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

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

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

Where a breach is substantiated it may be treated as:

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

3.2 SELF SUPPORTING LOANS TO COMMUNITY AND SPORTING BODIES

Objective: To assist community organisations within the Shire of Broomehill-Tambellup by providing funds through self-supporting loans.

Date of adoption: 13th October 2008 **Minute No.** 081008

Date of amendment: 17th March 2016

Date of last review: 17th March 2016

Legislative References: Local Government Act 1995
Local Government (Functions and General) Regulations 1996

Internal References:

Policy Statement:

Council will support community organisations within the Shire of Broomehill-Tambellup to undertake projects through providing self-supporting loans.

All applications for self-supporting loans shall provide the following detail:

- The works and undertakings and purpose of the loan;
- Plans and specifications and statutory approvals together with detailed costings;
- Audited financial statements for 3 years to demonstrate the ability to repay the loan, or such lesser financial documentation acceptable to Shire;
- Statements demonstrating the need for the loan together with reasons of inability to obtain alternative funds;
- Certificate of incorporation;
- A signed copy of the Minutes of the Association which resolves to seek the self-supporting loan;
- Provide any other information requested by Shire to assist with consideration of the application; and
- An "Acknowledgement of Debt" to be signed and sealed between applicant and the Shire.

3.3 INVESTMENTS

Objective:	To document and provide guidance to delegated officers for the investment of funds.		
Date of adoption:	15th October 2015	Minute No.	151009
Date of amendment:			
Date of last review:			
Legislative References:	<i>Local Government Act 1995 – Section 6.14</i> <i>Local Government (Financial Management) Regulations 1996 – Regulation 19, 28 & 49</i> <i>Australian Accounting Standards.</i> <i>The Trustees Act 1962 – Part III Investments, as amended by the Trustees Amendment Act 1997;</i> <i>Banking Act 1959 (Commonwealth) Section 5;</i> <i>Western Australian Treasury Corporation Act 1986</i>		
Internal References:	Shire of Broomehill-Tambellup Delegations Register Monthly Financial Statements		

Objective

The Shire of Broomehill-Tambellup's (the Shire's) investment objectives will be met through the application of the Policy, which provides guidelines with respect to the investment of surplus funds by defining levels of risk considered prudent for public monies.

Surplus funds are monies held in the Municipal Fund of a local government that are not, for the time being, required by the local government for any other purpose.

To provide guidance for the investment of Shire funds, with due consideration of legislative requirements and risk at the most favourable rate of return available to the Shire at the time for the particular investment type, while ensuring that the Shire's liquidity requirements are being met.

Policy

Investments from the Municipal, Trust, Loan and Reserve accounts are to be recorded, and kept, separate and distinct.

Funds may be invested for terms ranging from one to six months based on predicted cash flow requirements.

Authorised Institutions

Investments will only be made with an authorised institution. An 'authorised institution' is defined as:

- An authorised deposit taking institution as defined in the *Banking Act 1959 (Commonwealth) Section 5;*
- The Western Australian Treasury Corporation (WATC) established by the *Western Australian Treasury Corporation Act 1986* for a term not exceeding twelve months; or
- Bonds that are guaranteed by the Commonwealth Government or a State or Territory and which have a term not exceeding three months.

Authorised Investments

Without approval from Council, investments shall be limited to:

- State/Commonwealth Government Bonds;
- Interest bearing deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper; and
- Bank negotiable Certificate of Deposits.

Prohibited Investments

This policy prohibits any investment carried out for speculative purposes, including:

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

The policy also prohibits the use of leveraging (borrowing to invest) of an investment.

Risk

Whilst the investments made in accordance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and *Part III of the Trustees Act 1962* are inherently low risk, when exercising the power of investment, the following principles are also to be given due consideration:

- The purpose of the investment and its needs together with the circumstances;
- The nature of and the risk associated with the different investments;
- The need to maintain the real value of capital and income;
- The risk of capital loss or income loss;
- The likely return and the timing of that return;
- The liquidity and the marketability of the proposed investment during, and at the determination of the term of, the proposed investment;
- The aggregate value of the investment;
- The likelihood of inflation affecting the value of the proposed investment;
- The costs (including commissions, fees, charges and duties payable) of making the proposed investment; and
- The ethicality and reputation risk of the investment.

Delegation of Authority

Authority for the implementation of this Policy is delegated by the Council to the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day to day management of Councils investments to the Manager **Finance and Administration** ~~Corporate Services and/or Manager Finance & Assets~~.

Prudent Person Standard

Investments 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 intent and objectives of this Policy, and not for speculative purposes.

Reporting

A report on the investments is to be included in the Monthly Financial Statement presented to the Council. This will include the following details:

- Name of institution where investments are lodged;
- Amount of funds invested;
- Interest rate on each investment; and
- Date of maturity of each investment.

Documentary evidence will be held for each investment and details thereof maintained in the Investment Register.

Statutory Compliance

All investments are to be made in accordance with:

- ~~Local Government Act 1995 – Section 6.14;~~
- ~~The Trustees Act 1962 – Part III Investments, as amended by the Trustees Amendment Act 1997;~~
- ~~Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 28 and Regulation 49; and~~
- ~~Australian Accounting Standards.~~

3.4 RELATED PARTY DISCLOSURES

Objective:	To outline the required procedures and mechanisms to ensure financial reporting disclosure requirements of Australian Accounting Standards Board (AASB) Standard AASB 124 are met.		
Date of adoption:	20th July 2017	Minute No.	170706
Date of amendment:			
Date of last review:			
Legislative References:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 AASB 124 Related Party Disclosures		
Internal References:	Related Party Disclosures – Declaration Form Annual Financial Report Councillor Code of Conduct		

Objective

The purpose of this Policy is to meet the disclosure requirements of AASB 124.

The scope of AASB 124 *Related Party Disclosures* was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for local government is 1 July 2016 with the first disclosures to be made in the financial statements for the year ended 30 June 2017. This Policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the Standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

Background

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

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

1. Identification of Related Parties

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

Related parties includes a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the Standard, the Shire of Broomehill-Tambellup has identified the following persons as meeting the definition of *Related Party*:

- An elected Council member;
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Manager of the Shire;
- Close members of the family of any person listed above, including that persons child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or persons spouse or domestic partner;
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

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

2. Identification of Related Party Transactions

A related party transaction is a transfer of resources, services or obligations between the Shire of Broomehill-Tambellup and the related party, regardless of whether a price is charged.

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

- Paying rates, fines and penalties;
- Paying Department of Transport registrations and licensing payments;
- Paying application fees for licenses, approvals and permits;
- Use of Shire of Broomehill-Tambellup owned and operated facilities such as civic centres, recreation centres, libraries, parks, ovals, public open space, transfer stations and landfill sites (whether a fee is charged or not);
- Attending Shire functions that are open to the public;
- Employee compensation whether it is for KMP or close family members of KMP;
- Lease agreements for housing rental (whether for Shire of Broomehill-Tambellup owned property or property sub-leased by the Shire of Broomehill-Tambellup through a Real Estate Agent);
- Monetary and non-monetary transactions between the Shire of Broomehill-Tambellup and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Broomehill-Tambellup (trading arrangement);
- Sale or purchase of any property owned by the Shire of Broomehill-Tambellup to a person identified above;
- Sale or purchase of any property owned by a person identified above to the Shire of Broomehill-Tambellup;
- Loan arrangements;
- Contracts and agreements for construction, consultancy or services.

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with Council and are referred to as an Ordinary Citizen Transaction (OCT).

Where the Shire of Broomehill-Tambellup can determine that an OCT was provided at arms length, and in similar terms and conditions to other members of the public and that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

3. Disclosure Requirements

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above, will be required to complete a *Related Party Disclosures – Declaration* form for submission to financial services.

Ordinary Citizen Transactions

Management will put forward a draft resolution to Council annually, declaring that in its opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Councils financial statements make. As such no disclosure in the *Related Party Disclosures – Declaration* form will be required.

- Paying rates, fines and penalties;
- Paying Department of Transport registrations and licensing payments;
- Paying application fees for licenses, approvals and permits;
- Use of Shire of Broomehill-Tambellup owned and operated facilities such as civic centres, recreation centres, libraries, parks, ovals, public open space, transfer stations and landfill sites (whether a fee is charged or not);
- Attending Shire functions that are open to the public.

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

All Other Transactions

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures – Declaration* form.

Frequency of Disclosures

Elected Council members and KMP will be required to complete a *Related Party Disclosures – Declaration* form annually.

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

Disclosures must be made immediately prior to the termination of employment of a KMP.

Confidentiality

All information contained in a disclosure return will be treated in confidence. Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a

transaction or collective transactions and materiality. Individuals may be specifically identified if the disclosure requirements of AASB 124 so demands.

4. Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Application

This procedure applies to all Elected Members of Council, Chief Executive Officer and Managers of the Shire.

Associated Regulatory Framework

AASB 124 Related Party Disclosures

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Further Information

Appendix 1 – Explanatory Notes – Related Party Disclosures

Related Party Disclosures – Declaration form

Appendix 1 – Explanatory Notes – Related Party Disclosures

Close Family Members

Close family members include:

- a child, spouse or domestic partner;
- children of your spouse or domestic partner;
- dependents of you or your spouse or domestic partner;
- any other close family member;

who may be expected to influence, or be influenced by, your dealings with the Shire.

The following table may assist you in identifying your close family members:

Definitely a close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with council
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with council

There may be relationships that a council has which are not identified in this appendix but still meet the definition of a related party.

Example: Cousin of Councillor

A Councillor for the Shire has lived in the Shire her whole life. In fact her family has been in the area for generations.

The Councillor's cousin owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Councillor and her cousin have always been close and regularly socialise together.

From these facts it would appear that the Councillor's cousin is a close family member of the Councillor because she would be expected to influence, or be influenced by, that person in her dealings with the Shire. Both the cousin and the company she controls, ABC Pty Ltd would therefore be related parties of the Shire.

Any transactions that the Shire makes with the newsagent would need to be separately identified and may need to be disclosed.

Control in Entities

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have:

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

To jointly control an entity there must be contractually agreed sharing of control of the entity which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Chief Executive Officer or Manager Finance and Assets for a confidential discussion.

Example: Clubs or other Incorporated Bodies

A Shire Councillor is the President of the local football club. The club is overseen by a Committee which comprises the President and four other Committee members. Each member has a single vote when making decisions at meetings. The Committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the Committee members at the club's annual general meeting.

From these facts it would appear that the Councillor does not control or jointly control the football club so it will not be a related party of Council just because the Councillor is the president of the club.

Other Examples

Example 1: Audit Committee Member

The Shire Audit Committee comprises two Councillors and a local retired accountant, Fred. Fred has no other connection with the Council.

The Audit Committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of the Council but simply provides reports, with recommendations, for the President and Councillors to consider.

Based on the facts outlined, Fred would not be a KMP of Council.

Example 2: Son of CFO employed by Council

The Shire has recently employed Paul's son (George) in the Council's parks and gardens area. Paul is Council's Deputy CEO but was not involved in hiring George. This process was managed by the Director of Parks and Gardens and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of Council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

Example 3: Cousin of President (related party commonly known but omitted from declaration)

Shelley, the Shire President, forgets to include her cousin Mavis, and Mavis's company, when she completes her KMP declaration.

It is commonly known in the community that Shelley and Mavis are close and that Shelley would be expected to influence, or be influenced by, Mavis in her dealings with Council and vice versa.

Mavis and her company are related parties of Council, even though Shelley omitted them from her declaration.

Example 4: Example of Control

Fred is the President of the Shire of Nowhere and owns 100% of the ordinary shares in Nowhere Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party declaration.

Example 5: Example of Joint Control

Fred is the President of the Shire of Nowhere and owns 50% of the ordinary shares in the Nowhere Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration.

3.5 FINANCIAL HARDSHIP

Objective: To ensure that the Shire of Broomehill-Tambellup offers fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at what is a difficult time.

Date of adoption: 18th June 2020 **Minute No.** 200608

Date of amendment:

Date of last review:

Legislative References: *Local Government Act 1995*
Local Government (Financial Management) Regulations 1996

Internal References: Application for Financial Hardship form

Purpose

To provide consistent methodology and outline the principles applied for determining financial hardship.

The Shire will advise ratepayers and community groups at the time their account falls into arrears, of the terms of this policy and encourage eligible persons to apply for hardship consideration.

Policy Scope

This Policy is intended to apply to all ratepayers and community groups experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner, lessee etc. and is applicable to all rates and charges levied.

Principles

Overarching Principle

Overdue rates must be paid nonetheless fair, reasonable and flexible approaches to payment are beneficial. All ratepayers have a responsibility to pay overdue rates. This policy in no way overrides, detracts from or diminishes the responsibility of ratepayers to pay overdue rates, consistent with the *Local Government Act 1995*.

Research demonstrates that a fair, reasonable and flexible approach leads to better repayment outcomes and fewer resources expended in the collection of payments. Greater efficiency and predictability in the collection of rates thereby assists the Shire to plan and fund service delivery priorities. Furthermore, addressing overdue rate through an early intervention approach without resorting to court recovery processes minimises legal and court costs to individual ratepayers.

Financial Hardship Criteria

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

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

Ratepayers and community groups will be encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment arrangement.

Application Process

Each person wishing to make application under this Policy will be required to complete the application form that forms an appendix to this Policy.

The Shires Chief Executive Officer and Manager Finance and Administration will assess each application on a case by case basis. All circumstances will be considered and the principles of fairness, integrity and confidentiality will be applied in all instances, whilst complying our statutory responsibilities.

Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the *Local Government Act 1995* are of an agreed frequency and amount. These arrangements will consider the following:

- If a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- If the payment arrangement will establish a known end date that is realistic and achievable.

Ratepayers and community groups will be responsible for informing the Shire of any change in circumstance that may jeopardise the agreed payment schedule.

Deferment of Rates

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

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

Debt recovery

The Shire will suspend its debt recovery processes whilst negotiating a suitable payment arrangement with a debtor, and whilst the agreed payment arrangement is adhered to.

Where ratepayers or community groups are unable to make payments in accordance with the agreed payment arrangement, an alternative payment arrangement will be considered and if agreed upon, the Shire will continue to suspend all debt recovery processes.

Where ratepayers or community groups do not reasonably adhere to the agreed payment arrangement, the Shire will offer one further opportunity to enter into a payment arrangement that will clear the debt by the end of the financial year that the debt is relevant to.

Rates and service charge debts that remain outstanding at the beginning of the following financial year will be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

If no contact is made by the ratepayer or community group in relation to the outstanding debt then normal debt recovery procedures will apply.

Communication and Confidentiality

The Shire will maintain confidential communications at all times and undertake to communicate with a nominated support person or other third party at the ratepayers request.

The Shire will advise ratepayers and community groups of this policy and its application, when communicating with a ratepayer or community group that has an outstanding rates or service charge debt.

Procedure Associated with this Policy

Application for Financial Hardship form.

Roles and Responsibilities

Chief Executive Officer

- Consider applications for financial hardship in accordance with this policy

Manager Finance and Administration

- Consider applications for financial hardship in accordance with this policy

Relevant Legislation

[Local Government Act 1995](#)

[Local Government \(Financial Management\) Regulations 1996](#)



APPLICATION FOR FINANCIAL HARDSHIP ASSESSMENT

The Shire of Broomehill-Tambellup recognises that some members of our community will experience financial hardship from time to time. The Council has adopted a financial hardship policy which means that for those who are experiencing difficulties, Council has agreed on some measures to assist in the payment of rates and service charges.

Please complete this application in full.

Shire of Broomehill-Tambellup Policy 3.5 – Financial Hardship is applicable to this assessment.

Applicants Details

Full Name/s: _____

Applicants mailing address: _____

Applicants phone number: _____

Applicants email address: _____

Is this application being lodged on behalf of a Corporate / Community Organisation / Group / Club / Business?

YES / NO

If yes, what is the name of the Corporate / Community Organisation / Group / Club / Business?

Financial Hardship Details

Property addresses this application applies to:

1. _____

2. _____

3. _____

4. _____

5. _____

I am seeking financial hardship assistance for the following:

- Property Rates
- Property Lease
- Rent of Council premises
- Community Association Loan
- Other

If you have chosen 'Other' please provide specific information on what assistance is being sought:

Which of the following are you in relation to the properties in this application?

(please note if you rent a property from a private owner, please contact them directly)

- I am the property owner
- I am the lessee of a Shire of Broomehill-Tambellup property
- Other (please specify) _____

Please confirm under which capacity you are seeking financial hardship assistance:

- Recent unemployment or under employment
- Sickness or recovery from sickness associated with Covid-19 or other declared public health emergency or pandemic
- Other sickness or recovery from other sickness
- Low income or loss of income
- Unanticipated circumstances (ie caring for a family member)
- Other circumstances

Please provide additional information to substantiate your claim. Attach separate evidence if applicable.

Please either email, post or hand deliver this completed application form together with evidence to substantiate your claim to:

mail@shirebt.wa.gov.au

or

Shire of Broomehill-Tambellup
46-48 Norrish Street
TAMBELLUP WA 6320

Acknowledgement

I declare that the information I have provided in this application is correct and I am the authorised person by all owners or lessees of the organisation/body/group/club/business to lodge this application. I understand that should these statements and answers be untrue that the Shire of Broomehill-Tambellup reserves the right to retrospectively revoke all waivers, discounts and assistance provided.

Signature of Applicant: _____

Date: _____

Privacy

All personal information collected on this form will only be used by the Shire of Broomehill-Tambellup for the sole purpose of providing requested and related services. Information will be stored securely by the Shire and will not be disclosed to any third parties without your express written consent.

PART 4 - ENGINEERING

4.1 ROAD CONSTRUCTION AND MINIMUM STANDARDS

Objective:	To assist in achieving a uniformity of road conditions and serve as a guideline to staff when developing works programmes.	
Date of adoption:	13th October 2008	Minute No. 081008
Date of amendment:	20 May 2021	
Date of last review:	20 May 2021	
Legislative References:	<i>Local Government Act 1995</i> <i>Environmental Protection Act 1986</i> <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	
Internal References:	<i>Shire of Broomehill-Tambellup Functional Road Hierarchy Management Practice 5.1 – Laying water pipes under roads</i> <i>Management Practice 5.2 – Culverts crossings and entrances</i> <i>Management Practice 5.4 – Footpath construction width</i> <i>Management Practice 5.7 - Requests to deepen, upgrade or install culverts</i>	

ROAD CONSTRUCTION

The primary objectives are to:

- Provide a safe, efficient and effective road system for the Shire;
- Facilitate the upgrading of existing roads to standardised widths, alignments and standards of construction;
- Provide sufficient road reserve width to accommodate all required public utilities required now and into the future as part of a Road Construction; and
- Provide a rational and consistent basis for the construction of roads and any financial contributions required for such construction.

The Shire of Broomehill-Tambellup Functional Road Hierarchy consists of 5 category types,

- Local Distributor of Regional Significance.
- Local Distributor
- Access 1
- Access 2
- Town Streets

Local Distributer of Regional Significance

Minimum 10 metre gravel formation with a minimum 7.0 metre wide sealed running surface and 1.5 m shoulders within a minimum 20 metre wide road reserve.

Local Distributer

Minimum 10 metre gravel formation with a minimum 7.0 metre wide running surface and 1.5 m shoulders within a minimum 20 metre wide road reserve.

Access 1

Minimum 8 metre gravel formation with a minimum 7.0 metre wide paved running surface and 0.5 m shoulders within a minimum 20 metre wide road reserve.

Access 2

Minimum 6 metre formed road within a 20 metre wide road reserve.

Town Streets

These are defined in the Liveable Neighbourhoods Guide as Access Streets and Laneway/Service Lane.

Town Access Streets

Pavements shall be sealed with a minimum width of 7.2 metres between kerbs within a minimum 20 metre wide road reserve. The diameter between kerbs for a cul-de-sac shall be a minimum of 18.0 metres. ("T" turning heads are not acceptable) Concrete/asphalt footpath on at least one side of the road shall connect to existing footpaths.

Industrial, Commercial and Thoroughfares

Pavements shall be subject to a minimum seal width of 7.2 metres between kerbs within a minimum 20 metre wide road reserve. Unsealed gravel footpath on sides of the road to connect to existing footpaths where possible.

Rural Residential

Pavements shall be subject to a minimum width of 7.2 metres within a minimum 20 metre wide road reserve. Unsealed gravel footpath to one side of the road to connect to existing footpaths where possible.

The Shire of Broomehill-Tambellup recognizes the Main Roads Standards 501 Pavements Specifications for road construction.

OTHER DESIGN STANDARDS

Pavement Thickness

Gravel Road

- The standard subgrade thickness shall be a minimum of 150mm (compacted).
- The standard gravel pavement thickness shall be a minimum of 150mm (compacted).

Sealed Road

- The standard subgrade thickness shall be a minimum of 150mm (compacted).
- The standard gravel pavement thickness shall be a minimum of 200mm (compacted).

Working Layer – Minimum thickness

The thickness of any working layer shall be no less than 150mm (compacted).

Crossfall

Sufficient crossfall should be provided to allow easy run-off of water from the surface to prevent potholes from developing. If too great a crossfall is applied, the surface material will be prone to scouring and erosion. For dual carriageway, two way crossfalls should meet with a crown. This will assist in preventing the development of potholes in the road centre. For single lane carriageways, it may be best to have single crossfall for ease of grading during regular maintenance.

Generally,

- for unsealed roads, a crossfall of 4 - 5% shall apply,
- for sealed roads, a crossfall of 3-4% shall apply,

- for shoulders on straights, the crossfall of road shoulders may be up to 2% steeper than the crossfall of the traffic lane it flanks, and
- for shoulders on curves with superelevated pavements, both shoulders can be superelevated to crossfalls not less than the pavement crossfalls.

Widths - Unsealed Shoulders on Sealed Roads

The purpose of shoulders is to:

- give lateral support to the pavement,
- carry surface water away from the pavement,
- give extra width for traffic to stop or stand for emergency use,
- allow overtaking or passing movements, particularly on single lane pavements, and
- create a sense of open space, and therefore increase the effective use of traffic lanes.

Shoulder widths on future sealed roads should ideally be 1.5m on each side, although this can be reduced to 1.0m on dual lane minor roads. This recommended standard will be applied to existing roads as part of a future upgrade/reconstruction to that road.

Drainage Works

Table Drains

Table drains should be a minimum of 300m below the gravel pavement layer.

Drains should be free of all vegetation and obstructions, to allow for free drainage and improved sight distances.

Culverts

Culvert bedding should comprise of cement stabilised gravel or sand (40kg of cement per cubic metre of loose gravel) in a minimum thickness of 150mm (compacted).

Culvert backfill should comprise of cement stabilised gravel in a maximum working thickness of 150mm (compacted).

For sealed roads, the cement stabilised gravel should be constructed up to the finished level and the seal coat applied.

For unsealed roads, the cement stabilised backfill should be constructed to 150mm below the finished road level.

Box Culvert Cases

All new and/or replaced box culverts are to have a continuous concrete slab base.

Headwalls

All culverts, headwalls shall be constructed of concrete or grouted stone pitched headwalls comprising of wingwalls, aprons and cut off walls.

For culverts greater than 750mm diameter or height, the headwalls shall be steel reinforced.

Batters

In shallow cuttings - up to 3m depth, cut batters are usually flattened for improved appearance beyond that required for stability purposes.

Batters should be no steeper than 3 to 1.

Slope Benches

On high batters, exceeding 10m vertical height, or where batters are constructed of unstable material, consideration should be given to the provision of benches.

Benches are beneficial for:

- eliminating the need to flatten the batter slope in the interests of stability,
- reducing scour on the batter face,
- minimising the possibility of rock falling onto the pavement,
- improving the appearance of the cutting,

Road Upgrading

The Shire may request contributions from developers to upgrade existing roads as a condition of approval of adjoining applications.

ROAD CONSTRUCTION SPECIFICATION

If the proposed subdivision or development is located on an unsealed road, Council may determine that the developer shall contribute towards road construction or upgrade to connect the development to the nearest sealed road the upgrade may include services and drainage.

PROVISION OF SUBDIVISIONAL ROADS AND ASSOCIATED CIVIL WORKS

1. Preliminary

- 1.1.** It is the responsibility of subdividers who have received conditional approval which includes the provision of roads and associated civil works to deliver to Council's Chief Executive Officer (CEO) full drawings designs and information which would enable the CEO to make a decision on approving this work.
- 1.2.** A Consulting Engineer or qualified practicing Civil Engineer or person with relevant experience or qualification approved by the CEO, must be engaged to prepare detailed design drawings and specifications sufficient to show exact details of materials, locations (both horizontal and vertical) and construction methods of all physical features such as, but not limited to, roads, drainage, sewage, earthworks, landscaping, signage (regulatory and directional), guideposts and all necessary works.
- 1.3.** Plans need to be submitted to the CEO for approval following amendment and revision (if required).
- 1.4.** If the subdivider does not accept Council's requirements the subdivider may appeal to the Minister for Planning and Infrastructure within 30 days. The State Administrative Appeals Tribunal is the sole arbiter on the matter as per the Local Government Miscellaneous Provisions Act, Clause 2.95.
- 1.5.** When an approved plan is available the subdivider may call tenders or engage a contractor of their choice.
- 1.6.** A bond to the value of 7.5% of the total cost of the work shall be paid to Council to cover any defects which may arise in the first 12 months after clearance of the relevant Planning Commission condition(s) relating to roads and/or drainage, landscaping or any other details included within the Council or CEO approved plans or specifications. The bond may take the form of a payment to Council or alternatively an irrevocable Bank Guarantee. Unused portions of the bond are refundable.

- 1.7. It is the subdividers responsibility to ensure that the contractor engaged has the capacity to fully complete the work in accordance with the approved plans and to the applied standards.
- 1.8. If day to day site supervision is to be provided by the Consulting Engineer or Site Supervisor, the subdivider must pay to the Council an amount of 1½% of the total cost of construction as estimated by Council, to cover the costs incurred by Council through activities such as officer attendance at site meetings/inspections etc. If day to day site supervision is not provided by the Consulting engineer or Site Supervisor then the amount required is 3%.
- 1.9. Public access to all or part of the roads as applicable within the subdivision will not be allowed until a certificate of completion from the Consulting Engineer is given and accepted by the CEO.
- 1.10. Clearance of the subdivision by the CEO shall be granted at such time as the subdivisional civil works are fully completed, all other relevant conditions set by the Planning Commission are satisfied, supervision fee (1.5% or 3%) paid, and the 7.5% retention bond is in place as per clause (e) above.
Clearance may also be granted to an uncompleted subdivision whereby bonds will be negotiated to cover the cost of the incomplete works or relevant conditions. This will be decided, at the discretion of the CEO, on a case by case basis however generally bonds will only be permitted where the majority of the work or the majority of the relevant conditions set by the Planning Commission have been satisfied.
Bonds will be held until such time as the outstanding issues are completed to the satisfaction of the CEO. The amount of the bond will be determined based on the value of the work subject to the bond plus 20%.

2. CONTRIBUTIONS TO UPGRADING ADJOINING AND FEEDER ROADS

- 2.1. Subdivisions which increase the volume of traffic on Council controlled roads may attract a contribution from the subdivider for the upgrading of the Council road.
- 2.2. In instances where a subdivision attracts a road upgrading condition, the CEO shall specify and justify the work in the response to the Planning Commission. Depending upon the size and scale of the proposed subdivision the CEO is to either stipulate the specific road upgrading requirements (eg; upgrade 'x' road to 6m seal from intersection with 'y' road to entrance of proposed internal access road of subdivision) or a financial contribution towards the future upgrading of the subject road. In some instances the size of the subdivision will generate such a significant increase in traffic volume on an existing road that a total (100%) contribution towards the upgrading of the road will be required. This is to allow appeal by the subdivider through the normal appeal process.
- 2.3. All financial contributions received from subdividers not expended in the same year as receipt are to be placed in reserve and quarantined for use on the nominated road

3. OUTLINE SPECIFICATION FOR BITUMEN CONSTRUCTION

3.1. General

All work should be carried out to the complete satisfaction of the Shire of Broomehill-Tambellup and in accordance with best accepted engineering practice. As a guide, developers should refer to the text "Local Government Guidelines for Subdivisional Development" published by the Institute of Public Works Engineering Australia (WA Division), ISBN 0-646-36284-4.

3.2. Design

A preliminary design for the work must be prepared by a qualified practicing Civil Engineer or suitably qualified or experienced person as approved by the CEO. The design should show longitudinal plans and cross sections of the proposed road(s), general specifications, levels, drainage, nature of soil and other such information to enable the CEO to make a decision on approving the work. It is important that subdividers establish road standards with the Shire before commencing design.

3.3. Design Drawings

Design drawings and specifications should be to the extent and in accordance with that recommended at Section 3 of the text "Local Government Guidelines for Subdivisional Development". However, as a minimum design drawings shall include plans and longitudinal sections generally at the scale of 1 in 1000. Levels should be reduced to AHD where possible.

3.4. Cross sections shall be included for all roads.

The design shall be forwarded to the CEO for approval in two hard copies containing minimum drawing size A1 unless specifically approved. The design will be reviewed after which either approval or changes will be suggested. Any changes or amendments will need to be reflected in revised drawings prior to approval being issued.

All geometric design will be based on a minimum Design Speed of 80km/h unless ground conditions make this impossible. Where this occurs the standard reached shall be clearly indicated and provision for appropriate road signs included in the contract.

3.5. Drainage

Drainage detail should be specific and include constructional detail of all structures being utilised.

Storm water should be discharged as soon as possible onto the land surface or to a natural water course. Where grades exceed 6% or where sub-grade material is particularly subject to erosion, stormwater shall not be carried in unlined water-tables or open drains unless specific approval is given by the CEO. All storm water drainage is to be designed in accordance with Australian Rainfall and Runoff 1997 and the relevant Austroads Guides.

Flow widths along kerb lines are not to exceed 2.0m from the face of kerb and water velocity is not to exceed the scour velocity of the road and kerb surface.

All drainage discharge points shall be protected against erosion approved by the CEO. All drainage lines shall be of a standard recommended by the concrete pipe association (or equivalent design code for other types of pipe such as PVC or polypropylene) for the proposed installation situation. Pipes are to be laid in straight lines between structures, true to grade and line. At all structures, pipes, etc., shall be connected with cement mortar or as specified by the manufacturer to ensure watertightness and exclusion of ground water, unless otherwise approved in the design.

3.6. Earthworks & Formation

Subgrade

Roads shall be formed and compacted true to location, level and graded as shown on the design drawings.

All fill areas shall be compacted from the bottom up, with the base dimensions calculated to comply with acceptable angles of repose.

All material used in fills must be capable of compaction as per Main Roads Western Australia specifications.

The CEO reserves the right to require compaction testing as per Main Roads Western Australia specifications at the contractors or subdivider's cost.

3.7. Pavement Design

Road base material shall be laterite gravel (or other approved material) taken from a pit approved by the CEO.

Laboratory tests may be required on representative samples at the contractors or subdivider's expense.

The pavement design shall be carried out as per Main Roads Western Australia specifications.

Details submitted in the design shall include the materials and the pavement structure being proposed. Road base depth shall be not less than 200mm compacted unless approved by the Shire or justified by laboratory test results on the sub-grade and base material.

3.8. Surface Treatment

The Consulting Engineer shall submit a seal design to the CEO giving full details of the proposed seal treatment(s).

Seals shall conform to Main Roads Western Australia specifications.

No seal shall be applied prior to the seal design being approved by the CEO. The approval process will include an inspection of the base course.

4. OUTLINE SPECIFICATION FOR UNSEALED (GRAVEL) CONSTRUCTION

4.1. General

All work should be carried out to the complete satisfaction of the Shire of Broomehill-Tambellup and in accordance with best accepted engineering practice. As a guide, developers should refer to the texts "Local Government Guidelines for Subdivisional Development" published by the Institute of Public Works Engineering Australia (WA Division), ISBN 0-646-36284-4 and ARRB's 'Unsealed Road Manual – Guidelines for Good Practice'.

4.2. Design

A preliminary design for the work must be prepared by a qualified practicing Civil Engineer or suitably qualified or experienced person as approved by the CEO. The design should show longitudinal plans and cross sections of the proposed road(s), general specifications, levels, drainage, nature of soil and other such information to enable the CEO to make a decision on approving the work.

It is important that subdividers establish road standards with the Shire before commencing design

4.3. Design Drawings

Design drawings and specifications should be to the extent and in accordance with that recommended at Section 3 of the text "Local Government Guidelines for Subdivisional Development". However, as a minimum design drawings shall include plans and longitudinal sections generally at the scale of 1 in 1000. Levels should be reduced to AHD where possible. The design shall be forwarded to the CEO for approval in two hard copies minimum drawing size A1 unless specifically approved. The design will be reviewed after which either approval or changes will be suggested. Any changes or amendments will need to be reflected in revised drawings prior to approval being issued.

All geometric design is to be based on a minimum Design Speed of 80km/h unless ground conditions make this impossible. Where this occurs the standard reached shall be clearly indicated and provision for appropriate road signs included in the contract.

4.4. Drainage

Generally drainage on gravel roads will consist of open drains with culverts with headwall structures installed transversely beneath the road surface.

Drainage detail should be specific and include constructional detail of all structures being utilised.

Storm water should be discharged as soon as possible onto the land surface or to a natural water course.

Where grades exceed 6% or where sub-grade material is particularly subject to erosion, stormwater shall not be carried in unlined water-tables or open drains unless specific approval is given by the CEO. All storm water drainage is to be designed in accordance with Australian Rainfall and Runoff 1997 and the relevant Austroads Guides.

All drainage discharge points shall be protected against erosion in a manner approved by the CEO. All drainage lines shall be of a standard recommended by the concrete pipe association (or equivalent design code for other types of pipe such as PVC or polypropylene) for the proposed installation situation.

Pipes are to be laid in straight lines between structures, true to grade and line. At all structures, pipes, etc., shall be connected with cement mortar or as specified by the manufacturer to ensure water-tightness and exclusion of ground water, unless otherwise approved in the design.

4.5. Earthworks & Formation

Subgrade Roads shall be formed and compacted true to location, level and grade as shown on the design drawings.

All fill areas shall be compacted from the bottom up, with the base dimensions calculated to comply with acceptable angles of repose.

All material used in fills must be capable of compaction as per Main Roads Western Australia specifications. The CEO reserves the right to require compaction testing as per Main Roads Western Australia specifications at the contractors or subdivider's cost.

4.6. Pavement Design

Road base material shall be laterite gravel (or other Shire approved material) taken from a pit approved by the Shire. Laboratory tests may be required on representative samples at the contractors or subdivider's expense.

The pavement design shall be carried out as per Main Roads Western Australia specifications.

Details submitted in the design shall include the materials and the pavement structure being proposed.

Crossfalls shall not be less than 4%. Road base depth shall be not less than 200mm compacted unless approved by the Shire or justified by laboratory test results on the sub-grade and base material.

4.7. Surface Treatment

The surface shall be water bound, compacted and shaped as per the design to give a smooth and solid running course with a minimum of loose material.

5. SUBDIVISIONAL ROAD REQUIREMENTS

5.1. Internal Roads (Access Roads)

The full cost of all internal roads will be at the cost of the developer. The standard of road will conform to Council's Road Standards, and the level of construction will be as dictated by the number of lots serviced, terrain, number of spur roads, and potential traffic generated.

5.2. Servicing by Existing Roads

When subdivisional lots are permitted to be serviced by existing roads a contribution will be required to upgrade the road to an acceptable standard dictated by the number of lots and the volume of potential additional traffic.

5.3. Feeder Road Upgrading (District Distributor B Roads)

Where subdivisional roads connect to an existing Shire feeder road which is of a standard inadequate for the potential traffic after the subdivision is fully developed, a contribution sufficient to raise that standard to an acceptable level will be required after taking into consideration future contributions from other adjacent subdividable land. NOTE: A feeder road standard not less than that required for the internal road provided for the subdivision will be required.

5.4. Major Feeder Road Connection (Primary Distributor, District Distributor A or Regional Distributor Roads)

Where subdivisional roads connect to an existing major feeder road (eg. highway or secondary road) already adequate in standard, a contribution will be required for any traffic controlling treatments, containing drainage, entry treatments, and dealing with specific safety problems such as visibility, signage etc. Where the feeder road is a highway or secondary road under the control of Main Roads Western Australia approval from Main Roads Western Australia is required prior to submission of design drawings to the Shire.

5.5. Connecting Road Presently Not Existing

Where a subdivision is created which will require connection to a feeder road or highway and no formed road exists then the full cost of this connecting road to a standard dictated by the number of created lots and potential volume of traffic generated will be required.

5.6. Additional or Connecting Roads

Where contributions have been assessed in accordance with this Policy, Council reserves the right to fully utilise the contribution on the section of adjoining or connecting road with the greatest priority.

5.7. Road Standards

- 5.7.1. Minimum Gravel Track - Farm gate situation servicing 1 - 4 rural properties.**
A formed road sheeted with suitable pavement material where required - minimum width 6.0 metres.
- 5.7.2. Standard Gravel Road - Typical rural road servicing 5 - 10 rural properties.**
Formed road with a gravel pavement minimum width 8.0 metres.
- 5.7.3. Bitumen - 6 metre - Acceptable for short internal spur road only when servicing maximum 5 lots.**

- 5.7.4. Bitumen - 6 metre without Kerbs - Minimum main internal road for Special Rural subdivision. Kerbing required for drainage, traffic control and entry only.
- 5.7.5. Bitumen - 6 metre with Kerbs - Minimum Residential standard. Minimum standard for Special Residential.
- 5.7.6. Bitumen - 7.4 metre without Kerbs - Main internal Special Rural/Residential road if planned to be extended as a feeder road. Kerbing required for drainage, traffic control and entry only.
- 5.7.7. Bitumen - 7.4 metre with Kerbs - Main internal distributor in a large Special Rural/Residential subdivision. Residential distributor road.

6. CROSSOVERS

- 6.1. Under Schedule 9.1, Clause 7 (3) of the Local Government Act 1995, regulations may authorise a local government to require a person to make or repair a crossing from public thoroughfare to: a) private land that the person owns or occupies, or b) a private thoroughfare servicing private land that the person owns or occupies, and if the person fails to do so, to do so itself and recover 50% of the cost as a debt due from the person.
- 6.2. The Council wishes to encourage land owners to install vehicle crossovers in a timely manner. To encourage the installation of crossings by landowners, the Council will offer a subsidy towards the cost. Payment of up to half of the cost for a standard 4.0 metres urban and 6 metres wide rural crossing from the road surface to the front boundary of the property. Council's contribution shall not exceed the maximum of \$1,000 reimbursement.
- 6.3. The Manager of Works will inspect and prepare a standard specification which shall be the basis for calculation of a subsidy payment. The Manager of Works shall approve the specification for the different circumstances within the shire and each crossing must be constructed in accordance with Shire's specifications, the remaining cost shall be payable by the property owner.
- 6.4. Maintenance and upkeep of the crossing to a safe and useable standard is the responsibility of that property owner.

7. FOOTPATHS

Council recognises the importance of footpaths and dual use paths. There is greater demand than funds available to meet all proposals for footpath and dual use path provision. This policy is to establish how priority will be allocated and standards established.

- Footpaths and dual use paths will be constructed in accordance with the priorities established in the Shire of Broomehill Tambellup footpath plan.
- Paths are to be constructed to the Austroads Standards Part 6A: Pedestrian and Cyclist Paths

8. VERGE CLEARING

8.1. Relevant Legislation

The Environmental Protection Act 1986 and Environmental Protection (Clearing of Native Vegetation) Regulations 2004 govern the activities that will impact on native vegetation. This legislation is relevant to the Shire, setting limitations for road infrastructure works, and landowners who wish to undertake work in road reserves.

8.2. Designated Maintenance Corridor

The Environmental Protection legislation, in particular Regulation 5, Item 22 Clearing for maintenance in existing transport corridors (Environmental Protection [Clearing of Native Vegetation] Regulations 2004) provides that local government can carry out activities to maintain and protect the integrity of road infrastructure within the designated maintenance corridor.

8.3. Road Construction Operations

Where necessary, the Shire will make application for the appropriate clearing permits from the Department of Environment Regulation (DER) prior to undertaking any road construction. Conditions of the permit will be complied with including special considerations for declared rare flora and/or fauna if any has been identified as present in the maintenance corridor.

Rural road widening is to be carried out according to the requirements of the Council but will take into consideration the preservation of roadside vegetation wherever possible by clearing only one side of the road.

Clearing vegetation in narrow road reserves during times of road construction or road improvements, the shire may seek approval from the land holder to remove an existing fence to clear all vegetation from within the road reserve and erect a new fence to an agreed standard by both parties.

Any tree remaining within the road reserve but outside the limits of clearing which upon assessment is considered unsafe and likely to fall upon the roadway may be cleared and disposed of.

8.4. Road Maintenance Operations

The Shire's road maintenance program includes grading, slashing, herbicide application, pruning, drain cleaning, drainage improvements, bitumen resealing, bitumen shoulder grading and gravel re-sheeting.

Road maintenance activities will be contained within the Maintenance Corridor, which comprises the running surface, shoulder, table drain and batter to the tip of the back slop.

When major weed control works are to be undertaken, including areas outside the Maintenance Corridor, consultation may occur with the Department of Parks and Wildlife, DER and local catchment management groups.

As part of the Shire's annual road program, unsealed shoulders subject to significant traffic will require periodic grading and gravel re-sheeting. During this process all grasses and vegetation will be removed and disposed of prior to operation.

Some maintenance grading requires occasional clearing of vegetation to accommodate the machine and ensure road safety, however, where possible this will be minimised.

Drains can be mechanically cleared and maintained with a grader, or slashed if covered with grass. Drains inaccessible to mechanical equipment may require maintenance with hand tools or approved herbicides. In the cases where these practices will not provide for an acceptable level of drainage the use of excavation equipment may be used.

Requests received from members of the public relating to exclusion of a road reserve/section of road reserve adjacent to their property from the spraying program, should be forwarded in writing to the Chief Executive Officer for consideration to be placed on the 'Do Not Spray' register.

8.5. Removal of Dangerous Vegetation

Occasionally it is necessary to remove a dangerous tree/vegetation that pose/s an imminent threat to public safety, such as impeding sight along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fenceline or a roadway.

Following inspection by a Shire Officer, any tree removal will be in accordance with Environmental Protection (Clearing of Native Vegetation) Regulations.

8.6. Services and Utilities

Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible.

Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire of Broomehill-Tambellup regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas.

All materials are to be removed from the road verge, by the utility providers, on the completion of works. The trenches, if relevant, are to be backfilled, adequately compacted and trimmed.

Water Pipes under Roads

Applications from landowners to lay water pipes under roads that are in the control of the Shire of Broomehill-Tambellup shall be in writing and include a location sketch. The Chief Executive Officer has delegated authority to grant approval. The approval is to be confirmed in writing and will include the following conditions:-

- Installation of pipes under the road will be done by Council Works staff with costs to be met by the landowner
- If the pipe is to go through a culvert it must include provisions for the pipe to be moved from time to time to allow for Council maintenance of the road and culvert
- The pipe to be maintained in good order by the landowner to prevent any adverse impact on the road.
- Markers to be placed adjacent to each side of the roadway stating “Water Pipe Line”. These signs to be permanently maintained by landowner
- Native Vegetation Act will require landowners to enquire to Council whether placement of pipe will be in a significant site zone.

8.7. Unauthorised Clearing and/or Activities Within Rural Road Reserves

Clearing of a rural road verge or unmade road reserve without the relevant permits is prohibited.

Penalties may also apply in accordance with the Environmental Protection legislation. No works shall be undertaken in rural road reserves without written approval from the Shire of Broomehill-Tambellup. This includes planting (including native species), drainage work, fencing, spraying, burning off, clearing vegetation or seed collection. No material (eg firewood) is to be removed from road reserves other than by the Shire as part of its works program.

8.8. Maintenance Area

If approved, landowners may only work on the areas of road verge which fall outside the Maintenance Corridor. This is the portion of the verge from the tip of the back slope to the property boundary/fenceline. The Council will take all care not to damage any portion of the rural road reserve from the back slope to the fenceline, however, landowners will also acknowledge that the Council does not accept any

responsibility for any loss or damage to vegetation or areas of the road reserve that may occur due to road maintenance or construction activities.

8.9. Fenceline Clearing or removal of trees over fencelines/boundaries

Landowners wishing to remove vegetation from road verges that has impacted on their property or boundary fenceline, or seeking permission to clear an area of the road verge for a boundary fenceline, should apply in writing to the Shire for permission to do so.

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4.2 ADVERTISING AND PORTABLE DIRECTIONAL SIGNS

Objective:	To provide guidelines for persons applying to install signs under Part 3 of the Shire's Activities on Thoroughfares and Public Places and Trading Local Law 2020	
Date of adoption:	13th October 2008	Minute No. 081008
Date of amendment:	20 May 2021	
Date of last review:	20 May 2021	
Legislative References:		
Internal References:	Shire of Broomehill-Tambellup Activities on Thoroughfares and Public Places and Trading Local Law 2020	

Policy Statement:

This policy supports the Shire's Activities on Thoroughfares and Public Places and Trading Local Law 2020 and if a conflict exists between this Policy and the Local Law, the Local Law prevails.

General

- This policy provides information to the public on Shire requirements for the provision of directional signs on the Shire controlled road verges for private businesses, public facilities such as sports grounds plus Government offices and institutions.
- The policy attempts to balance the need to keep to a minimum unnecessary signs which create aesthetic problems particularly in townships, while still allowing for the necessary directions to be given to the travelling public.
- It is acknowledged that a number of directional signs can greatly increase the viability of local businesses. It must also be recognised that large numbers of signs at many township and rural intersections can reduce road safety, clutter up the landscape and greatly reduce the high quality aesthetic, natural beauty of this region.

Road Sign Standards

General – All signs to be installed on road reserves are to be on a metal plate mounted on a 50mm galvanised iron pipe section. All sign posts are to be securely concreted into the ground and positioned in the road reserve for maximum visibility but this positioning shall not interfere with machine maintenance of road site drains.

Size of Letters

Minimum sizes for road names, township directions, Shire facilities etc. to be 100mm on a 150mm metal plate size. Signs on highways showing the same information to be 150mm letters on a 200mm high metal plate. Sizes of lettering for commercial sign posting to be decided by the Shire for each individual case.

Colours

- All directional signs will be fully reflectorised with white letters or numbers.
- For road or street names and township directions the background plate colour would be white.
- Commercial and business signs will have a blue background while historical and tourist signs will have a brown background. Recreation facilities plus Shire controlled park land will be on a green background.

- (d) The galvanised pipe up –stand to be left unpainted, in the original steel colour or powder coated in a colour determined by the Shire from time to time.

Height / Installation / Length

- (a) The lowest point on any installed sign shall not be lower than 2.5m above ground level, in townsite areas.
- (b) All signs on State road intersections shall be in 150mm letter signing.
- (c) On rural roads, signs may be installed 2 metres above ground level where there is no chance of pedestrians normally walking under the sign and the sign is 1.0m from the area of road use or road drainage maintenance.
- (d) All signs will be 1.0m long, to allow for possible future connection of several signs on one installation as a vertical stack of signs.
- (e) Directional signs will only be allowed at road or street intersections, not “mid block.”



Example of Directional Signage

Symbolic Signs

- (a) Signs featuring symbols as silhouettes eg. Caravans, petrol pump, crossed knife and fork etc. are allowed as directional signs.
- (b) No more than 4 such symbolic signs will be allowed in any one site, and each symbolic board will be 250mm maximum (square) on minor roads and 400mm maximum (square) on major roads, as assessed by the Shire.

Vertical “Banks” Of Directional Signs

- (a) Where a number of directional signs, pointing in the same direction, are to be erected at the one intersection, then these signs, up to a maximum of 4, will be installed as a vertical stack with the street or road name sign on top.
- (b) The sign lengths for such a stack will be 1.0 metres. The signs will be attached, at each end, to a 50mm O.D. galvanised iron pipe.

Number of Signs Allowed Per Business

- (a) A total amount (maximum) of 3 signs will be allowed for a single business on Shire controlled road verges. Signs on State roads controlled road verges will be included in this number. Extra signs will be at the discretion of the CEO.
- (b) All other signs would be installed on Tourist Information. Maximum use should also be made by businesses of Tourist Bureaus and similar outlets for advertising and giving directions.
- (c) No “Advance Warning” signs will be allowed apart from those required for safety requirements.
- (d) For this policy, single businesses shall be those having separate and different ownerships or lessees serving different business functions.

4.3 GRAVEL SUPPLIES AND REHABILITATION

Objective:	To ensure that there is adequate supply of road building materials available for council road works and that an effective rehabilitation program is in place.	
Date of adoption:	13th October 2008	Minute No. 081008
Date of amendment:	17th May 2012	
Date of last review:	20 May 2021	
Legislative References:	<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	
Internal References:	Shire of Broomehill-Tambellup Local Laws	

Access to Gravel:

Council recognises that in order to access gravel it needs to pay a fair price and abide by its own policies and local laws. To this end, Council will undertake the following:

- approach the landowner at least four weeks prior to the time that the works are due to commence, to advise the landowner of the Shire's intention, negotiate compensation and enable the landowner to make any domestic arrangements in relation to stock, etc.
- All gravel pits opened on private property will be reclaimed before the plant shifts to the next programmed job, unless firm arrangements are made with the landowner for not reclaiming.
- If the area is required for dam catchments, all top soil shall be stock piled, or removed if suitable for road building.
- If required by land holder, gravel areas shall be fenced and suitable gates fitted to fenced area, at Shires expense.
- All care is to be taken to cause the least amount of inconvenience to the landowner as is possible.
- All Gravel Pits are to be rehabilitated in accordance with this Policy.
- Council's preference for payment of gravel is to pay \$2.20 inc GST per cubic metre for compacted gravel that is removed from private property. The cost will be charged against the particular job or jobs concerned.
- All transactions to be in accordance with relevant legislation and include a written agreement setting out all relevant details, including rehabilitation of the quarry/pit.

Gravel Pit Rehabilitation

The Shire recognises and accepts that gravel pit rehabilitation is necessary to avoid soil compaction, decrease surface drainage, avoid erosion and minimise visual pollution.

1. In general, prior to opening a gravel pit, a plan for the management of the site will be prepared which will include a plan for rehabilitation and monitoring.
2. Private operators are required to submit and abide to a gravel pit management plan, which includes a plan for rehabilitation and monitoring, before establishing a gravel pit.
3. Wherever possible, new gravel pits will be established on cleared land, not existing bushland and will not be located on a road verge.
4. Where necessary, the visual impacts of an operating gravel pit will be minimised through the establishment of buffers between the pit and visual vantage point/s.
5. Where necessary, the dust and noise impacts of an operating gravel pit will be minimised through the establishment of buffers between the pit and neighbours.

6. Throughout the life of the pit, topsoil, overburden and vegetation will be stockpiled separately ready for respreading in the rehabilitation process.
7. If weeds have developed on the topsoil mounds these should be removed prior to respreading the topsoil.
8. If necessary, drainage structures will be established within the pit, to ameliorate any ponding and surface erosion.
9. Rehabilitation will be done progressively throughout the life of the gravel pit.
10. The site will be monitored every year and for three years after closure of the pit. If rehabilitation is inadequate, appropriate measures will be taken to ensure success.

Bush Sites

Where a proposed gravel pit is located within bushland, the following will apply:

1. Refer to the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and obtain the necessary clearing permits.
2. Prior to opening a gravel pit, seed from local endemic species will be collected from the site and stored for use in the revegetation phase of rehabilitation.
3. The general process of rehabilitation will be to first rip the floor of the pit at 1 metre intervals across the contour. Following ripping the pit needs to be shaped so that the surfaces are as smooth as possible, and the edges are battered down to blend in with the landscape. The batter slopes should be no steeper than 4H:1V. Next, the overburden, and then the topsoil should be returned to the pit. The site should then be cross-ripped at 1m intervals on the contour to encourage plant growth. Finally, the vegetation and debris should be returned to the pit.
4. Seeds collected prior to pit establishment should be scattered on the site at the time of year suited for germination (varies with location) if establishment from respreading vegetation has been inadequate. If a store of seeds is not available, seed from local endemic species should be collected from surrounding areas.
5. If the gravel pit is located on farm land, it will be fenced to exclude stock to help ensure adequate regeneration.

Pastured Sites

1. Prior to establishment of the site, the landowner will be asked how they want the site rehabilitated.
2. For sites to be rehabilitated back to pasture the general process of rehabilitation will be as follows. Firstly the floor of the pit will be ripped to a depth of at least 50cm along the contour. Following ripping the pit needs to be shaped so that the surfaces are as smooth as possible, and the edges are battered down to blend in with the landscape. Next, the overburden and then topsoil should be returned to the pit. Pasture seed will be spread.

Abandoned Gravel Pits

1. An amount to be determined by Council as part of the annual budget process will be budgeted each financial year for rehabilitating abandoned gravel pits until all pits are rehabilitated to a satisfactory level.
2. The method for rehabilitation will not change from that mentioned in the section on current gravel pits.
3. If fill is no longer available, spoil from roadworks etc. will be used. Topsoil, if no longer on site, will be carted to the area to ensure regeneration will be satisfactory.

4. The site will be monitored every year for three years after rehabilitation works. If rehabilitation is inadequate, appropriate measures will be taken to ensure success.

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4.4 CLEARING OF VEGETATION FOR ROAD CONSTRUCTION

Objective:	To consult with landowners before clearing of verges.	
Date of adoption:	13th October 2008	Minute No. 081008
Date of amendment:		
Date of last review:	20 May 2021	
Legislative References:	<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	
Internal References:	Management Practice 5.5 – Removal of material including firewood from road reserves	

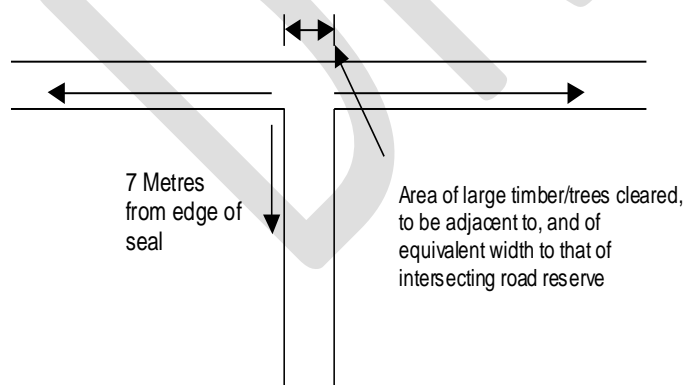
Policy Statement:

In general, Council prefers to preserve as much standing timber as possible, but also recognises the need to provide safe and unobstructed access on the roads. Council is committed to giving adjoining land owners an opportunity for input into any clearing of vegetation during road construction.

To achieve this, prior to the commencement of any clearing on public roads, adjoining owners shall be advised of the proposed clearing and endeavour to reach agreement to the extent of the proposed clearing prior to work commencing.

Clearing at Intersections

- Vegetation interfering with vision at road intersections shall be cleared to allow for sight distance for 210 metres from a predetermined point
- The predetermined point is a distance of 7 metres from the edge of the seal/running surface on the through road, down the intersecting road.
- At “T” junctions, all trees to be removed on the through road in the area immediately adjacent to and of equivalent width to the intersecting road.
- Low scrub and other small plants to remain.



4.5 STREET VERGES - DEVELOPMENT

Objective:	To enhance the visual amenity of townsites within the Shire.		
Date of adoption:	13th October 2008	Minute No.	081008
Date of amendment:	17th May 2012		
Date of last review:	20 May 2021		
Legislative References:			
Internal References:	Shire of Broomehill-Tambellup Activities on Thoroughfares and Public Places and Trading Local Law 2020 Management Practice 5.3 – Provision of street trees		

Policy Statement:

It is the policy of Council to assist landowners within townsites in the development of street lawns and gardens by clearing, levelling, filling and providing top soil in the street verge. The work may be carried out while Shire's plant is in the vicinity, without reference to the Shire and without charge to the landowner.

This Policy is subject to the Shire's Activities on Thoroughfares and Public Places and Trading Local law 2020:

- (a) Any owner or occupier of land within a townsite may plant lawn on the street verge adjoining the property, without obtaining approval from the Shire.
- (b) Street lawns are to be maintained by the owner or occupier of the adjoining property. Where a street lawn has been neglected and in the opinion of the CEO, is in need of mowing to preserve the amenity of the area, the CEO is authorised to arrange for Shire employees to mow the lawn.
Where land adjoining a street lawn is occupied by people who are aged or disabled, the CEO may approve employees mowing the street lawn on a case by case basis.
- (c) Any person wishing to install reticulation within a street verge for watering a street lawn or for any other purpose is required to apply in writing to the CEO. The CEO is authorised to approve such applications subject to conditions as he/she sees fit.
- (d) Any approval to install reticulation in a street verge is to contain a condition that the Shire will not under any circumstances be responsible for any damage caused to the reticulation whether that damage is caused by the Shire, another public authority or any other agent or individual. A further condition of approval is that the reticulation is to be located so that it will not create a hazard for pedestrians.
- (e) Any person wishing to develop a street verge with anything other than lawn e.g. brick paving, bitumen, native plants etc., is required to make application, in writing, to the CEO who may make a determination on the matter or refer the matter to council for decision.
- (f) It is recommended that a minimum depth of 200mm be set for the installation of reticulation in street verges.

4.6 REPLACEMENT OF PLANT AND VEHICLES

Objective:	To maintain a modern, efficient and safe plant and vehicle fleet and ensure that Shire plant and fleet vehicles are replaced at the most cost effective intervals.		
Date of adoption:	17th July 2014	Minute No.	140717
Date of amendment:	20 May 2021		
Date of last review:	20 May 2021		
Legislative References:			
Internal References:	Ten Year Plant Replacement Program		

Council is committed to ensuring that it maintains a modern, efficient and safe plant and vehicle fleet that it replaces at the most cost effective intervals.

POLICY

- Council shall be presented by the end of March each year, with an updated 10 year Plant Replacement draft program for Council consideration and adoption;
- The first year of the Plant Replacement Program shall constitute the draft programme for consideration in that year's draft budget;
- The annual consideration of plant and vehicle replacement shall be taken into account alongside the Shire's budgeted programmes for all assets. This shall involve consideration of new technology, processes and materials as well as ownership versus hire of machinery and programme requirements;
- Shire officers shall make all efforts to rationalise and minimise the funding requirements for plant and vehicle replacement while still aiming to provide the best quality, most effective fleets at the lowest whole of life cost;
- Shire officers shall maximise utilisation of fleet and vehicles through relocation, reallocation and consider disposal of underutilised fleet and vehicles;
- As a general guide the Plant Replacement Program provides for the following changeover timeframes however Council recognises that circumstances and/or market trends may result in timeframes being varied from time to time;

Graders	8 Years
Loader - Heavy	8 years
Backhoe/Loader	8 years
Skid Steer	5 years
Trucks - Heavy	8 years
Trucks Light	5 years
Roller – Multi Tyred	10 8 Years
Roller Vibrating	8 years
Plant Trailer	15 10 years
Jetpatcher	8 -20 years

- For plant items that are to be procured through the tender process or WALGA Preferred Supplier Program, Shire officers are to present draft specifications to Council for consideration prior to advertising or seeking quotes;
- Disposal of items of plant or vehicles shall be by trade-in, outright sale or auction.

4.7 USE OF SHIRE PLANT AND EQUIPMENT BY STAFF, COMMUNITY GROUPS AND ORGANISATIONS

Objective:	To establish criteria and conditions for the after-hours use of Shire Plant and Equipment.		
Date of adoption:	21st April 2016	Minute No.	160409
Date of amendment:	19th July 2018		
Date of last review:	20 May 2021		
Legislative References:			
Internal References:			

Purpose

To provide a framework for the use of Shire plant and equipment to ensure that plant and equipment is not damaged, insurance is not voided and Shire employees and community groups (with Shire staff in control of plant and equipment) can utilise plant and equipment for personal use within reason. This policy will provide clear parameters for the use of Council plant and equipment.

Scope

This policy applies to all employees of the Shire of Broomehill-Tambellup. All staff shall comply with this policy.

Policy Statement

The Chief Executive Officer is authorised to permit the use of Shire of Broomehill-Tambellup plant and equipment at no cost provided the use complies with the following criteria:

1. Consent of the Chief Executive Officer must be obtained by all employees in writing prior to personal use of any plant and equipment;
2. No plant and equipment shall be used for any contract work or for any profit;
3. The use of Shire of Broomehill-Tambellup plant and equipment is not a right, and no implication is made that plant and equipment will be borrowed or loaned;
4. No plant and equipment shall be used for any purpose not directly related to the Shire employees personal requirements, or for a community purpose that benefits a non-profit community organisation;
5. Any application for personal use of Shire plant and equipment must specify the plant or equipment required, purpose, operator and duration of use;
6. Shire plant and equipment shall only be used for the private purposes of a staff member or for a local community or sporting body purpose for a public purpose;

7. Shire plant and equipment shall only be used on land owned or occupied by the applicant, or on land owned or controlled by a community or sporting group or on Council owned or controlled land;
8. The plant or equipment shall only be operated, driven or controlled by a competent Shire of Broomehill-Tambellup employee. Employees may arrange for a competent employee to operate, drive or control the plant or equipment if they are not competent;
9. If the plant or equipment requires fuel then it shall be returned full of fuel;
10. All plant and equipment shall be returned in the condition it was borrowed.
11. If any plant or equipment is damaged, the damage will be assessed by the CEO, Manager of Works and Manager of Finance and Administration, and a decision will be made on who pays for the damage or replacement;
12. If any insurance claim is required to be made for damage or repairs the borrower will be responsible for any costs for the excess;
13. No plant or equipment shall be used outside of the Shire of Broomehill-Tambellup without the express permission of the Shire Chief Executive Officer; and
14. All plant and equipment must remain available for normal Shire operations.

4.8 PRIVATE WORKS

Objective:	To establish the conditions under which private works will be undertaken.		
Date of adoption:	21st April 2016	Minute No.	160410
Date of amendment:			
Date of last review:	20 May 2021		
Legislative References:			
Internal References:			

Policy Statement:

The following procedures shall apply to private works performed by the Shire –

- a) All customers are to pay for kilometres travelled both ways from the Shire’s operating base at the time;
- b) All plant hired is to be operated only by a Shire employee who is an accredited operator;
- c) The Chief Executive Officer may submit quotes and compete for “Commercial” type works in the Shire, that is, works other than those of a small or residential nature. Works are not to be quoted for or competed for unless the Shires plant is in the area undertaking other programmed works, or will shortly be relocated to the area to perform programmed works, unless the work is sufficiently large enough to warrant relocating the plant to the area.
- d) Major private works quoted over \$20,000 are to be brought to Councils attention.

4.9 SHIRE OWNED EQUIPMENT AT A WILDFIRE

Objective:	To assist in control of wildfires by making Council equipment available.		
Date of adoption:	19th May 2016	Minute No.	160515
Date of amendment:			
Date of last review:	20 May 2021		
Legislative References:	Bush Fires Act 1954 s.28		
Internal References:	Policy 4.8: Private Works Management Practice 7.1: Shire Owned Equipment at a Wildfire		

Policy Statement:

Council is committed to ensuring the safety of the community, particularly in regard to fire prevention and response. It is acknowledged that on occasions, the use of Council's heavy machinery may be required to assist in containing and controlling a fire.

Subject to approval being granted by the Chief Executive Officer the Shire will endeavour to make its equipment available for this purpose.

Assistance provided in 'mopping up' activities where requested by landowners will be charged to the landowner at current private works rates.

1.17 CORPORATE CREDIT CARDS

Objective:	To establish the use of Corporate credit cards, and outline the responsibilities of card holders.	
Date of adoption:	18th September 2014	Minute No. 140904
Date of amendment:	18th June 2015	
Date of last review:	15th October 2020	
Legislative References:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996 r11(1)(a)</i>	
Internal References:	Management Practice 4.2 – Employee Corporate Credit Cards Policy 3.1 Purchasing Policy	

Policy Statement

Corporate credit cards can deliver significant benefits through improved administrative practices and more effective cash management. They can, however, also expose a local government to significant risks if not properly controlled. These risks can be minimised by implementing policies to control their use. Credit cards can be a more efficient purchasing method than that of formal methods in some circumstances. It can reduce administration costs, and the need to carry cash.

It is important to have a communication strategy that informs new employees and reminds existing employees of the policies that govern the use of credit cards.

Advantages of Corporate Credit Cards

When used correctly, a credit card can –

- eliminate or reduce time spent on paper based ordering and payments;
- reduce administrative costs;
- reduce the number of payments made per month;
- provide a useful resource in remote and emergency situations;
- reduce the need to carry cash on the premises; and
- provide an effective audit trail of expenditure.

Legislation

The use of credit cards is not specifically mentioned in the *Local Government Act 1995*, however the following sections of the Act impact the use and control of corporate credit cards –

- Section 2.72(2) (a) and (b) requires the Council to oversee the allocation of the local governments finances and resources and to determine the policies of the local government.
- Section 6.5(a) requires the CEO to ensure proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.

Local Government (Financial Management) Regulations 1996 r11(1)(a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

The *Local Government Act 1995* does not allow for the issue of Corporate Credit Cards to elected members. There are no provisions within the Act which allow an elected member to incur a debt, as would be the case with a credit card.

Policies and Procedures Governing the Use of Corporate Credit Cards

Management Practice 4.2 – Employee Corporate Credit Cards provides guidance for the use of corporate credit cards by the CEO, ~~Executive~~ Managers and Governance and Executive Assistant; and authorises the CEO to establish procedures controlling the use of credit cards.

General

Corporate Credit Cards shall only be issued to the Chief Executive Officer, ~~Executive~~ Managers and the Governance and Executive Assistant.

Each officer shall sign an agreement which sets out the card holders responsibilities and legal obligations when using the credit card –

- a register of all current cardholders shall be kept which includes card number, expiry date of the credit card, credit limit and details of goods and services the cardholder has authority to purchase;
- in the event of their employment ceasing, the cardholder is to return the credit card for destruction;
- if a card is lost or misplaced the cardholder shall notify the Chief Executive Officer immediately to enable the loss to be reported and to arrange a replacement card;
- credit cards should never be transferred to other users;
- any reward schemes such as Fly Buys will be to the benefit of Council and not the employee;
- what action is to be taken in the event that a cardholder fails to comply with this policy.

Purchasing

- corporate credit cards are only to be used for purchasing goods and services on behalf of the local government which have been authorised in the current annual budget;
- card holders should ensure that suppliers record an adequate description of goods or services on the tax invoice to ensure appropriate levels of accountability. Appropriate documentation should be obtained to ensure that the purchase can be verified to the satisfaction of the CEO. Wherever possible, a tax invoice must be obtained;
- cardholders must adhere to 3.1 Purchasing Policy;
- personal expenditure is prohibited;
- under no circumstances shall a Corporate Credit Card be used for cash withdrawals;
- ~~the credit card provided to the Chief Executive Officer shall have a maximum limit of \$10,000;~~
- ~~credit cards provided to Executive Managers shall have a maximum limit of \$4,000;~~
- all corporate credit cards issued shall have a maximum limit of \$5,000;
- where a cardholder undertakes purchases by way of facsimile, telephone or over the internet a tax invoice or receipt is required in all circumstances and must contain details of the purchase;
- all invoices/receipts must be provided to the Rates/Finance Officer as soon as practicable after the credit card purchase is made.

Payments

- on receipt of the monthly statement, the Rates/Finance Officer will attach all invoices/receipts to the statement and assign GL/Job number allocations;
- the monthly credit card statement will be distributed to the respective cardholder to certify transactions;
- the monthly balance for each credit card will be recouped by direct debit from the Municipal Fund on the statement due date.

Australian Business Number (ABN)

Cardholders should remember that if a supplier does not have an ABN and Pay As You Go tax has not been withheld on the credit card statement, the local government is still liable to pay the corporate credit card provider the full amount and also the ATO, prevailing ABN Withholding Tax Rate (46.5% as at 1 July 2014) of the purchase price.

Guidelines for Use of Corporate Credit Cards

It is not proposed to list or describe every situation where the corporate credit card can or should be used but rather to provide general guidelines to be followed – officers should be scrupulous in the usage of corporate credit cards and always have appropriate documentation which can verify and justify the expenditure to the CEO.

Expenditure utilising the corporate credit card should, where possible, be kept to a minimum. The preferred method of purchasing goods or services is by using an official council purchase order. On occasion it is recognised that some goods cannot be purchased by order or because of circumstances (ie away from the office) it is more convenient to use the credit card.

Purchase of food, drink or other forms of entertainment should be restricted to officially sanctioned events such as –

- whilst travelling on council business – training, conferences etc;
- providing sustenance for councillors or staff;
- meals following council meetings;
- meals for emergency personnel during an emergency.

Appendix A – AUTHORITY FOR ISSUE OF CORPORATE CREDIT CARD

Name of Cardholder:	
Position:	
From:	Chief Executive Officer
Date:	

CORPORATE CREDIT CARD USER AGREEMENT

As the Chief Executive Officer, I have authorised the issue of a Shire of Broomehill-Tambellup Corporate Credit Card in line with your duties as a Council officer.

The following conditions apply –

1. You have been authorised a card limit of ~~\$5,000~~ ~~\$4,000~~.
2. All transactions are within allocation budget provisions.
3. The card is issued in your name, however it is a corporate credit card and all transactions must be official transactions on behalf of the Shire of Broomehill-Tambellup. Under no circumstances must the card be used for private purposes.
4. At any time, the Chief Executive Officer can call an enquiry into the use of the card, and any findings of transactions that are unauthorised, excessive or unreasonable will result in disciplinary action.
5. The card must be kept in a safe place.
6. Under no circumstances will cash be withdrawn from the card.
7. All tax invoices and receipts must be kept to validate transactions. Note, a credit card statement or EFTPOS receipt is not acceptable (GST cannot be claimed as it does not meet GST requirements to claim a refund). Cardholders must ensure tax invoices and receipts contain the following –
 - i. Suppliers name;
 - ii. Suppliers ABN;
 - iii. Brief description of goods and services supplied;
 - iv. Identifies transactions where GST applies;
 - v. If the transaction relates to entertainment, the cardholder must document how many people they entertained, and the names of Council officers that attended (for FBT purposes)
8. Cardholders must mark next to all transactions the costing accounts and ensure all tax invoices and receipts are attached to the monthly statement. The cardholder must certify that the transactions on the statement are correct.
9. The Chief Executive Officer is to sign off on all credit card statements.
10. If the card is lost or stolen, you must immediately notify the Chief Executive Officer so the card can be cancelled and a replacement ordered.
11. If your employment is terminated, your card and all tax invoices must be submitted to the Chief Executive Officer in the last week of your employment.

I have read the above Corporate Card User Agreement and agree to abide by the conditions as detailed above.

Credit Card No: _____

Name: _____

Signature: _____

Delegation	2.9 – Signing and Issuing of Purchase Orders
Legislative Power to Delegate	Local Government Act 1995 s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	Local Government Act 1995 - s5.42
Delegate	Chief Executive Officer
Sub-delegate	Manager Finance and Administration Manager of Works Works Assistant Governance and Executive Assistant

Delegation:

That in terms of the Local Government Act 1995 section 5.42, the delegation of powers and duties for the signing and issuing of Council’s purchase orders be delegated to the Chief Executive Officer.

The following purchasing limits apply to sub-delegates –

Manager of Works	\$100,000
Manager Finance and Administration	\$50,000
Works Assistant	\$5,000
Governance and Executive Assistant	\$5,000

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 3.1 Purchasing Policy

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 23 July 2020

1.5 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

Objective: To provide council members with guidelines for their role and acceptable standards of conduct both at meetings and in public.

Date of adoption:

Minute No.

Date of amendment:

Date of last review:

Legislative References:

Local Government Act 1995
Local Government (Model Code of Conduct) Regulations 2021
Local Government (Administration) Regulations 1996
Local Government (Elections) Regulations 1997
Criminal Code section 83
Electoral Act 1907
Commonwealth Electoral Act 1918

Internal References:

Local Government (Council Meetings) Local Law 2020
 Delegation 1.22 – Appointment of Authorised Persons and Approval of Complaint of Breach form (Code of Conduct for Council Members, Committee Members and Candidates)
 Policy 1.28 Code of Conduct Behaviour Complaints Management

Policy Purpose

This Policy is adopted in accordance with section 5.104 of the Local Government Act 1995.

Division 1 — Preliminary provisions

1. Citation

This is the Shire of Broomehill-Tambellup Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

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

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

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

4. Personal integrity

- (1) A council member, committee member or candidate should —
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) identify and appropriately manage any conflict of interest; and
 - (e) avoid damage to the reputation of the local government.
- (2) A council member or committee member should —
 - (a) act in accordance with the trust placed in council members and committee members; and
 - (b) participate in decision making in an honest, fair, impartial and timely manner; and
 - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
 - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

- (1) A council member, committee member or candidate should —
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

- A council member or committee member should —
- (a) base decisions on relevant and factually correct information; and
 - (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
 - (c) read all agenda papers given to them in relation to council or committee meetings; and
 - (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

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

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and

- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.

- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
- (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
- (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
- (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

- (1) In this clause —

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

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —

- (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
- (b) to cause detriment to the local government or any other person.

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

19. Prohibition against involvement in administration

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

20. Relationship with local government employees

- (1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
- (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

- (1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or

- (e) to the Minister; or
- (f) to a legal practitioner for the purpose of obtaining legal advice; or
- (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

(1) In this clause —

interest —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

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

1.5 CODE OF CONDUCT FOR COUNCIL MEMBERS

Objective:	To provide council members with guidelines for their role and acceptable standards of conduct both at meetings and in public.	
Date of adoption:	13th October 2008	Minute No. 081008
Date of amendment:	15th October 2020	
Date of last review:	15th October 2020	
Legislative References:	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i> <i>Local Government (Elections) Regulations 1997</i> <i>Local Government (Rules of Conduct) Regulations 2007</i> <i>Criminal Code section 83</i> <i>Electoral Act 1907</i> <i>Commonwealth Electoral Act 1918</i>	
Internal References:	Councillor Code of Conduct Standing Orders Local Law 2008	

1. PREAMBLE

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

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

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for council members. It encourages a commitment to ethical and professional behaviour and outlines principles in which the Shire's responsibilities may be based.

2. THE ROLE OF A COUNCIL MEMBER

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

The Role of Council Members as set out in section 2.10 of the *Local Government Act 1995* as follows:

A Councillor –

- a) represents the interests of electors, ratepayers and residents of the district; and
- b) provides leadership and guidance to the community in the district; and
- c) facilitates communication between the community and the council; and
- d) participates in the local government's decision-making processes at council and committee meetings; and
- e) performs such other functions as are given to a Councillor by this Act or any other written law.

A council member 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.

In fulfilling the various roles, council 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 Shire'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 council members and the Shire.

3. GENERAL PRINCIPLES TO GUIDE THE BEHAVIOUR OF COUNCIL MEMBERS

- (1) General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should —
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the Shire; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information; and
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.
- (2) The general principles referred to in clause (1) are for guidance of council members but it is not a rule of conduct that the principles be observed.

4. CONTRAVENTION OF CERTAIN LOCAL LAWS

- (1) In this Code —

“local law as to conduct” means a local law relating to conduct of people at council or committee meetings (Standing Orders).
- (2) The contravention of a local law as to conduct is a minor breach for the purposes of section 5.105(1)(b) of the Act.

5. RULES OF CONDUCT

- (1) This Part contains the rules of conduct referred to in section 5.104(1) of the Act.
- (2) The rules of conduct apply to a council member whether or not acting as a committee member.

6. USE OF INFORMATION

- (1) In this Code —

“closed meeting” means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

“confidential document” means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;

“non-confidential document” means a document that is not a confidential document.
- (2) A person who is a council member must not disclose —
 - (a) information that the council member derived from a confidential document; or
 - (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.

- (3) Clause (2) does not prevent a person who is a council member from disclosing information-
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

7. SECURING PERSONAL ADVANTAGE OR DISADVANTAGING OTHERS

- (1) A person who is a council member must not make improper use of the person's office as a council member —
 - (a) to gain directly or indirectly an advantage for the person or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Clause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

8. MISUSE OF LOCAL GOVERNMENT RESOURCES

A person who is a council member must not either directly or indirectly use the resources of a local government —

- (a) for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918; or
- (b) for any other purpose,

unless authorised under the Act, or authorised by the council or the CEO, to use the resources for that purpose.

9. PROHIBITION AGAINST INVOLVEMENT IN ADMINISTRATION

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

10. RELATIONS WITH LOCAL GOVERNMENT EMPLOYEES

- (1) A person who is a council member must not —
 - (a) direct or attempt to direct a person who is a local government employee to do or not to do anything in the person's capacity as a Shire employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a person who is a Shire employee in the person's capacity as a Shire employee.
- (2) Clause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (3) If a person, in his or her capacity as a council member, is attending a council meeting, committee meeting or other organised event and members of the public are present, the person must not, either orally, in writing or by any other means —
 - (a) make a statement that a Shire employee is incompetent or dishonest; or
 - (b) use offensive or objectionable expressions in reference to a Shire employee.
- (4) Clause (3)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

11. DISCLOSURE OF INTEREST

- (1) In this code —
“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- (2) A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Clause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Clause (2) does not apply if —
 - (a) a person who is a council member fails to disclose an interest because the person did not know he or she had an interest in the matter; or
 - (b) a person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5) If, under clause (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then —
 - (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.
- (6) If —
 - (a) under clause (2)(b) or (4)(b) a person’s interest in a matter is disclosed at a meeting; or
 - (b) under clause (5)(b) notice of a person’s interest in a matter is brought to the attention of the persons present at a meeting,the nature of the interest is to be recorded in the minutes of the meeting.

12. GIFTS

- (1) In this code —
“activity involving a local government discretion” means an activity —
 - (a) that cannot be undertaken without an authorisation from the local government; or
 - (b) by way of a commercial dealing with the local government;“gift” has the meaning given to that term in section 5.57 of the Act except that it does not include —
 - (a) a gift from a relative as defined in section 5.74(1) of the Act; or
 - (b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
 - (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
 - (d) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876) or the Local Government Professionals Australia WA Division Incorporated (ABN 91 208 607 072);“notifiable gift”, in relation to a person who is a council member, means —
 - (a) a gift worth between \$50 and \$300; or
 - (b) a gift that is one of 2 or more gifts given to the council member 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 a council member, means —
- (a) a gift worth \$300 or more; or
 - (b) a gift that is one of 2 or more gifts given to the council member by the same person within a period of 6 months that are in total worth \$300 or more.
- (2) A person who is a council member must not accept a prohibited gift from a person —
- (a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake, an activity involving a local government discretion.
- (3) A person who is a council member and who accepts a notifiable gift from a person —
- (a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake,
- an activity involving a local government discretion must, within 10 days of accepting the gift, notify the CEO of the acceptance in accordance with clause (4).
- (4) Notification of the acceptance of a notifiable gift is to be in writing and is to include —
- (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and the estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is a council member and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,
- of each other gift accepted within the 6 month period.
- (5) The CEO must maintain a register of gifts in which details of notices received under clause (4) are recorded.

1.27 CODE OF CONDUCT BEHAVIOUR COMPLAINTS MANAGEMENT

Objective:

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

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

Date of adoption:	XXXXXXXX	Minute No.	XXXXXXXX
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Date of amendment:

Date of last review:

Legislative References: *Local Government Act 1995*
Local Government (Model Code of Conduct) Regulations 2021

Internal References: Delegation 1.22- Appointment of Authorised Persons and Approval of Complaint Of Breach Form (Code of Conduct for Council Members, Committee Members and Candidates)
Policy 1.5 - Code of Conduct for Council Members, Committee Members and Candidates
Code of Conduct Complaint Of Breach Form

Policy Scope

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

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

Definitions

Act means the *Local Government Act 1995*.

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

Breach means a breach of Division 3 of the Shire of Broomehill-Tambellup Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council

Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

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

Code of Conduct means the Shire of Broomehill-Tambellup Code of Conduct for Council Members, Committee Members and Candidates.

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

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

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

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

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

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

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

Council means the Council of the Shire of Broomehill-Tambellup.

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

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

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

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

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

Policy Statement

1. Principles

1.1 Procedural fairness

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

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

1.2 Consistency

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

1.3 Confidentiality

The Shire of Broomehill-Tambellup will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

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

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

1.4 Accessibility

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

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

2. Roles

2.1 Behaviour Complaints Officer

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

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

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

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

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

2.2 Complaint Assessor

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

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

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

3. Procedure

3.1 Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct [*clause 11(1) of the Code of Conduct*].

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

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

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

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

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

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

3.2 Candidate Complaints

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

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

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

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

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

3.3 Withdrawing a Complaint

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

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

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

3.4 Notice to Complainant

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

- confirms receipt of the Complaint;

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

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

3.5 Notice to Respondent

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

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

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

3.6 Alternative Dispute Resolution

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

Options for Alternative Dispute Resolution include:

- negotiation with the assistance of the Behaviour Complaints Officer or other appropriate person as intermediary;
- facilitation with a contracted service provider.

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

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

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

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

3.7 Order of Complaints

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

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

3.8 Appointment of Complaints Assessor

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

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

3.9 Search of Local Government Records

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

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

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or

- the Respondent has taken remedial action in accordance with the Shire of Broomehill-Tambellup Local Government Council Meetings Local Law 2020.

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

3.10 Assessment of the Complaint

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

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

3.11 Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

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

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

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

3.12 Complaints Committee Meeting

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

The Council will consider the Complaint Report and attachments and give due regard to the recommendations.

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

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

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

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

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

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

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

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

3.13 Compliance with Plan Requirement

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

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

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

4. Decision Making

4.1 Objective and Principles

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

4.2 Dismissal

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

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the Shire of Broomehill-Tambellup Local Government Council Meetings Local Law 2020.

4.3 Finding

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

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

4.4 Action

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

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

- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5 Plan Requirements

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

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

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

The Proposed Plan may also outline:

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

WALGA Policy Development Framework

Code of Conduct Behaviour Complaints Management Policy

WALGA Note:

WALGA recognises and shares Local Government concerns regarding the complaints mechanism introduced in the *Local Government (Model Code of Conduct) Regulations 2021*. In particular, the role of Council in deciding complaints and a lack of mechanisms for managing conflicts of interest are problematic.

At its meeting on [2 December 2020](#), State Council resolved that WALGA:

- ***Does not support the inclusion of local level complaints about alleged behavioural breaches and Local Governments dealing with complaints provisions in Division 3, Clauses 10 and 11; and***
- ***Supports an external oversight body to manage local level complaints involving council members as prefaced in the Local Government Review Panel Report, City of Perth Inquiry Report and Select Committee into Local Government Report, to be considered in a future Local Government Act.***

Therefore, this Framework is drafted on the basis of minimising both actual and perceived bias due to conflict of interests. Our aim is to recommend processes that minimise Council involvement and remove opportunities for conflicts to arise through the use of external parties.

WALGA recognises that some Local Governments may not be willing or able to incur the expense of using external parties, and some Local Governments may simply prefer a different approach. Therefore, this Framework identifies some points at which a Local Government may consider whether to refer a complaint to an external party (rather than referring all complaints). WALGA can provide further advice on how this may be achieved, as well as an option for handling a complaint wholly internally.

DLGSCI has produced [Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates](#). These Guidelines confirm that Council Members who have made a complaint, or are the subject of a complaint, would have an impartiality interest, however this does not require them to leave a meeting for debate or decision. WALGA's view, based on the sector's advocacy position, is that the presence and participation of Council Members directly involved in the complaint creates a clear apprehension of bias and is incompatible with the principles of procedural fairness. Therefore, this Framework proposes the option of establishing a Complaints Committee with delegated authority that can only be exercised in the absence of Council Members who are parties to the complaint. Local Governments may identify other arrangements suitable for their circumstances.

Section 2.7(2)(b) of the Local Government Act sets the policy-making role of a Council, therefore it is strongly recommended that Local Governments provide opportunities for Council to contribute to this development of a Complaints policy.

Instructions for use:

This Framework includes suggested wording only and Local Governments should review the content and consider, develop and implement policy suitable to their operational requirements. This Framework also includes extensive WALGA Notes identifying further considerations for Local Governments. These Notes should be deleted from the adopted Complaints Policy. Local Governments should ensure they review the final result to confirm that there are no omissions or inconsistencies and that numbering and internal references are correct.

Remember:

Policy implementation is given effect through induction, ongoing training and operational procedures which evidence that Council Members, Committee Members and Candidates have been made aware of and are accountable for their obligations under the Local Government's adopted Code of Conduct and Complaints Policy.

Feedback:

WALGA welcomes feedback on the content of this document, particularly if your Local Government has identified issues, opportunities or improved practices in relation to the *Local Government (Model Code of Conduct) Regulations 2021*. Your suggestions will inform the continuous improvement and updates of this document for the assistance of all Western Australian Local Governments. Your feedback will also inform WALGA's advocacy where legislative amendment is deemed necessary. Please provide any comments to WALGA's Governance and Procurement team - governance@walga.asn.au or call 9213 2514.

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Policy Objective

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

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

Policy Scope

This Policy applies to complaints made in accordance with Clause 11 of the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

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

Definitions

Act means the *Local Government Act 1995*.

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

WALGA Note:

For further discussion of the role of a Behaviour Complaints Committee see the WALGA Note at Part 2.3 of this Policy.

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

WALGA Note:

A delegation from Council to the CEO, providing authority to authorise persons to receive complaints and withdrawal of complaints, may provide flexibility. This would allow the CEO to make authorisations as necessary, to address staff changes, provide backup coverage, and make subsequent appointments based on better understanding of the Behaviour Complaints Officer role as the Local Government develops its complaints management procedure.

A delegation may not be appropriate for all Local Governments, as the Council may wish to retain the decision making function to authorise Behaviour Complaints Officers, dependent on the functions that the Council has assigned to this role through its adopted Policy for Code of Conduct Behaviour Complaints Management.

For further discussion of the role of the Behaviour Complaints Officer see the WALGA Note at Part 2.1 of this Policy.

Breach means a breach of Division 3 of the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

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

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

Code of Conduct means the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

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

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

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

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

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

WALGA Note:

For further discussion on the role of the Complaint Assessor see the WALGA Note at Part 2.2 of this Policy.

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

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

Council means the Council of the <<Shire/ Town / City of XXX>>.

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

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

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

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

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

Policy Statement

1. Principles

1.1. Procedural fairness

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

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

WALGA Note:

Local Governments may wish to refer to the Ombudsman WA Guidelines: [Procedural fairness \(natural justice\)](#) for detailed commentary on these principles.

1.2. Consistency

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

1.3. Confidentiality

The <<Shire/ Town / City of XXX>> will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

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

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

WALGA Note:

There is no direct statutory provision for confidentiality of behaviour breach allegations under the Act or Local Government (Model Code of Conduct) Regulations 2021. Local Governments may therefore wish to include in this Policy specific steps they will take to maintain confidentiality, and any limits on confidentiality. This information could be included in the Complaint Form and any internal procedures. For example:

- In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides reasons this should not occur.*
- The Complainant's contact information will not be provided to the Respondent.*
- The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.*
- The Complainant should be aware that Complaint Documents may be subject to an FOI request, noting that they must be consulted before any documents are released, and exemptions may apply.*

In accordance with Local Government (Administration) Regulations 1996, r.11(d) the details of decisions made at Council or Committee meetings must be included in the minutes. Local Governments should consider how resolutions are drafted to ensure that they are suitable for inclusion in the public record.

A breach of confidentiality by Council Members or Committee Members under an adopted Complaints Policy would breach the Code of Conduct clause 8(2)(b) requirement to comply with all Local Government Policies. In the case of Council Members, this may also be a breach of Rule of Conduct 18(1).

1.4. Accessibility

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

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

WALGA Note:

Local Governments may wish to include the contact information for the Behaviour Complaints Officer under Part 1.4. If the contact information changes more frequently than the Policy is reviewed, the information could be inserted as an administrative note to the administrative/working versions of the Policy, or otherwise made publicly available when publishing the Policy on the Local Government's website.

2. Roles

2.1. Behaviour Complaints Officer

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

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

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

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

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

WALGA Note:

This framework is drafted on the basis that the Behaviour Complaints Officer is a Local Government employee. Local Governments should review the functions that are allocated to the Behaviour Complaints Officer under this Policy and consider the skills, knowledge and training required.

External Behaviour Complaints Officer

Local Governments may authorise an external party as the Behaviour Complaints Officer. Local Governments would need to consider:

- *What role the Behaviour Complaints Officer would play under their Policy and therefore the scope of services to be provided;*
- *What would be the necessary qualities in an external party;*
- *How that external party would be selected (procurement process);*
- *How a contract/performance would be managed;*
- *How the external party would receive complaints and withdrawals of complaints;*
- *How the external party would ensure they have available capacity to receive complaints and fulfil their role within the scope of services defined by the Local Government;*
- *How the external party would liaise with the Local Government;*
- *How the external party would keep and manage records in accordance with the Local Governments Recordkeeping Plan;*
- *How the external party would access Local Government records;*
- *Which Local Government employee would prepare reports to the Council or Behaviour Complaints Committee?*

2.2. Complaint Assessor

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

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

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

WALGA Note:

Local Governments should give serious consideration to the role of the Complaint Assessor, and the scope of their activities under this Policy. Local Governments should decide whether the Complaint Assessor may undertake an investigation, and if so the scope of the investigation, or whether they should simply request a written response from the Respondent and review all documents provided (the Complaint Documents, any Local Government Records identified by the Behaviour Complaints Officer, and Response Documents).

Based on this decision, Local Governments may wish to develop specifications for the assessment process which may form the basis for a procurement process when appointing the Assessor. Local Governments could choose to be very detailed in this consideration, for example by identifying criteria by which Complaints can be categorised (minor/major etc.) and developing corresponding specifications for each category. Some or all of these specifications could be included in this Policy.

As a minimum, Local Governments should ensure that they have sufficient oversight and control of the work that will be undertaken by the Complaint Assessor to be satisfied that the process will be reasonable and proportionate in scope and cost and align with the Principles set out in Part 1. Consider contract management, performance and value for money.

2.3. Behaviour Complaints Committee

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

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

WALGA Resources:

WALGA has developed a template Behaviour Complaints Committee Terms of Reference and template Behaviour Complaints Committee Delegation to assist the implementation of Part 2.3 of this Policy.

The Behaviour Complaints Committee is proposed to operate under delegated authority in accordance with s.5.16 of the Act with a critical condition prohibiting the Behaviour Complaints Committee from exercising its delegated authority if the Complainant or Respondent attend a meeting as a Behaviour Complaints Committee Member.

The Terms of Reference for the Behaviour Complaints Committee provides that it is a requirement before the Committee can exercise delegated authority that a Committee Member will submit an apology for any meeting of the Behaviour Complaints Committee that will consider a Complaint in which they are either the Complainant or Respondent.

3. Procedure

3.1. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct [clause 11(1) of the Code of Conduct].

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

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

WALGA Resources:

WALGA has developed a Template Behaviour Complaint Form incorporating requirements from specific details that will assist the Behaviour Complaints Officer deal with a Complaint, including the option to direct a Complaint for Alternative Dispute Resolution.

WALGA can assist Local Governments that may wish to incorporate a Statutory Declaration as a Behaviour Complaint Form document, that requires a Complainant to attest to the truthfulness and accuracy of the information provided.

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

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

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

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

3.2. Candidate Complaints

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

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

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

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

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

3.3. Withdrawing a Complaint

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

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

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

WALGA Note:

Certain Parts of this Framework require the Behaviour Complaints Officer to undertake particular functions. Local Governments wishing to reduce officer involvement even further could choose to bring forward Part 3.8 Appointment of a Complaints Assessor, so that a Complaint Assessor is appointed on receipt of a Complaint. Part 3.4 Notice to Complainant, Part 3.5 Notice to Respondent, and Part 3.6 Alternative Dispute Resolution, could then be re-drafted to allocate Behaviour Complaints Officer functions to the Complaint Assessor. Timeframes may need to be reviewed if an external appointment is made.

3.4. Notice to Complainant

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

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

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

3.5. Notice to Respondent

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

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

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

3.6. Alternative Dispute Resolution

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

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

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

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

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

WALGA Note:

Local Governments may wish to modify this section to specify the available option(s) for Alternative Dispute Resolution. For example:

- negotiation with the assistance of the Behaviour Complaints Officer or other appropriate person as intermediary;*
- facilitation with a contracted service provider.*

If engaging an external service provider, consider procurement and contract management issues. Some Local Governments may already have arrangements with the Citizens Advice Bureau or other community organisation. It may be appropriate when engaging a supplier to specify a time/cost threshold, for example if no agreement between the parties within a reasonable timeframe, then Alternative Dispute Resolution will be deemed as unsuccessful, and the formal complaints procedure resumed.

Local Governments should remove this section and subsequent references if they do not wish, or are not able, to make Alternative Dispute Resolution available.

3.7. Order of Complaints

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

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

3.8. Appointment of Complaints Assessor

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

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

WALGA Note:

Local Governments should consider their preferred method of selection and appointment. Some options include:

- *The Behaviour Complaints Officer undertakes procurement in accordance with the Local Government's Purchasing Policy, based on sufficiently detailed guidance on suitable qualifications and experience.*
- *Local Governments may choose to carry out an RFQ, or other appropriate procurement process, to identify and appoint a standing Complaint Assessor for a period of time, rather than waiting for a Complaint.*
- *Local Governments could formally establish a Complaints Assessors Panel as a panel of pre-qualified suppliers, in accordance with Division 3 of the Local Government (Functions and General) Regulations 1996.*

Local Governments may also wish to consider criteria by which a Behaviour Complaints Officer could identify Complaints which may not require external assessment. This could include the substance of the Complaint; whether it is capable of being assessed; and whether or not the Complaint includes complex allegations. This mechanism could be limited, to allow Local Governments to deal with Complaints that lack substance, without the expenditure of resources on a Complaint Assessor.

3.9. Search of Local Government Records

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

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

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the <<Shire/ Town / City of XXX>> <Meeting Procedures/Standing Orders Local Law YYYY>.

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

3.10. Assessment of the Complaint

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

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

WALGA Note:

As outlined in the WALGA Note at Part 2.2, Local Governments may wish to include details of their assessment process in their Policy. This may empower the Complaint Assessor to undertake an investigation within defined parameters. Alternatively, the Policy may require that Complaint Assessor to request that the Respondent provide a written response, including any evidence or information that the Respondent considers relevant. The assessment would then be conducted purely on the basis of all documents provided (the Complaint Documents, any Local Government Records identified by the Behaviour Complaints Officer, and Response Documents).

The Code of Conduct requires that a Respondent is provided with a reasonable opportunity to be heard. What may be considered reasonable may depend on the process that is followed, and on the circumstances. For example, if the Complaints Assessor is empowered to gather additional evidence or information, the Respondent must be presented with this information, and have an opportunity to respond. If a Respondent is asked for a written response, the Complaint Assessor should ensure they are given a reasonable period in which to respond. It may also be reasonable to accept responses in other formats. Given this variation, Local Governments may wish to specify minimum requirements, and/or direct the Complaint Assessor to exercise their professional skill and judgment.

3.11. Complaint Report

WALGA Note:

Local Governments that do not wish to refer all complaints to a standing Complaints Committee with delegated authority should remove all references to 'Behaviour Complaints Committee' in the following sections, and replace with 'Council'.

The Complaint Assessor will prepare a Complaint Report that will:

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

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

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

WALGA Note:

Local Governments may wish to include in their Policy a requirement that the Respondent is provided with a draft copy of the Complaint Report, and an opportunity to make submissions, before the Complaint Assessor finalises the Complaint Report.

If the Complaint Report includes a Proposed Plan, this may contribute to consultation in accordance with clause 12(5) of the Code of Conduct.

3.12. Complaints Committee Meeting

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

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

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

WALGA Note:

The Local Government is required to include reasons when providing notice of its decisions under clauses 12(4), 12(7) and 13 of the Code of Conduct. The Complaint Report is required to provide reasons for each of its recommendations, which become the Officer Recommendations.

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

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

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

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

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

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

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

WALGA Note:

**In actioning clause 12(5) of the Code of Conduct, the Respondent may be invited to make an oral submission or provide a written response. If the final decision to implement a Plan is referred to a subsequent meeting of the Committee, the Complaints Assessor or Behavioural Complaints Officer may provide a report attaching the written response and potentially make an associated recommendation as to the effect of a Plan.*

3.13. Compliance with Plan Requirement

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

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

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

4. Decision Making

4.1. Objective and Principles

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

4.2. Dismissal

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

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the <<Shire/ Town / City of XXX>> <Meeting Procedures/Standing Orders Local Law YYYY>.

4.3. Finding

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

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

4.4. Action

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

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;

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

4.5. Plan Requirements

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

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

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

The Proposed Plan may also outline:

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

WALGA Note:

Local Governments have broad discretion in deciding whether to take no further action or prepare and implement a Plan. Local Governments may wish to modify this Part to reflect Council's position on when it may be appropriate to impose a Plan, and the requirements that may be included.

The Local Government will be responsible for the cost of the Plan requirements. Local Governments may wish to consider how any activities will be arranged, booked and paid for. Local Governments may choose to specify that the administrative arrangements will be managed, for example in accordance with their Continuing Professional Development Policy.

Document Control Box							
Document Responsibilities:							
Owner:	[insert Position Title]	Owner Business Unit:	[insert Unit Title]				
Reviewer:	[insert Position Title]	Decision Maker:	Council				
Compliance Requirements:							
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021						
Other:							
Organisational:							
Document Management:							
Risk Rating:	[low / med / high]	Review Frequency:	[annaul / biennial / triennial]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:		Synopsis:				
1.	[decision date / TRIM Ref]		[brief description of the adoption / changes approved]				
2.							

Delegation	1.22 – Appointment of Authorised Persons and Approval of Complaint of Breach Form (Code of Conduct for Council Members, Committee Members and Candidates)
Legislative Power to Delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to the CEO s5.43 Limitations on delegations to the CEO
Legislative Power or Duty Delegated	<i>Local Government (Model Code of Conduct) Regulations 2021</i> Schedule 1 Model Code of Conduct cl. 11(2)(a) and (b) and 11(3) Complaint about alleged breach
Delegate	Chief Executive Officer
Sub-delegate	Manager of Finance and Administration

Delegation:

1. Approve the form in which complaints relating to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates must be submitted.
2. Appoint authorised persons to receive complaints and withdrawals of complaints in relation to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates must be submitted.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file/s.

Internal References:

NEW Council Policy **X.XX**- Code of Conduct for Council Members, Committee Members and Candidates

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on **XXXXXXXXXX**

1.28 STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

Objective: To establish Standards surrounding CEO recruitment, performance and termination to ensure Councils compliance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

Date of adoption:

Minute No.

Date of amendment:

Date of last review:

Legislative References: *Local Government Act 1995*
Local Government (Administration) Regulations 1996

Internal References:

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

1. Citation

These are the *Shire of Broomehill-Tambellup* Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

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

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

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Broomehill-Tambellup;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

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

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

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

- (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
- (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

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

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

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

- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
- (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

16. Performance review process to be agreed between local government and CEO

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

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

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

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

Schedule 2 — Model standards for CEO recruitment, performance and termination

[r. 18FA]

[Heading inserted: SL 2021/14 r. 7.]

Division 1 — Preliminary provisions

[Heading inserted: SL 2021/14 r. 7.]

1. Citation

These are the [insert name of local government] *Standards for CEO Recruitment, Performance and Termination*.

[Clause 1 inserted: SL 2021/14 r. 7.]

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

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

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

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the [insert name of local government];

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

Local Government (Administration) Regulations 1996

Schedule 2 Model standards for CEO recruitment, performance and termination

Division 2 Standards for recruitment of CEOs

cl. 3

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

[Clause 2 inserted: SL 2021/14 r. 7.]

Division 2 — Standards for recruitment of CEOs

[Heading inserted: SL 2021/14 r. 7.]

3. Overview of Division

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

[Clause 3 inserted: SL 2021/14 r. 7.]

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

- (2) This Division does not apply —

- (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
- (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

[Clause 4 inserted: SL 2021/14 r. 7.]

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
- (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

[Clause 5 inserted: SL 2021/14 r. 7.]

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

[Clause 6 inserted: SL 2021/14 r. 7.]

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

[Clause 7 inserted: SL 2021/14 r. 7.]

Local Government (Administration) Regulations 1996

Schedule 2 Model standards for CEO recruitment, performance and termination

Division 2 Standards for recruitment of CEOs

cl. 8

8. Establishment of selection panel for employment of CEO

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

[Clause 8 inserted: SL 2021/14 r. 7.]

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and

- (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
- (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
- (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

[Clause 9 inserted: SL 2021/14 r. 7.]

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and

Local Government (Administration) Regulations 1996

Schedule 2 Model standards for CEO recruitment, performance and termination

Division 2 Standards for recruitment of CEOs

cl. 11

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

[Clause 10 inserted: SL 2021/14 r. 7.]

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

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

[Clause 11 inserted: SL 2021/14 r. 7.]

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the *negotiated contract*) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

[Clause 12 inserted: SL 2021/14 r. 7.]

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the *incumbent CEO*) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that

period commenced before, on or after commencement day; and

- (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
 - (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

[Clause 13 inserted: SL 2021/14 r. 7.]

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

[Clause 14 inserted: SL 2021/14 r. 7.]

Division 3 — Standards for review of performance of CEOs

[Heading inserted: SL 2021/14 r. 7.]

15. Overview of Division

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

Local Government (Administration) Regulations 1996

Schedule 2 Model standards for CEO recruitment, performance and termination

Division 3 Standards for review of performance of CEOs

cl. 16

[Clause 15 inserted: SL 2021/14 r. 7.]

16. Performance review process to be agreed between local government and CEO

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

[Clause 16 inserted: SL 2021/14 r. 7.]

17. Carrying out a performance review

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

[Clause 17 inserted: SL 2021/14 r. 7.]

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

[Clause 18 inserted: SL 2021/14 r. 7.]

19. CEO to be notified of results of performance review

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

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

[Clause 19 inserted: SL 2021/14 r. 7.]

Division 4 — Standards for termination of employment of CEOs

[Heading inserted: SL 2021/14 r. 7.]

20. Overview of Division

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

[Clause 20 inserted: SL 2021/14 r. 7.]

21. General principles applying to any termination

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

[Clause 21 inserted: SL 2021/14 r. 7.]

Local Government (Administration) Regulations 1996

Schedule 2 Model standards for CEO recruitment, performance and termination

Division 4 Standards for termination of employment of CEOs

cl. 22

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

[Clause 22 inserted: SL 2021/14 r. 7.]

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

[Clause 23 inserted: SL 2021/14 r. 7.]

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.

Local Government (Administration) Regulations 1996

Model standards for CEO recruitment, performance and
termination

Schedule 2

Standards for termination of employment of CEOs

Division 4

cl. 24

- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

[Clause 24 inserted: SL 2021/14 r. 7.]

2.0 Mandatory Standards for CEO Recruitment, Performance and Termination

The *Local Government (Administration) Amendment Regulations 2021* (LGAAR) amended the *Local Government (Administration) Regulations 1996* (Admin Regs) and inserted the Model Standards for the recruitment, performance review and termination of Local Government CEOs (Model Standards) as Schedule 2.

Local Governments must adopt CEO Standards that incorporate the Model Standards within three months, under the new s.5.39B(2) of the Act. Until this time, the Model Standards are taken to be the adopted standards (new s.5.39B(5)).

Resources available:

- DLGSC has published resources on its '[About the reforms](#)' page. This includes 'Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination'.

2.1 Actions and considerations when implementing the Model CEO Standards

CEO recruitment, performance review or termination process currently in progress

When:

As soon as possible contact DLGSC by email to actreview@dlgsc.wa.gov.au to obtain advice on compliance requirements where the Local Government has currently commenced and not yet concluded a CEO recruitment, performance review or termination process.

Review CEO Employment Contract and Performance Review arrangements against the Model Standards

When:

As soon as practicable. The Model Standards apply now and may change the Council's obligations for managing the CEO's employment.

Points to consider:

- Shire Presidents / Mayors and CEOs should initiate discussions to determine whether any inconsistencies exist between the CEO Standards and the CEO's employment contract and previously agreed Performance Review arrangements.
- If inconsistencies exist, it may be appropriate to seek employment relations advice to assist with negotiation and referral to Council (as the employing authority) for decision if required.
- If the CEO has been employed in the position of CEO for a period longer than 10-years, or the period of employment will be longer than 10-years **when the CEO's current employment contract expires**, the Model Standards will require Council to conduct a recruitment process that complies with the Model Standards.

Adopt CEO Standards

When:

As soon as practicable, Local Governments must adopt (by absolute majority) CEO Standards that incorporate the Model Standards, but in any case must be adopted by 3 May 2021 [s.5.39B(2)].

Once adopted, s.5.39B(6) requires the CEO to publish an up-to-date version of the Standards on the Local Government's official website.

Points to consider:

Preparing to adopt CEO Standards

- Local Governments are able to include in their adopted CEO Standards additional provisions that are not inconsistent with the Model Standards [s.5.39B(4)].
- Local Governments should exercise caution in adopting additional provisions, as the Council will be required to certify, by absolute majority, that a recruitment or termination process was undertaken in accordance with the adopted CEO Standards [Admin.regs 18FB and 18FC].
- WALGA has prepared an [MS-Word template of the CEO Standards](#), which may assist Local Governments (i.e. easy to insert Local Government logos, etc) to prepare the CEO Standards for adoption as a Council Policy. Adoption of the CEO Standards as a Council Policy, ensures the Council periodically reviews their adopted position, within its regular policy review framework.

Applying the CEO Standards

- When undertaking recruitment, performance review or termination, Local Governments will need to consider, plan and schedule specific processes to give effect to the CEO Standards, and meet Council's obligations as the employing authority, with the agreed processes being subject to endorsement by Council resolution.
- For example - when recruiting:
 - What information will need to be gathered and analysed by the Council to determine the skills, qualifications, experience and qualities that the Council will expect a CEO candidate to demonstrate? How will the Council facilitate discussion and develop consensus on these attributes i.e. Council workshops?
 - Who will draft the Position Description? Will this be managed by an external human resources consultant to ensure the Position Description is drafted in accordance with appropriate industrial practice?
 - Who will draft the proposed contract of employment? Will this be managed by an external legal consultant so that it complies with employment law, the Salaries and Allowances Tribunal Local Government CEO Determination and appropriate industrial practice?
 - Will the Council appoint a Recruitment Consultant? What will be the scope of activity that the consultant will be required to undertake on the Local Government's behalf? What

reports and recommendations will the consultant be required to make? When and how will the consultant be required to provide the Council with reports and recommendations?

- How will the procurement and selection of consultant services (HR consultant, legal consultant and / or recruitment consultant) be facilitated to comply with the adopted Purchasing Policy?
- The Council will need to establish a Selection Panel. Will this be a formal committee of Council under s.5.8?
- What criteria will the Council use to identify and select an independent person to be a member of the Selection Panel? Will this be an open or closed process?
- What probity requirements will members of the selection panel need to comply with i.e. confidentiality, disclosure of interests?
- What will the Council include in a Terms of Reference to establish the extent of activity and discretion that the Selection Panel will be required to perform, perhaps including clear statements of the Panel's limitations?
- Generally for recruitment, performance reviews or termination:
 - When will the Council need to schedule informal Council workshops to receive background information, facilitate discussion to form consensus views so that Council reports and recommendations can be prepared to enable formal decision making?
 - When will Council Meetings need to be scheduled? Will Special Council Meetings be required to facilitate an efficient process?
 - Who will provide administrative support planning and convening informal Council workshops, Council Meetings, preparing Council meeting agenda, reports and recommendations and collating and distributing background information necessary to facilitate the process? This is particularly important if the incumbent CEO is conflicted from advising the Council due to involvement in the process.

Adopt a Policy for Temporary Employment or Appointment of a CEO

When:

As soon as practicable, adopt (by absolute majority) a policy for temporary employment or appointment of a CEO [s.5.39C(1)], and publish the adopted policy on the Local Government website [s.5.39C(4)] .

Points to consider:

- The Policy must address the employment of a person, and the appointment of an employee, in the position of CEO for a period not exceeding 1 year [s.5.39C].
- For internal appointments of an Acting CEO, the policy may include employee position titles, specifying that the Council considers a person holding these positions to be suitably qualified and experienced for the position of CEO.

- How will the Council identify and select (what process) suitably qualified and experienced candidates when appointing a temporary CEO after the incumbent CEO has resigned or been terminated, whilst the Council conducts a recruitment and selection process?
- How will the Council determine remuneration of a temporary and / or acting CEO in accordance with the Salaries and Allowances Tribunal Local Government Determination?

Plant Maintenance Report -May 2021

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
OTA	Ford Ranger Ute			2019	2019	1 yr / 15,000km	
1TA	Ford Ranger Ute		30,000	2020	2020	1 yr / 30,000 kms	Serviced @ 15000kms
BH00	Ford Ranger D-Cab	7,305	15,000	2020	2020	1 yr / 30,000 kms	
BH000	Ford Everest Trend		2000	2020	2020	1yr / 25,000 km	
BH001	CAT Vibe Roller	1,966	2,000	2019	2019	8 yrs / 8000 hrs	
BH002	ISUZU Flatbed Truck	41,046	45,000	2016	2016	7 yrs / 250,000km	
BH003	Ford Ranger D-Cab	17,165	30,000	2020	2020	1 yr / 30,000 km	Serviced@15,000km
BH004	CAT 12M Grader	2,595	3,000	2017	2018	8 yrs / 8,000 hrs	Serviced @ 2500 hrs, checked harmonic balancer, adjust wearplates on moulboard,added coolant extender
BH005	Cat Multi tyre Roller	1,231	1,500	2018	2018	8 yrs / 8000 hrs	
BH006	CAT 14 M	205	500	2020	2020	8 yrs / 8,000 hrs	
BH007	Toro Mower	1184	1200	2016	2016	5 yrs / 5,000 hrs	Replaced deck belts and alternator belt
BH009	Izusu 150 Truck	11,342	20,000	2019	2019	1 yr / 30,000 km	Tail gate repair (Elite steel)
BH012	Isuzu Fire Truck		Jan-41				
BH013	Cat 444 Backhoe	90	500	2020	2020	10 yrs / 8,000 hrs	
BH014	Ford Ranger Space Cab	8,012	15,000	2020	2020	1 yr / 30,000 km	
BHT0	Kenworth Truck	133,990	145,000	2016	2017	5 yrs / 250,000 km	Replaced hydraulic stop switch
BHT84	Toro Groundmaster 3500D Mower	1,336	1,400	2013	2013		
BHT92	CAT Skid Steer 299D2XHP	1,393	2,000	2017	2017	8 yrs / 8,000hrs	Service@1500 hrs added coolant extender
BHT125	Mack Curser 8 Wheel Tipper	221,629	230,000	2013	2013	5 yrs / 250,000 km	Fix tail lights, replaced doorlock, Replaced two new steerer tyre
BHT1624	Fuel trailer			2015	2016		
BHT1633	Tandem Axle Dolly	60073		2015	2015		
TA001	Ford Ranger Ute	13,411	15,000	2021	2020	1 yr / 30,000 kms	
TA005	Ford Ranger Ute	16,001	30,000	2020	2020	1 yr / 30,000 kms	
TA017	Isuzu Tipper	52,262	65,000	2019	2019	5 yrs / 200,000 km	Serviced @ 50000 kms
TA052	Ford Ranger D-Cab	12,615	15,000	2020	2020	1 yr 30,000 km	
TA06	Jet Patcher Isuzu	156,104	170,000	2007	2010	8 yrs / 8,000 hrs	
TA18	12M Grader	4,595	5,000	2016	2016	7 yrs / 8,000 hrs	Fix oil cooler leak replaced o-ring and gasket
TA281	930K Loader	5,989	6,500	2014	2014	8 yrs / 8,000 hrs	Serviced @ 6000 hrs
TA386	Isuzu Tipper	18,864	30,000	2019	2019	5 yrs / 200,000 km	
TA2251	3 Axle Float Trailer				2009		
TA417	John Deere Gator		250	2019	2019		
1 TIU 961	Papas Tandem Fuel Trailer			2008			
1TMR361	Rockwheeler Side Tipper Trailer			2012	2012		
Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments

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1TMR367	Tandem Axle Dolly						
BKTBR	Skid Steer Bucket Broom			2013			
1TLT850	Loadstar 8x5 Trailer			2011			
BH2085	Trailer for pump at town dam						
BH2098	Boxtop Trailer						
BH2134	Trailer for Mobile Standpipe						
TA2129	Fuel Tanker						
BHT 1626	Papas Tandem Fuel Trailer						
1TCY093	Papas Tandem Trailer						
1TIU961	8 x 5 Papas Fuel Trailer						
1TFH594	Loadstar Boxtop Trailer						
BHT 151	Reel Mower	92	250	2020	2020		
1TFD241	Boxtop Trailer for firefighting						
1TJX516	Plant Trailer for Mowers						
BHT1624	Fuel Trailer				2016		
1TOI298	Sign Trailer				2015		Adjust brakes
Fogger	Fogger						
	Bucket Broom						
STAB	Stabiliser attachment				2014		
CATBR 30	Caterpillar Broom						
	Cement Mixer						
	Tree Grab						
	Wacker Packer						
	Tambellup Fogger						
	Broomehill Fogger						
	Trencher Attachement						
	TA Pressure Washer						
	Polesaw						
	Honda Pump						
	Chainsaw						SERVICED & REPLACED 3 CHAINS
	Stihl concrete saw						
	Skid Steer Roller						
	Borer						
1TOI 298	Sign Trailer			2015			
BHT1636	Side Tip Trailer			2017	2017		
TORO 5910	BH Golf Club Mower	4379	4500	2016	2017		
	BH Honda Push Mower			2017	2017		
PFL	Fork Lift	1,400	1,500				
GENSET							

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Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
STIHL	Blower						
	BH Pressure Washer						
	Truck Hoist						
	Oil Dispenser						