



SHIRE OF PINGELLY

POLICY MANUAL

January 2024

Policy Manual

This Policy Manual is intended as a guide to Councillors and Staff on the normal practices and activities of Council. The policies and procedures do not require strict adherence, but may be changed as circumstances dictate, and amended at any time by Council.

Staff are expected to use care and discretion in implementing the policies, to ensure the best possible outcome, whether or not a particular incident complies with the stated policy. At the same time, the implementation must be fair, consistent and effective with the emphasis on guidance and assistance rather than legal compulsion/action or inspectorial bias.

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

AMENDMENT LOG

Policy No.	Title	Action	Date updated
7.2	Council Awards	Changed award types and process	20 July 2022
7.6	Property Leased to Community Groups	Title change and clarification	18 August 2022
10.18	Staff Housing	Condensed	18 August 2022
5.7	Rates Recovery	Amended para 4.1	21 September 2022
5.18	Pingelly Industry Attraction Programme	New Policy	21 September 2022
7.18	Pingelly Primary School Policy	New Policy	14 December 2022
5.19	Early and Reliable Rates Incentive Sponsorship Policy	Amended	19 April 2023
5.15	Community & Events Grant	Amended	19 July 2023
6.14	Use of Fire Fighting Appliances	New Policy	18 October 2023
7.19	Walk of Fame	New Policy	12 December 2023

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1. Accounting

1.1 Fixed Assets Valuation, Capitalisation and Depreciation

1. PURPOSE

- 1.1 The purpose of this Policy is to meet legislative requirements with regard to valuation, capitalisation and depreciation of fixed assets held by the Shire of Pingelly.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The current written down values of non-current assets are to be recognised at Fair Value in linewith AASB13 on a three-year revaluation cycle as per *Local Government (Financial Management) Regulations 1996*.
- 4.2 Assets with a value of over \$ 5,000 are to be capitalised and added to the asset register.
- 4.3 Where appropriate, assets valued at less than \$ \$5,000 may be entered into a Minor Tool register for control purposes.
- 4.4 Asset depreciation rates are set by classification and are as follows:

Land	not depreciated
Buildings	5-50 years
Furniture and Equipment	1–10 years
Plant and Equipment	2-50 Years
Sealed roads and streets (Subgrade and Formation)	not depreciated
Construction/road base Bituminous and asphalt (Pavement)	15-80 years
Gravel roads clearing and earthworks (Subgrade and Formation)	not depreciated
Construction/road base (Pavement)	15-80 years
Formed roads (unsealed) (Subgrade and Formation)	not depreciated
construction/road base (Pavement)	15-80 years
Footpaths - slab	20-80 years
Bridges	10-65 years
Drainage (Storm Water Channels)	8-100 years

- 4.5 The assets residual values and useful lives are reviewed and adjusted if appropriate, annually.
- 4.6 The asset's carrying amount is written down immediately to its recoverable amount if the asset'scarrying amount is greater than its estimated recoverable amount.

- 4.7 When revalued assets are disposed of, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

5. RELATED DOCUMENTATION / LEGISLATION

*Local Government (Financial Management)
Regulations 1996 Policy 5.13 Asset Management
The Asset Management Plan (AMP)*

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 15 November 2017, 18 July 2018, 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy 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.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 For the purposes of determining the application of the standard, the Shire has identified the following persons as meeting the definition of *Related Party*:
- 3.1.1 An elected Council member
 - 3.1.2 Key management personnel (KMP) being a person employed under section 5.37 of the Local Government Act 1995 in the capacity of Senior Employee, and the Chief Executive Officer.
 - 3.1.3 Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
 - 3.1.4 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).
- 3.2 The Shire will therefore be required to assess all transactions made with these persons or entities.

4. POLICY STATEMENT

- 4.1 For Related Party Disclosures
- 4.1.1 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 year ended 30 June 2017. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.
- 4.2 Background
- 4.2.2 The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.
 - 4.2.3 The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

4.3 Identification of related party transactions

- 4.3.1 A related party transaction is a transfer of resources, services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.
- 4.3.2 For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting these criteria:
- (a) Paying rates
 - (b) Fines
 - (c) Use of Shire owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not)
 - (d) Attending council functions that are open to the public
 - (e) Employee compensation whether it is for KMP or close family members of KMP
 - (f) Application fees paid to the Shire for licenses, approvals or permits
 - (g) Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
 - (h) Lease agreements for commercial properties
 - (i) Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement)
 - (j) Sale or purchase of any property owned by the Shire, to a person identified above.
 - (k) Sale or purchase of any property owned by a person identified above, to the Shire
 - (l) Loan Arrangements
 - (m) Contracts and agreements for construction, consultancy or services
- 4.3.3 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 can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

4.4 Disclosure Requirements

- 4.4.1 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.

4.5 Ordinary Citizen Transactions (OCTs)

- 4.5.1 For the purpose of this Policy, an Ordinary Citizen Transaction is one that occurs between the Shire and/or related parties which satisfy the following criteria. The transaction must:
- a) occur during the normal course of the Shire delivering its public service goals;

- b) be under the same terms that would be available to a member of the community; and
- c) belong to a class of transaction that an ordinary member of the community would normally transact with the Shire.

4.5.2 This includes for example facility hire, and the payment of rates and dog registrations.

4.5.3 There is no obligation to disclose Ordinary Citizen Transactions. Transactions between the City and Related Parties that would normally be considered Ordinary Citizen Transactions but where the terms and conditions differ from normal practice, however, must be disclosed.

4.6 All other transactions

4.6.1 For all other transactions listed in point 4.6 above, elected Council members and KMP will be required to make a declaration.

4.7 Frequency of Disclosures

4.7.1 Elected Council members and KMP will be required to complete a *Related Party Disclosures- Declaration* form every 6 months i.e. 30 June and 31 December every year.

4.7.2 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/by a KMP.

4.8 Confidentiality

4.8.1 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.

4.9 Materiality

4.9.1 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.

5. RELATED DOCUMENTATION / LEGISLATION

AASB 124 Related Party Disclosures Local Government Act 1995
Local Government (Financial Management) Regulations 1996
 Associated Policies

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	16 August 2017, 15 July 2020, 18 May 2022

2. Administration

1. PURPOSE

- 1.1 The purpose of this Policy is to maintain an up-to-date recording of the various policies of Council.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Additions, deletions and amendments to Council policy shall only be affected by an absolute majority of Council.
- 4.2 Other than Policies relevant to Town Planning, all policies within the Policy Manual are to be reviewed by Council every 2 years as a minimum. Council may review an individual policy at any time before the next review date if it determines it to be necessary.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 19 October 2011, 21 December 2011 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

Council Policy

2.6 Legal Advice

1. PURPOSE

1.1 The purpose of this Policy is to obtain legal advice and opinion.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 The Chief Executive Officer is authorised to obtain from solicitors such legal advice and opinion as is deemed necessary to enable the proper legal administration of Council's business and in support of a report or submission to Council or a Committee on matters which require advice from legal authority.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to demonstrate the Shire of Pingelly's commitment to the development of a culture of risk-based decision making directed towards the effective management of potential opportunities and reduction of potential impacts of risk.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Risk management is defined in the International Standard (ISO 31000) as the coordinated activities to direct and control an organisation with regard to risk.
- 4.2 The Shire of Pingelly is committed to the effective management of risk and will implement a risk management framework based on the ISO 31000 Standard to achieve this. The Council recognises that adequate resources are needed to effectively manage risks.
- 4.3 The Council is responsible for:
 - 4.3.1 Ensuring that a Risk Management Policy has been developed and adopted;
 - 4.3.2 Ensuring the Chief Executive Officer has implemented the risk management framework; and
 - 4.3.3 Establishment of an Audit and Risk Committee to assist the Council in fulfilling its corporate governance, stewardship, leadership and control responsibilities in relation to risk management.
- 4.4 The Chief Executive Officer is responsible for:
 - a) Communicating the Risk Management Policy throughout the Shire;
 - b) Establishing risk management processes across the Shire's operations; andReviewing the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance not less than once every 3 financial years and reporting the results of that review to the Audit Committee as per Regulation 17 of the Local Government (Audit) Regulations 1996.

5. RELATED DOCUMENTATION / LEGISLATION

International Standard ISO 31000:2018 - Risk Management Guidelines
Risk Management Framework
Local Government (Audit) Regulations 1996

6. REVIEW DETAILS

Review Frequency	Three yearly
Council Adoption	21 February 2007, 21 April 2010, 11 December 2014, 17 June 2015, 17 May 2017, 15 July 2020 18 May 2022

2.8 Misconduct, Fraud and Corruption

1. PURPOSE

- 1.1. The purpose of this Policy is to communicate the Shire's commitment to a zero-tolerance approach to misconduct, fraud and corruption.
- 1.2 This Policy acknowledges the Shire's commitment to maintaining high standards of professional and ethical conduct by supporting strategies that prevent, detect and respond to misconduct, fraud and corruption.

2. SCOPE

- 2.1. This Policy is applicable to the Shire of Pingelly and its Elected Members and employees.

3. DEFINITIONS

- 3.1 Corruption means dishonest activity that is contrary to the interests of the entity and abuses a person's position/s of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.
- 3.2 Fraud means dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property and where deception is used immediately before or immediately following the activity.
- 3.3 Misconduct means behaviour which is improper, and which adversely affects the honest and impartial performance of the functions of an Elected Member or employee, and which may also constitute a form of misconduct as defined within applicable legislation, including (but not limited to) the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the *Corruption and Crime Commission Amendment (Misconduct) Act 2014*.
- 3.4 Policy means this Shire of Pingelly Council policy entitled "Misconduct, Fraud and Corruption".

4. POLICY STATEMENT

- 4.1. The Shire is committed to providing and promoting ethical and accountable leadership and decision making.
- 4.2. The Shire is committed to providing all Elected Members and employees with education and training in misconduct prevention policies and strategies as they are developed, to ensure that responsibilities and obligations are understood.
- 4.3. This Policy, the Shire's Codes of Conduct, organisational values, and risk management framework, all work together to prevent, detect and respond to potential or actual misconduct, fraud and corruption.
- 4.4. In dealing with allegations of suspected misconduct, fraudulent and/or corrupt activities the Shire is obliged to report and deal with such allegations through the appropriate channels.
- 4.5. The Shire may seek to recover any losses incurred from misconduct, fraud or corruption activities, after considering all relevant issues. The Shire is committed to the aims and objectives of the *Public Interest Disclosure Act 2003*.

- 4.6. The Shire will maintain high standards of professional and ethical conduct by receiving disclosures of public interest information in accordance with the requirements and provisions of the *Public Interest Disclosure Act 2003*.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

Public Interest Disclosure Act 2003

Corruption and Crime Commission Amendment (Misconduct) Act 2014

Standards Australia – AS8001 - 2008

6. REVIEW DETAILS

Review Frequency	Three yearly
Council Adoption	19 Feb 2020, 15 July 2020, 18 May 2022

3. Community

3.1 Community Use of Council Buildings

1. PURPOSE

- 1.1 The purpose of this Policy is to determine the Community use of Council Buildings

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Community groups may use Council Buildings at no cost to hold meetings if a Council representative is appointed to the committee and attends the meetings to take responsibility for the security of the building. Use of Council Chambers may be at the Chief Executive Officer's discretion.
- 4.2 In the absence of a Council representative, a bond may be requested to safeguard against the cost of repairs of any damage caused to the building or its contents, including crockery. The bond shall also cover any major cleaning by the caretaker, above normal duties, after the function.
- 4.3 Any costs over and above the amount of the bond are to be recovered from the persons or group having hired the facility.
- 4.4 The bond is not to be returned until the premises have been checked for damage by Staff.
- 4.5 No liquor of any type shall be permitted to be stored or consumed on Shire of Pingelly controlled public property without the consent of the Chief Executive Officer except where the leasee is in possession of an appropriate liquor licence.
- 4.6 The maximum time for which all Shire of Pingelly public buildings are allowed to remain open and in use shall be 2:30am. All lights shall be turned off by this time and all doors closed and locked.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020 18, May 2022

1. PURPOSE

1.1 The purpose of this Policy is to clarify the swimming pool opening season.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Having regard to prevailing weather conditions, the season will normally commence in the first week of November each year and close in the first week of April of the following year.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

3.9 Swimming Pool Supervision

1. PURPOSE

- 1.1 The purpose of this Policy is to ensure appropriate supervision is maintained at the Shire of Pingelly Swimming Pool.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 No child under 10 years of age shall be admitted unless accompanied by a person aged 16 years or older. The Swimming Pool Manager is to enforce this Policy.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the Shire's rules on keeping pets at the Shire Caravan Park.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Pets will be permitted in the caravan park if kept in a caravan or under effective control and/or on a leash at all times. If a pet kept in a caravan park becomes a problem through excessive noise, lack of hygiene or misbehaviour, it must be removed.

5. RELATED DOCUMENTATION / LEGISLATION

Dog Act 1976
Cat Act 2011
Health Local Law

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

4. Elected Members

4.1 Ordinary Meetings of Council

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the details of when Ordinary Meetings of Council are held.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Ordinary meetings of Council shall be held on the third Wednesday of each month, except for January and December. The Ordinary Meeting of the Council in December shall be held on the second Wednesday of the month. No Ordinary Meeting of Council will be held in January.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 29 October 2014, 17 June 2015 4 November 2015, 17 May 2017, 18 July 2018 17 April 2019, 18 September 2019, 15 July 2020 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to clarify the attendees of the post-election dinner, if held.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Following any election Council may host a dinner with invitations being extended to (together with their partners):

4.1.1 Councillors;

4.1.2 Chief Executive Officer and Senior Staff;

4.1.3 Immediate past Councillors; and

4.1.4 Others as determined by the President.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

4.5 Conference and Meeting Expenses

1. PURPOSE

1.1 The purpose of this Policy is to clarify the payment of expenses.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Where a Councillor is authorised to attend a conference, meeting, course or other Council business, the Shire of Pingelly will pay for:

4.1.1 Fees;

4.1.2 Travel; and

4.1.3 Councillor's accommodation, meals and other incidentals with these expenses.

4.2 Additionally, the Shire of Pingelly will pay for spouses to attend any official partner programme connected with the conference.

5 RELATED DOCUMENTATION / LEGISLATION

Nil

6 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

4.7 Recognition of Service

1. PURPOSE

- 1.1 The purpose of this Policy is to ensure retiring Councillors are recognised for their service to Council.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 On the completion of eight years of service, and upon retirement from office, Council may request the Minister for Local Government to award a Councillor the Certificate of Appreciation.
- 4.2 On the completion of eight years of service, and upon retirement from office, Council may provide a gift of up to \$200 and \$100 for every additional 4 years of service.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

4.8 Public Consultation and Communication

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the processes for consultation and communication.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations and external stakeholders.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire of Pingelly is committed to communicating and consulting with all stakeholders. The organisation welcomes all feedback from stakeholders. Any negative feedback, or constructive criticism is perceived as valuable information and will be addressed under the continuous improvement programme of Shire of Pingelly. Stakeholders will be consulted on their feedback, and they will form part of the improvement teams to address any of the negative issues identified.
- 4.2 The Shire of Pingelly will also celebrate the positive feedback from all stakeholders.
- 4.3 Stakeholders will be actively consulted on all major decisions of Shire of Pingelly; their input and perceptions will be included in the decision-making processes.
- 4.4 For non-statutory public consultation can be advertised in public forums such as local or state papers, the shire's website, a written notice or community information session and the period for feedback is intended to be 14-21 days as a guide.
- 4.5 The Shire of Pingelly will comply with the requirement of the relevant Acts in its communications with the community and the external stakeholders as well as the consultation and communications requirements of the Work Health and Safety Act 2020 and *Occupational Safety and Health Regulations 1996*.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995
Work Health and Safety Act 2020
Occupational Safety and Health Regulations 1996
AS/NZS 4360: 2004 Risk Management
Shire of Pingelly Communication Plan

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	20 February 2013, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

4.9 Chamber Seating Order

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the process for allocating seating in the Shire Chambers.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 That prior to the first meeting following the bi-annual elections the CEO conduct a random ballot to determine the new Council seating allocation for the forthcoming two years. Further, that should an extra-ordinary election result in the change of a Councillor, the new Councillor is to take the vacant seat. Further, that should an extra-ordinary election result in the change of more than one Councillor, the CEO conduct a random ballot between the vacant seats to determine the seating allocation.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

4.10 Councillor Training Policy

1. PURPOSE

- 1.1 To provide access to training and development for Councillors in order to enhance their knowledge, representation and decision-making.

2. SCOPE

- 2.1 This Policy is applicable to Shire of Pingelly Elected Members (Councillors).

3. DEFINITIONS

- 3.1 **Event** means conferences, seminars, forums, workshops, courses, information training sessions and other like events.

4. POLICY STATEMENT

4.1 Eligible Events

- 4.1.1 Events to which this policy applies will generally be limited to those coordinated and/or run by either:
- a) The Western Australian Local Government Association (WALGA).
 - b) The major professional bodies associated with local government.
 - c) Accredited organisations offering training relating to the role and responsibilities of Councillors.

4.2 Mandatory Training

- 4.2.1 Councillors are required to complete the Council Member Essentials training modules prescribed by Regulation 35, Local Government (Administration) Regulations 1996 within the first 12 months of their election to Council.
- 4.2.2 The cost of completing the training modules will be funded from the Councillors annual allocation for training activities.

4.3 Request for Attendance

- 4.3.1 Any approval for conference, seminar or training program attendance is always subject to budgetary funds being available.
- 4.3.2 The Chief Executive Officer may approve Councillors attending the WALGA Convention, the Council Member Essentials training modules, and a training request where there is a specific budget provision and all Councillors have been offered the opportunity to attend.
- 4.3.3 Requests for course participation or conference attendance may be initiated by the Council Member and should be forwarded to the Chief Executive Officer in a reasonable time prior to enrolment or registration.

4.4 Councillor Induction

- 4.4.1 Following their election, new Councillors will be given an induction by the Shire President and Chief Executive Officer. Part of that induction will include information and recommendations on which training course they are required to attend.

4.5 Reporting

- 4.5.1 A report will be included in each year's Annual Report, and maintained on the Shire of Pingelly website, advising the attendance of elected members at events during the year and the total number of mandatory training modules completed by each elected member.

- 4.6 All costs associated with attendance at training activities will be paid by Council in accordance with Policy 4.5 Conference and Meeting Expenses

5 RELATED DOCUMENTATION / LEGISLATION

Part 5, Division 10 of the Local Government Act 1995

Part 10 of the Local Government (Administration) Regulations 1996

Sections 5.126, 5.127 and 5.128 of the Local Government Act 1995

Regulation 35, Local Government (Administration) Regulations 1996

Regulation 36, Local Government (Administration) Regulations 1996

6 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018, 20 May 2020, 15 July 2020, 18 May 2022

4.11 Attendance at Events Policy

1. PURPOSE

- 1.1 The purpose of this policy is to establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where elected members and employees are invited free of charge, whether as part of their official duties as council or Shire representatives or not.

2. SCOPE

- 2.1 This policy applies to Elected Members and the Chief Executive Officer of the Shire of Pingelly.

3. DEFINITIONS

- 3.1 In accordance with section 5.90A of the Local Government Act, an event includes, but is not limited to the following:
- 3.1.1 a concert
 - 3.1.2 a conference
 - 3.1.3 a function
 - 3.1.4 a sporting event
 - 3.1.5 occasions prescribed by the Local Government (Administration) Regulations 1996

4. POLICY STATEMENT

- 4.1 Elected Members and the Chief Executive Officer attend events to fulfil their leadership role in the community. Elected Members and/or the Chief Executive Officer will receive tickets or invitations to attend events to represent the Shire. The event may be a paid event, or a ticket/invitation may be gifted in kind. Gifts exceeding \$100 need to be included in the gift register.
- 4.2 Attendance by Elected Members and the Chief Executive Officer is approved for the following events:
- 4.2.1 Advocacy lobbying or Ministerial briefings
 - 4.2.2 Meetings of clubs or organisations within the Shire of Pingelly
 - 4.2.3 Any free event held within the Shire of Pingelly
 - 4.2.4 Australian or West Australian Local Government events
 - 4.2.5 Local Government Professionals Association (WA) events
 - 4.2.6 Events hosted by Clubs or Not for Profit Organisations within the Shire of Pingelly to which the Shire President, an Elected Member or the Chief Executive Officer has been officially invited
 - 4.2.7 Shire hosted ceremonies and functions
 - 4.2.8 Shire hosted events with employees
 - 4.2.9 Shire run tournaments or events
 - 4.2.10 Shire sponsored functions or events

- 4.2.11 Community art exhibitions
 - 4.2.12 Cultural events/festivals
 - 4.2.13 Events run by a Local, State or Federal Government
 - 4.2.14 Events run by schools and universities within the Shire of Pingelly
 - 4.2.15 Major professional bodies associated with local government at a local, state and federal level
 - 4.2.16 Opening or launch of an event or facility within the Shire of Pingelly
 - 4.2.17 Recognition of Service events
 - 4.2.18 RSL events
 - 4.2.19 Where Shire President, Elected Member or Chief Executive Officer representation has been formally requested
 - 4.2.20 Free public events
- 4.3 All Elected Members and the Chief Executive Officer are entitled to attend a pre-approved event. If there is a fee associated with a pre-approved event, the fee, will be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under an alternative Council Policy.
- 4.4 If there are more Elected Members than tickets provided, then the Shire President shall allocate the tickets.
- 4.5 If an elected member (or Chief Executive Officer) is unable or does not wish to attend the event to which the invitation relates, the member is to advise the event organiser of their unavailability or may distribute it to another elected member (or member of staff) of their choosing if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed.
- 4.6 Approval Process
- 4.6.1 Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event as follows:
 - a) Events for the Shire President and Deputy Shire President do not need approval
 - b) Events for Councillors may be approved by the Shire President
 - c) Events for the Chief Executive Officer may be approved by the Shire President
 - 4.6.2 Considerations for approval of the event include:
 - a) Any justification provided by the applicant when the event is submitted for approval
 - b) The benefit to the Shire of the person attending
 - c) Alignment to the Shire's Strategic Community Plan
 - d) The number of Shire representatives already approved to attend
 - 4.6.3 Where an Elected Member has an event approved through this process, and there is a fee associated with the event, then the cost of the event, will be reimbursed on request.
 - 4.6.4 Where the Chief Executive Officer has an event approved through this process,

and there is a fee associated with the event, then the cost of the event is to be paid for out of the Shire's relevant budget allocation.

4.7 Non-Approved Events

- 4.7.1 Any event that is not pre-approved, is not submitted through an approval process, or is received personally, is considered a non-approved event. If the event is ticketed and the Elected Member or Chief Executive Officer pays the full ticketed price and does not seek reimbursement, then no action is required.
- 4.7.2 If the event is ticketed and the Elected Member or Chief Executive Officer pays a discounted rate or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$300 for Elected Members and the CEO.

4.8 Conferences and Other Training Activities

- 4.8.1 The Shire supports Elected Members and the Chief Executive Officer in attending conferences. Conferences encourage development and networking opportunities. Council maintains various policies which apply to conference and training activities of elected members.
- 4.8.2 Organisations that desire attendance at an event by a particular person(s), such as the President, Deputy President, Elected Member, Chief Executive Officer or particular officer of the Shire, should clearly indicate that on the offer, together what is expected of that individual, should they be available, and whether the invite / offer or ticket is transferable to another Shire representative.
- 4.8.3 Free or discounted Invitations / Offers or Tickets that are provided to the Shire without denotation as to who they are for, are to be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995 – Section 5.90A

Local Government (Administration) Regulations 1996 r.34B

6. REVIEW DETAILS

Review Frequency	3 yearly
Council Adoption	19 February 2020, 15 July 2020, 18 May 2022

5. Finance

5.1 Bank Account Signatories and Payments

1. PURPOSE

- 1.1 The purpose of this Policy is to designate a hierarchy of signatories for Shire bank and investment accounts.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 All bank transactions are to be authorised by two signatories. This includes payments by cheque, electronic funds transfer, transfers between accounts, payroll payments and investment of surplus and reserve funds.
- 4.2 Where an officer has been involved in the preparation of a payment batch, the payment will be approved by two other signatories.
- 4.3 Authorised signatories are the Chief Executive Officer, the Executive Manager Corporate Services, Executive Manager Works, and Senior Finance Officer.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 18 March 2015, 17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020, 18 May 2022

5.2 Investment of Surplus Funds

1. PURPOSE

- 1.1 The purpose of this Policy is so that the Chief Executive Officer may invest monies held in any Shire of Pingelly Fund not required for immediate use, by fixed deposit or other short-term authorised Trustee investments, provided that sufficient working funds are retained for operating expenses during the term of investment.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Prudent Person Standard

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

4.2 Ethics and Conflicts of Interest

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

4.3 Approved Investments

- 4.3.1 Without approval by resolution of Council, investments are limited to:

- a) State/Commonwealth Government Bonds;
- b) Interest bearing deposits such as bank accounts and term deposits;
- c) Bank accepted/endorsed bank bills;
- d) Bank negotiable Certificate of Deposits;
- e) Investments to be with recognised trustees who invest in AAA – BBB institutions; and
- f) Investments placed for a term of less than 12 months.

4.4 Prohibited Investments

- 4.4.1 This investment policy prohibits any investment carried out for speculative purposes including:
- a) Derivative based instruments;

- b) Principal only investments or securities that provide potentially nil or negative cash flow;
- c) Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind;
- d) This policy also prohibits the use of leveraging (borrowing to invest) of an investment; and
- e) Investments for a period of more than 12 months.

4.5 Reporting and Review

- 4.5.1 A summary of investments is to be presented to each Ordinary meeting of Council.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government 1995 – Section 6.14

Trustees Act 1962 Part III Investments

Local Government (Financial Management) Regulations – Regs 19, 28 and 49

Australian Accounting Standards

Shire of Pingelly Policy 2.7 Risk Management

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	20 May 2015, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to clarify the Council's process around donations.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Council may sponsor members of the community or provide financial assistance to community organisations for the provision of services that are of benefit to the community.

4.2 Requests for financial assistance are to be in writing for consideration by Council through the Council meeting process.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for debt recovery.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 After 30 days from the raising of the invoice, a statement is to be issued.

4.2 After 30 days from the issuing of the statement, a letter of demand for payment of debt in full within 21 days is to be issued.

4.3 At the end of the 21 days, the Chief Executive Officer or delegated officer may authorise a Notice of Intent to Summons if the debt is not paid in full within 14 days.

4.4 At the end of 14 days the Chief Executive Office may authorise the issue of a summons.

4.5 The appropriate designated officer is authorised to negotiate with debtors unable to pay sundry debts, an extension of time or a repayment plan. Where conditions of the extension are not complied with, the Executive Manager Corporate Services is authorised to give 14 days' notice of intent to commence legal action and institute recovery proceedings.

5. RELATED DOCUMENTATION / LEGISLATION

Rates and Charges Act 1992

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for rates recovery.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Raising of the Rates is to occur as soon as practical after the adoption of the budget. Only where the balance outstanding is under \$10.00 per assessment will interest not be calculated.
- 4.2 Rates are due 35 days after the date of issue of the rate notice.
- 4.3 Instalment options are available, if the first instalment is made within the 35 day payment period.
- 4.4 If a discount is available on rates, payment in full is to be received at the Shire Office within the 35 day payment period as indicated on the rate notice.
- 4.5 A letter of demand for payment of rates in full within 21 days is to be issued 7 days after the end of the 35 day payment period.
- 4.6 At the end of the 21 days, the Chief Executive Officer or delegated officer may authorise a Notice of Intent to Summons if rates are not paid in full within 14 days.
- 4.7 At the end of 14 days the Chief Executive Office or delegated officer may authorise the issue of a summons.
- 4.8 The Chief Executive Officer or delegated officer is authorised to negotiate with ratepayers unable to pay rates, an extension of time or a repayment plan. Where conditions of the extension are not complied with, the Chief Executive Officer or delegated officer is authorised to give 14 days' notice of intent to commence legal action and institute recovery proceedings.
- 4.9 Properties with rates outstanding for more than 3 years (other than eligible pensioner properties) are to be reported to Council for consideration of sale for non-payment of rates.
- 4.10 The Chief Executive Officer will not approve refunds of rubbish charges unless the building served is demolished or special circumstances warranting a refund are demonstrated.

5. RELATED DOCUMENTATION / LEGISLATION

Rates and Charges Act 1992

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022, 21 September 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for applications for self-supporting loans.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Each request for self-supporting loans will be considered on its merits and the organisation will be asked to provide financial statements together with guarantors or other acceptable security.

4.2 In the event of Council agreeing to make funds available on a self-supporting basis to any district organisation, Council reserves the right to control and/or to carry out any of the following:

4.2.1 The preparation of the plans and specifications of the proposed works;

4.2.2 The calling of tenders for the proposed works;

4.2.3 The letting of the Contract;

4.2.4 The preparation of the contract documents;

4.2.5 Sole supervision of the proposed works; and

4.2.6 Sole authorisation of the expenditure of funds for the proposed works.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

5.9 Advances to Community Organisations

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the process of granting advances to community organisations.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Council may agree to provide bridging or temporary finance for a community organisation, or to guarantee commitments made by the organisation.
- 4.2 Council may charge interest until the debt is completely repaid, at the current bank overdraft rate plus 0.5%.
- 4.3 Council may ask for the latest financial statements of the organisation.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

5.10 Pensioner and Seniors Concessions on Non-Residential Properties

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify pensioner and seniors' concession on non-residential properties.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 When a pensioner or senior is eligible for a rates concession on a commercial or farming property the "minimum rate" method is to be applied.
- 4.2 Eligible persons to apply via the *Rates and Charges (Rebates and Deferments) Act 1992* to determine if the concession/rebate is available.

5. RELATED DOCUMENTATION / LEGISLATION

Rates and Charges (Rebates and Deferment) Act 1992

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020, 18 May 2022

5.11 Purchasing Policy

1. PURPOSE

- 1.1 To provide compliance with the *Local Government Act 1995* and the *Local Government Act (Functions and General) Regulations 1996*.
- 1.2 To deliver a best practice approach and procedures to internal purchasing for the Shire of Pingelly.
- 1.3 To ensure consistency for all purchasing activities that integrates within all the Shire of Pingelly operational areas.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Ethics and Integrity

- 4.1.1 All officers and employees of the Shire of Pingelly shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Pingelly.
- 4.2 The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:
 - 4.2.1 Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
 - 4.2.2 All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Pingelly policies and code of conduct;
 - 4.2.3 Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
 - 4.2.4 All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
 - 4.2.5 Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
 - 4.2.6 Any information provided to the Shire of Pingelly by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4.3 Value for Money

- 4.3.1 Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Pingelly. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.
- 4.3.2 An assessment of the best value for money outcome for any purchasing should consider:

- a) All relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- 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;
- c) Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- d) A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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

4.4 Sustainable Procurement

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

4.4.2 The Shire of Pingelly is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Pingelly's sustainability objectives.

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

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

4.5 Local and Regional Price Preference

- 4.5.1 Where possible goods and services should be sourced locally, taking into consideration value for money, price, quantity and availability.
- 4.5.2 Local Price Preference – For suppliers located within the Shire of Pingelly:
- a) 10% - where the contract is for a value of up to and including \$20,000.
 - b) 5% - where the contract is between the values of \$20,000 and \$50,000.
- 4.5.3 Regional Price Preference – For suppliers located in a Shire sharing a common boundary with the Shire of Pingelly, plus suppliers located in the Shire of Narrogin:
- a) 5% - where the contract is for a value of up to and including \$20,000.
 - b) 2.5% where the contract is between the values of \$20,000 and \$50,000.
- 4.5.4 In addition to this, the Shire shall consider the following as part of any value for money decision, and the benefits of purchasing goods and services from local suppliers:
- a) More timely delivery with shorter supply lines;
 - b) The opportunity for local product demonstrations and references, with consequentially reduced risk in the decision-making process;
 - c) More convenient communications and liaison;
 - d) Better knowledge of local conditions; and
 - e) Benefits to the Shire from local employment and economic spin-offs.

4.6 Purchasing Thresholds

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

Amended Amount of Purchase	Policy 5.11
Less than \$3,000	Professional discretion of market in accordance with the objective of this Purchasing Policy.
\$3,001 to \$15,000	Seek at least two verbal quotes where practical.
\$15,001 to \$50,000	Seek at least two written quotations.
\$50,001 to \$70,000	Seek at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$70,001 - \$249,999	Seek at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$250,000 and above	Conduct a public tender process; or sourced from a WALGA Preferred Supplier or supplier subject to a WA Department Finance Common User Agreement (CUA).

- 4.6.2 Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). Where the tender process is used, steps must be taken to ensure compliance with the Local Government (Functions and General) Regulations 1996 s3.57.

- 4.6.3 A regular check on all procurement will occur to ensure that staff are always completing the details of relevant quote information

4.7 Ordering thresholds

- 4.7.1 The following officers are authorised to make purchases on behalf of the Council within the limits stated, provided such proposed purchases are contained within the budget.

Officer	Order Limit (\$)
Chief Executive Officer	Unlimited
Executive Manager Corporate Services	\$50,000
Executive Manager Works	\$50,000

4.8 The general principles relating to written quotations are;

- 4.8.1 An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- 4.8.2 The request for written quotation should include as a minimum:
- a) Written Specification
 - b) Selection Criteria to be applied
 - c) Price Schedule
 - d) Conditions of responding
 - e) Validity period of offer
 - f) Shire of Pingelly OSH requirements for Contractors
 - g) Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
 - h) Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
 - i) Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
 - j) Respondents should be advised in writing as soon as possible after the final determination is made and approved.
 - k) The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.

4.9 Records Management

- 4.9.1 Tenders and Request for Quotations (RFQ).
All records associated with the procurement process shall be recorded and retained as official Council records including:
- a) All tender or RFQ documentation
 - b) Internal documentation
 - c) Evaluation documentation
 - d) All correspondence including enquiry and response documentation
 - e) Notification and award documentation

- 4.9.2 Direct Procurement
All records that are required under this policy must be attached to any purchase order, including:
- a) Quotation documents
 - b) Internal documentation
 - c) Order forms
- 4.9.3 Verbal Quotations
Where a verbal quotation is required under this policy then a written record must be made of both the quotation and any submission of quotation. This information is to be recorded in the pre-printed verbal quotation section on the Office Copy Purchase Order. The written record shall include:
- a) Details of the goods and services required
 - b) Name of any supplier who has been requested to provide a quotation and the date on which it was requested
 - c) Name of any supplier who submitted a quotation, and the amount.
- 4.9.4 Written Quotations
Where a written quotation is required under this policy then the written request for quotation and any submission of quotations must be attached to the Office Copy Purchase Order.
- 4.9.5 Regular checks on all procurement are completed to ensure staff always complete the details of the relevant quote information.

4.10 Exemptions

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

- 4.10.1 Purchases of Goods and/or Services under:
- a) Current Western Australian Local Government Association (WALGA) Preferred Supplier Contracts
 - b) Current WA Department Finance Common Use Agreements (CUA's). Procurements made under CUA or WALGA preferred supplier contracts shall be checked for currency of contract at the time of quotation. The contract number of the CUA or WALGA Preferred Supplier contracts must be quoted at the time of quote sourcing and ordering in order to identify Council to the supplier as party to the contract pricing structure.
- 4.10.2 Sole Source of Supply (Monopoly Suppliers)
The procurement of goods and/or services available from only one source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made.
- 4.10.3 An emergency situation as defined by the Local Government Act 1995.
- 4.10.4 The purchase is under public auction which has been authorised by Council.

- 4.10.5 The purchase is for petrol, oil or other liquid or gas used for internal combustion engines.
- 4.10.6 Shelf acquired non bulk Grocery, Alcohol, Sundry Hardware and Stationery.
- 4.10.7 Software Support/Maintenance
No quotations are required for contracts for the provision, maintenance or support of software where:
- a) The value of the contract is less than or equal to \$150,000 and;
 - b) The responsible Officer has good reason to believe that because of the unique nature of the software support and maintenance required, or for any other reason, it is unlikely that there is more than one potential supplier.
- 4.10.8 Any of the other exclusions listed under Regulation 11 of the Functions and Generals Regulations apply.
- 4.10.9 Chief Executive Officer or Executive Manager Discretion
The Chief Executive Officer or Executive Manager may, at their discretion, waive the requirements in writing to obtain the necessary quotations providing that written justifiable reasons for such waiver are provided by the responsible purchasing officer to the Chief Executive Officer, or their Executive Manager in the following situations;
- a) The responsible officer has sought required quotations, but has only received less than the required responses that met the quotation specifications; or
 - b) The goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a Local Government or a Regional Local Government.

4.11 Anti-Avoidance

- 4.11.1 The Shire of Pingelly shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$250,000, thereby avoiding the need to publicly tender.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

Local Government (Functions and General) Regulations 1996.

Local Government (Financial Management) Regulations 1996

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 21 May 2014, 18 February 2015, 17 June 2015, 4 November 2015, 18 November 2015, 15 June 2016 17 May 2017, 18 July 2018, 15 July 2020, 18 May 2022

5.12 Minimum Rate Assessments on Shire Boundary

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process for minimum rate assessments on Shire Boundaries.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 That contiguous rating of land zoned "General Agriculture" be affected where common ownership land is situated across a Shire boundary and that a minimum rate assessment would otherwise be levied but where if contiguously rated for the whole property, a minimum rate assessment would not be levied.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to provide clear direction in the provision and management of all Shire of Pingelly's assets that ensures sustainable outcomes and appropriate levels of service, for present and future stakeholders.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.
- 2.2 This Policy applies to all physical assets and their components with a useful life of more than one year, and a replacement value of greater than \$1,000, which require management by the Shire.

3. DEFINITIONS

- 3.1 **Physical Assets** are any land, buildings, infrastructure, plant and equipment, and cultural collections.

4. POLICY STATEMENT

- 4.1 The Shire of Pingelly will undertake to provide the appropriate service levels for its assets, in a whole-of-life and economically, environmentally and socially sustainable manner. In providing and managing assets, the Shire will take into account an appropriate balance between service delivery, risk, reliability, safety and cost. This will be achieved by the development and maintenance by a Shire Asset Management Strategy and a single AMP containing all classes of assets. These plans will be linked to the LTFP.
- 4.2 Budgeting priority will be given to the operation, maintenance and renewal of existing assets and services, and adequate resources will be provided to manage them in a cost effective manner.
- 4.3 **The Asset Life Cycle (Whole of Life)**
Lifecycle asset management involves the decisions made at each stage of an asset's life, from planning to disposal. The decisions made at one stage will affect the asset's performance in another.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 March 2012, 17 June 2015, 17 May 2017 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to provide details for the use, allocation, control and safe custody of corporate credit cards.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **Credit Card** is defined as a facility allowing the cardholder to pay for goods and services on credit.
- 3.2 **Business Expense** is defined as any expense necessary to the conduct of the business or for the benefit of the Shire of Pingelly or is under the terms of the employee's contract of employment with the Shire of Pingelly or relevant Council policies.
- 3.3 **Personal Expense** is defined as any expense not of a business nature.

4. POLICY STATEMENT

- 4.1 To meet changing circumstances for goods and services purchased with electronic transactions, credit cards are required in the organisation. Credit cards require a high level of security, and this must be managed appropriately.
- 4.2 Credit cards may be issued to the following members of staff:
- 4.2.1 The Chief Executive Officer; and
- 4.2.2 Executive Managers
- 4.3 The use of credit cards by Officers is restricted to business expenses only. The use of corporate credit cards for any item of personal expenditure is expressly disallowed;
- 4.4 Corporate credit cards are issued with a credit limit of \$10,000 for the Chief Executive Officer and \$5,000 for Executive Managers.
- 4.5 Credit card expenditure is to be reconciled at the end of every month and the Executive Managers' statement approved by CEO and the CEO's statement approved by the Shire President.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	18 June 2014, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the Shire's approach to providing financial assistance to individuals, community groups, organisations and businesses to build an engaged and vibrant community that delivers benefits to the local community and or the local economy.

2. SCOPE

- 2.1 Funding is for Individuals, Groups, Organisations or businesses undertaking events, projects and programs within the Shire of Pingelly or that provide benefit to residents and visitors of the Shire. Projects will be expected to meet at least one priority area identified within the Shire's Community Strategic Plan. These will be the priority areas for funding, and include, but are not limited to the following areas:
- 2.1.1 Building capacity within local community groups, volunteers and residents;
 - 2.1.2 Supporting our young people;
 - 2.1.3 Supporting our older people;
 - 2.1.4 Providing opportunity to be healthy and promote wellbeing;
 - 2.1.5 Supporting and encouraging cultural diversity and inclusion;
 - 2.1.6 Developing and attracting art projects and increasing participation; and
 - 2.1.7 Generally building the strength, engagement, and cohesion of the community.
 - 2.1.8 Public Events
 - 2.1.9 Activate streets and businesses
 - 2.1.10 Promote heritage and tourism

3. DEFINITIONS

- 3.1 **Community** refers to the people that live, work or recreate within the Shire of Pingelly;
- 3.2 **Eligible applicants** means Individuals, Groups, Organisations and Businesses that do not have outstanding grant acquittals;
- 3.3 **Application Form** refers to the Community Grant Scheme Application form and all of its attachments. It also includes the option to provide a separate Income and Expenditure statement relevant to the project.

4. POLICY STATEMENT

- 4.1 Applications will be accepted twice per year with the funding pool being determined in the annual Shire budget. Applications must be from an eligible organisation and be for no more than \$5,000 in any single financial year. The funding will support up to 75% of total project costs. In-kind services and volunteer labour are eligible components of the total project costs. Successful projects will meet at least one priority area identified within the above scope or have clearly identified and evidenced the need for the project.
- 4.2 For applications to proceed to assessment they must:

- 4.2.1 Be lodged on time;
 - 4.2.2 Be submitted on the appropriate form;
 - 4.2.3 Include the required information, including insurance and financial details;
 - 4.2.4 Include agreement from the applicant to acknowledge the Shire if funding is successful;
 - 4.2.5 Ensure the applicant demonstrates its ability to manage the project;
 - 4.2.6 Not be due to commence until after the notification date.
- 4.3 Applications will be assessed according to:
- 4.3.1 The level of community benefit;
 - 4.3.2 The level to which it addresses an evidenced need;
 - 4.3.3 Long term sustainability;
 - 4.3.4 Appropriateness of the project financial statement;
 - 4.3.5 Partnerships, collaborations, community engagement and involvement or other funding sources that have been secured;
 - 4.3.6 Capacity to deliver the project.
- 4.4 Where projects are evidenced to support additional outcomes identified within the Shire's Strategic Community Plan, the project will be highly regarded. This could include, but not limited to projects that:
- 4.4.1 Encourage tourism and increase visitation
 - 4.4.2 Activate local businesses and main streets
 - 4.4.3 Improve, conserve and promote heritage
- 4.5 Some projects, either in their entirety or elements of the project may not be eligible for funding. They are:
- 4.5.1 Projects that have already commenced;
 - 4.5.2 Recurrent maintenance or operating costs;
 - 4.5.3 Projects that are considered to be private, commercial, individual or state government core responsibility;
 - 4.5.4 Elements that may be considered offensive;
 - 4.5.6 Fundraising, political or loan repayments.
- 4.6 Applicants will be able to seek assistance prior to finalising their application, but the assessment process will occur based on the information provided and must therefore be sufficient and concise;
- 4.7 Council reserves the right to request copies of quotes or audited financial information;
- 4.8 It may be appropriate to redirect applicants to more appropriate sources of funding prior to considering the project funding application;
- 4.9 Successful applications will be required to sign a grant agreement which will detail any relevant conditions necessary to minimise risk, meet Shire protocols or maximise and safeguard the project outcomes. Conditions will also include the need to acknowledge the

Shire's funding and submit an acquittal form as agreed with photographic and promotional evidence.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Three Yearly
Council Adoption	17 May 2017, 19 July 2017, 18 July 2018, 18 March 2020, 15 July 2020, 18 May 2022, 19 July 2023

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the Shire's approach to maximise financial and in-kind assistance for Shire activities, events, assets and services, and to ensure that probity and accountability is maintained in the selection or appointment of sponsors and in managing those sponsorships .

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **Sponsorship** is the purchase of the right to associate the sponsor's name, products and/or services in return for agreed benefits.

4. POLICY STATEMENT

- 4.1 The Shire actively seeks financial and/or in-kind sponsorship from time to time from organisations, bodies, companies or individuals to support specific promotions, events, services, assets and other activities.
- 4.2 The Shire will apply a business approach to offering sponsorship opportunities, and to the negotiation of the commercial terms of sponsorship. The benefits to be received by the Sponsor should correspond with the level of benefit which is received by the Shire.
- 4.3 The Sponsor must be a responsible and reputable organisation whose name and identity would enhance the Sponsored Event. Organisations that sell or promote tobacco or alcohol shall not be considered as potential sponsors.
- 4.4 The Sponsorship should enhance the public image of the Shire, and its reputation and standing. There should not be any risk to the Shire's reputation and standing arising from the Sponsor's identity, the identity of its affiliates, or the Sponsorship
- 4.5 There should not be any conflict of interest, nor any perceived conflict of interest between the Sponsor and the Shire. Sponsorship arrangements should be avoided where there is clearly a conflict between the objectives and mission of the Shire and its respective activities and those of the Sponsor.
- 4.6 Sponsorship arrangements shall not be entered into which could limit the Shire's ability to carry out its functions fully and impartially.
- 4.6 The Shire will endeavour to offer local organisations the opportunity to be a sponsor before extending the offer to other organisations. Excluding local preference; the Shire must not favour a sponsor in a particular industry sector to the exclusion of its competitors but will use reasonable efforts to offer the opportunity to sponsor fairly without favouritism.
- 4.7 All Sponsorship Proposals must be appropriately documented outlining the benefits accruing to any potential sponsor and shall contain the following information:
 - 4.7.1 Type of event or asset;
 - 4.7.2 Amount/type of sponsorship;
 - 4.7.3 Sponsor's details;
 - 4.7.4 Responsibilities of the Shire;
 - 4.7.5 Conditions of the sponsorship, inc. any requirements – location, timing,

- expectations; and
- 4.7.6 Period of the sponsorship.

- 4.7 A Sponsorship Proposal outlining the above details will be completed for each Event/Asset.
- 4.8 Where two or more sponsors are interested in sponsoring the same event/conference and the sponsorship needs to be exclusive, one sponsor will be selected and submitted to the CEO for endorsement. The request for endorsement will detail on what grounds the sponsor was selected.
- 4.9 All Sponsorship Proposals over \$5,000 must be approved by the CEO, endorsed by the Council and must meet the requirements of the sponsorship policy prior to the signing of any Sponsorship Agreements or Sponsorship Letters.
- 4.10 All information about the full nature and extent of sponsorship agreements will be made available to the public upon request without disclosing any commercial in- confidence information.
- 4.11 Where a Sponsor is seeking naming rights for a Shire project, asset or event, the Sponsorship Agreement, in addition to the initial Sponsorship Proposal must be endorsed by Council.
- 4.12 Where a Sponsor is seeking to erect permanent or temporary signage in the Shire, the Sponsorship Agreement or Sponsorship Letter must state the maximum size of the signage and specify the location of each sign.

5. RELATED DOCUMENTATION / LEGISLATION

Sponsorship Reference Document (next page)

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	18 July 2018, 15 July 2020, 18 May 2022

Sponsorship Reference Document

Guideline 1: Identity of Sponsor

The Sponsor must be a responsible and reputable organisation whose name and identity would enhance the Sponsored Event.

Guideline 2: Shire's reputation and standing

The Sponsorship should enhance the public image of the Shire, and its reputation and standing. There should not be any risk to the Shire's reputation and standing arising from the Sponsor's identity, the identity of its affiliates, or the Sponsorship. Organisations that sell or promote tobacco or alcohol shall not be considered as potential sponsors.

Guideline 3: No conflict of interest

There should not be any conflict of interest, nor any perceived conflict of interest between the Sponsor and the Shire. Sponsorship arrangements should be avoided where there is clearly a conflict between the objectives and mission of the Shire and its respective activities and those of the Sponsor.

Guideline 4: No negative impact.

Sponsorship arrangements shall not be entered into which could limit the Shire's ability to carry out its functions fully and impartially.

All sponsorship agreements will positively state that the Shire's functions will continue to be carried out fully and impartially, notwithstanding the existence of a sponsorship arrangement. Sponsorship agreements will clearly describe the process and possible consequences of any sponsorship related impacts on Shire's responsibilities (including, a statement to the effect that any attempted influence of the sponsored functions will result in an automatic review and/or termination of the sponsorship arrangement).

Guideline 5 – No explicit endorsement

Sponsorship of the Shire activities, events or assets will not involve explicit endorsement of the sponsor or the sponsor's products. Strong implicit endorsement of a sponsor's product will be avoided. Sponsorship agreements shall specifically state where the Sponsor's product(s) or name can be used.

Guideline 6: Benefit of Sponsorship

The specific sponsorship that is proposed should benefit the Pingelly community and the Sponsored Event. It is inappropriate for any Councillors or employee of the Shire to receive a personal benefit from a sponsor/sponsorship.

Where a benefit is provided by a sponsor on a corporate basis (such as cash payment for, or in-kind provision of hospitality at a conference), there shall be no perception of personal benefit being given to a member of Staff or Council as an individual.

Guideline 7: Appropriateness of Obligations

The Shire's obligations because of the Sponsorship need to be assessed, including:

1. Does the Shire have the capacity and capability to complete the obligations?
2. Will the Shire have the resources to complete the obligations?
3. What are the risks to the Shire in relation to the obligations, and how will they be mitigated?

Guideline 8: Local preference; No favouritism

The Shire will endeavour to offer local organisations the opportunity to be a sponsor before extending the offer to other organisations. Excluding local preference; the Shire must not favour a sponsor in a particular industry sector to the exclusion of its competitors but will use reasonable efforts to offer the opportunity to sponsor fairly without favouritism.

Guideline 9: A Business Approach

The Shire will apply a business approach to offering sponsorship opportunities, and to the negotiation of the commercial terms of sponsorship. The sponsorship benefit to be received by the Sponsor should correspond with the level of benefit which is received by the Shire from the Sponsor.

1. PURPOSE

- 1.1 The purpose of this Policy is to ensure adequate controls exist for purchases made on Shire Fuel Cards.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.
- 2.2 This Policy applies to all Shire Employees and associated parties with Shire issued Fuel Cards.

3. DEFINITIONS

- 3.1 **Cardholders** means employees to which a Shire fuel card has been issued

4. POLICY STATEMENT

- 4.1 Employees driving a Shire supplied vehicle, where required, will be issued with a Shire fuel card.
- 4.2 Cardholders must ensure that the fuel cards are only used for the fuel requirements of the vehicle associated with the fuel card.
- 4.3 Employees are to use the fuel card for the purchase of fuel relating to Shire business only, or in accordance with their employment contract.
- 4.4 Employees must ensure that they adhere to the requirements of the policy, otherwise they may forfeit the use of the fuel card and be subject to disciplinary action.
- 4.5 All employees issued with a fuel card will be required to sign a document acknowledging their compliance with the fuel card policy

5. RELATED DOCUMENTATION / LEGISLATION

Acknowledgement and Acceptance of Conditions of Use of Fuel Card.
Local Government (Financial Management) Regulations 1996.

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	16 May 2018, 15 July 2020, 10 December 2020, 18 May 2022

5.18 Pingelly Industry Attraction Programme

1. PURPOSE

- 1.1 To encourage, promote and support investment, industry and employment opportunities in the Shire of Pingelly. The Shire of Pingelly recognises its role and importance in supporting business and taking actions to stimulate the local Pingelly economy. This includes the attraction of new industries, businesses and services to Pingelly, and the growth of existing services located within the Shire.
- 1.2 The Pingelly Industry Attraction Programme is designed to attract and establish new businesses and the growth of existing businesses across both industrial and commercial sectors within the Shire of Pingelly.

2. SCOPE

- 2.1 This Policy applies to allocations and management of Council funding under the Pingelly Industry Attraction Programme.

3. DEFINITIONS

- 3.1 **Applicant** means an individual, business or company that has made a formal application to the Shire of Pingelly for the purposes of the Pingelly Industry Attraction Programme.
- 3.2 **Business Plan** means a document that outlines the current position of any new or existing business, and any proposed action or initiative that a business plans to undertake in the Shire of Pingelly. The document will outline the associated capital and operational costs, identify the location of operations, list proposed and expected revenue streams, financial forecasts, undertake risk and opportunity analysis, and highlight any existing and additional staffing required for the proposal.
- 3.3 **FTE** means Full Time Equivalent employee calculated on the basis of 38 hours per week.
- 3.4 **Grant Agreement** means a binding financial agreement between the Shire of Pingelly and the legal entity who has received financial support through the Pingelly Industry Attraction Programme.
- 3.5 **RTO** means Registered Training Organisation registered through the Training Accreditation Council of Western Australia.
- 3.6 **Shire** means the Shire of Pingelly
- 3.7 **Town Centre** refers to the any area zoned Town Centre Zone in the current Pingelly Town Planning Programme

4. POLICY STATEMENT

Pingelly Industry Attraction Programme:

- 4.1 The Shire will budget \$50,000 each financial year in addition to any liabilities carried over from a previous Grant Agreement for the purposes of the Pingelly Industry Attraction Programme.
- 4.2 The Pingelly Industry Attraction Programme is divided into two funding categories:
 - 4.2.1 **Investment Proposal Fund** – 50% of eligible costs matched up to a maximum of \$50,000 for the purposes of attracting and setting up new business or industry within the Shire of Pingelly, excluding any in-kind contributions.

- 4.2.2 **Business Planning Fund** – 80% of eligible costs up to a maximum of \$4,000 for the purposes of employing consultancy services to develop business plans, viability and market assessments, or engineering solutions where necessary or required for the nature of the business or industry proposal.
- 4.3 All funding categories are open indefinitely.
- 4.4 Retrospective applications will not be accepted.
- 4.5 To be eligible, an applicant must:
 - 4.5.1 be a legal entity capable of entering into a legally binding and enforceable Grant Agreement with the Shire;
 - 4.5.2 have an Australian Company Number (ACN), or an Australian Business Number (ABN) and be solvent (if existing businesses); and
 - 4.5.3 have an account with an authorised deposit-taking institution (an Australian financial institution or bank) registered with Australian Prudential Regulation Authority.
- 4.6 All funding allocations must be formally adopted by Council and the recipient must enter a Grant Agreement with the Shire with any conditions appropriate to the proposal and level of financial support offered as determined by Council resolution including:
 - 4.6.1 specific conditions to be met prior to any release of funding;
 - 4.6.2 reporting requirements and any expected frequency;
 - 4.6.3 financial audit requirements on the expenditure of funding;
 - 4.6.4 demonstrate evidence of increased employment;
 - 4.6.5 that all media releases, opening days, or announcements related to the funding or business proposal be communicated to and include the Shire prior to public release, subject to any other requirements from any other funding agreement or Government bodies.

Investment Proposal Fund:

- 4.7 Applications for this fund are by invitation only following the preparation of a suitable Business Plan and discussions with Shire staff.
- 4.8 A business may be eligible for between \$4,000 and \$50,000 on a matched funding basis (excluding in-kind contributions) for costs associated with the establishment or expansion of a business within Pingelly.
- 4.9 All applications must include or demonstrate the following:
 - 4.9.1 a current Business Plan;
 - 4.9.2 show evidence of planning for increased employment opportunities within the Shire;
 - 4.9.3 demonstrate evidence of current solvency (if existing businesses),
 - 4.9.4 include details required funding assistance, its use, and be able to demonstrate matched funding or contributions, including any funds leveraged from other sources; and
 - 4.9.5 demonstrate that the funding is necessary or is a major contributing factor to the decision for the business to be undertaken in Pingelly.
- 4.10 Eligible funded activities include:

- 4.10.1 costs associated with the establishment or expansion of a business to the Shire of Pingelly
- 4.10.2 training of staff through an RTO.
- 4.11 Funding exclusions:
 - 4.11.1 purchase of land or bond contributions;
 - 4.11.2 relocation of an existing business already located within the Shire of Pingelly without expansion to carry out existing operations;
 - 4.11.3 any staffing costs or expenses, excluding training;
 - 4.11.4 any retrospective costs;
 - 4.11.5 any financial liabilities or debt reduction;
 - 4.11.6 any activities undertaken in the normal course of business.
- 4.12 Council will assess applications and any contribution made based on the following guidelines:
 - 4.12.1 if the business activity may be construed as competing directly with businesses already located within Pingelly;
 - 4.12.2 that in the opinion of Council the proposal is likely to proceed without financial assistance from the Pingelly Industry Attraction Programme;
 - 4.12.3 an indicative funding contribution of \$5,000 per each additional FTE added to the Pingelly economy demonstrated as in the Business Plan;
 - 4.12.4 the Shire may also elect to increase its financial contribution where the proposal can demonstrate value in addition to new employment including any of the following:
 - a) value to other industries already located within the Shire of Pingelly including through retail or wholesale supply, services or demonstrating partnerships with existing businesses;
 - b) demonstrate strong capacity for growth of further employment in the near future (3-5 years);
 - c) increasing retail and commercial activity in the Pingelly Town Centre;
 - d) supply or support Shire operations;
 - e) demonstrate viability for a new or unique industry not currently found in the surrounding region, with higher weight placed on emerging industries or with qualities marketable to tourists and visitors; or
 - f) other factors as determined by Council as being of value to the economy or community.

Business Planning Fund:

- 4.13 This fund is open for applications from individuals and businesses following discussions with Shire staff relating to:
 - 4.13.1 the details on the proposal,
 - 4.13.2 capacity to carry or pursue the business if successful, for example work history or experience operating a similar business etc.,
 - 4.13.3 demonstrate potential for increased employment opportunities within the Shire;
 - 4.13.4 evidence of current solvency (if existing business),
 - 4.13.5 at least one quotation from a qualified consultant for what purpose you intend to utilise the funding,

4.13.6 demonstrate that the business activity will take place in Pingelly.

4.14 Shire staff to document discussions to prepare an agenda item for Council.

4.15 Council will assess support for applications based on the following factors:

- 4.15.1 if the business activity may be construed as competing directly with businesses already located within Pingelly;
- 4.15.2 that the business activity is feasible for the region and aligns with Pingelly's identity and values;
- 4.15.3 that in the opinion of Council the proposal is likely to proceed without financial assistance from the Pingelly Industry Attraction Programme,
- 4.15.4 value to other industries already located within the Shire of Pingelly including through retail or wholesale supply, services or demonstrating partnerships with existing businesses;
- 4.15.5 demonstrate strong capacity for growth of further employment in the near future (3-5 years);
- 4.15.6 increasing retail and commercial activity in the Town Centre;
- 4.15.7 supply or support Shire operations;
- 4.15.8 demonstrate viability for a new or unique industry not currently found in the surrounding region, with higher weight placed on emerging industries or with qualities marketable to tourists and visitors; or
- 4.15.9 other factors as determined by Council as being of value to the economy or community.

4.16 The following condition will apply to all Grant Agreements:

“All documents and copies produced through funding contributed through the Business Planning Fund of the Pingelly Industry Attraction Programme must be provided to the Shire and will be the sole intellectual property of the Shire of Pingelly until the Applicant has commenced normal operations of the proposed business activity.”

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-annually
Council Adoption	21 September 2022

5.19 Early and Reliable Rates Incentive Sponsorship Policy

1. PURPOSE

- 1.1 The purpose of this Policy is to provide a consistent and fair approach to the Early and Reliable Rates Incentive Sponsorship.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **Early Rates Incentive** is a cash or other incentive to a ratepayer who has paid on time and in full, chosen on a random basis through draws.
- 3.2 **Reliable Rates Incentive** is a cash or other incentive to a ratepayer who has paid their rates in full on 30 June, chosen on a random basis through draws.
- 3.3 **Sponsorship** is the purchase of the right to associate the sponsor's name, products and/or services in return for agreed benefits.

4. POLICY STATEMENT

- 4.1 The Shire conducts Early Rates Incentive prize draws to select first, second, third and alternatives to encourage ratepayers to pay their rates on time and in full for the year.
- 4.2 Only ratepayers who have paid their rates early and in full are eligible for the Early Rates Incentive prizes.
- 4.3 The Shire also conducts a Reliable Rates Incentive prize draw including an alternative, to encourage ratepayers to pay their rates on time.
- 4.4 Only ratepayers who have a \$0 or credit balance as at 30 June of the last full financial year are eligible for the Reliable Rates Incentive prizes.
- 4.5 The Early and Reliable Rates Incentive prizes are determined by Council at the adoption of the budget or shortly thereafter.
- 4.6 The value of Early and Reliable Rates Incentive prizes may be aligned to individual sponsors, or a combination of sponsors.
- 4.7 The Early and Reliable Rates Incentive will be funded through sponsorship from local businesses and the Shire.
- 4.8 The Shire will advertise for expressions of interest for sponsors for the Early and Reliable Rates Incentive at least every 3 years.
- 4.9 Sponsorship levels are:

Levels	Benefits	Cost
Platinum	<ul style="list-style-type: none"> • Tri-folded A4 or DL flyer or business card in the envelope alongside Rates Notice • Short description and business contact details on Rates Notice • Acknowledgement and Logo on Rates Notice 	\$1,000
Gold	<ul style="list-style-type: none"> • Business card in the envelope alongside Rates Notice • Short description and business contact details on Rates Notice • Acknowledgement and Logo on Rates Notice 	\$500
Silver	<ul style="list-style-type: none"> • Short description and business contact details on Rates Notice • Acknowledgement and Logo on Rates Notice 	\$300
Bronze	<ul style="list-style-type: none"> • Acknowledgement and Logo on Rates Notice 	\$200

- 4.10 Flyers and business cards are to be provided by the sponsor.

- 4.11 The Shire will select suitable sponsors in accordance with the *Shire of Pingelly Sponsorship Policy 5.16*
- 4.12 Sponsors are to be local businesses only.

5 RELATED DOCUMENTATION / LEGISLATION

Shire of Pingelly Sponsorship Policy 5.16

6 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 April 2023

6. Fire Control

6.1 Firebreaks – Installation, Inspection and Prosecution

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the requirements of the installation, inspection and prosecution of firebreaks in the Shire of Pingelly.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Firebreaks must be installed by the date required in the Firebreaks Order.
- 4.2 The inspection of townsite firebreaks is to commence no later than seven days after the required date.
- 4.3 The owners whose properties are found not to comply with the Firebreaks Order, are to be issued with an infringement, and a further Order to comply with the within 10 days of the inspection.
- 4.4 Where, after a minimum of 10 days following the first inspection, any property still does not comply with the Firebreak Order, the Chief Executive Officer is authorised to arrange for the carrying out of works so that the property complies. The property owner is to be responsible for all costs associated with the compliance works.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015, 17 May 2017, 15 July 2020, 18 May 2022

6.2 Firebreaks on Road and Railway Reserves

1. PURPOSE

1.1 The purpose of this Policy is to clarify the rules for firebreaks on road and railway reserves.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Council does not permit the installation of firebreaks on road reserves nor burning of the railway reserve other than by authority of the Public Transport Authority within the Shire of Pingelly.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017, 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for road verge burning.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Approval may be given by the Chief Executive Officer for the burning of road verges.

4.2 All applications for burning of road verges are to be made in writing to the Chief Executive Officer.

4.3 Applications must demonstrate positive protection is to be given to areas of natural vegetation.

4.4 During restricted burning periods, the normal procedures apply.

5. RELATED DOCUMENTATION / LEGISLATION

Bush Fires Act 1954

Bush Fire Risk Management Plan

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017 15 July 2020, 18 May 2022

6.4 Annual Bushfire Advisory Committee Meeting

1. PURPOSE

- 1.1 The purpose of this Policy is in accord with S 67 of the *Bush Fires Act 1954*, a Bushfire Advisory Committee meeting is to be held in April each year.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Notices of meetings will be sent to all Brigade Secretaries and Fire Control Officers as well as advertised in local newspaper.
- 4.2 A DFES representative is to be invited to attend.
- 4.3 All Brigades are to be encouraged to hold their annual meetings prior to the Advisory meeting.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017 15 July 2020, 18 May 2022

6.5 Fire Control Officers Appointment

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process of appointing the Chief and Deputy Chief Fire Control Officers.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Council will consider the appointments of officers recommended by the Bushfire Advisory Committee meeting at its next Ordinary Council meeting.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017 15 July 2020, 18 May 2022

6.6 Fire Control Officers Training

1. PURPOSE

1.1 The purpose of this Policy is to outline the requirements for Fire Control Officers training.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Council will not appoint or reappoint a person as a Fire Control Officer unless they have completed a Fire Control Officer's training course certified by DFES within the previous ten years. Proof of satisfactory completion of the course is required.

4.2 It is desirable that Dual Fire Control Officers nominated by neighbouring Shires have completed a Fire Control Officer's training course certified by DFES within the previous five years. The Chief Executive Officer is to seek training status details from the nominating Shire.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 20 April 2011, 17 June 2015, 17 May 2017, 15 July 2020, 18 May 2022

6.7 Harvest and Vehicle Movement

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the process involved with harvest and vehicle movement bans.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Chief Fire Control Officer, Deputy Chief Fire Control Officer, a Hotham Fire Control Officer, a Milton Fire Control Officer, Chief Executive Officer and Deputy Chief Executive Officer are authorised to issue and lift harvest and vehicle movement bans pursuant to Section 39 of the Bush Fires Act. Following recommendation from BFAC council will appoint Fire Weather Officer to implement Harvest and Vehicle Movement Bans at their discretion.
- 4.2 The decision to initiate or lift a Harvest and Vehicle Movement Ban is to be determined by a Fire Weather Reading from within the Shire of Pingelly using the Kestrel Weather Meter and the McArthur Grassland Meter Fire Danger Index. The Harvest Ban Calculation Instructions for the Kestrel Weather Meter are to be used for readings.
- 4.3 In the event that the Fire Danger Index reaches 32 or more, a Harvest and Vehicle Movement Ban is to be imposed over the whole of the Shire of Pingelly.
- 4.4 Once issued, a Harvest and Vehicle Movement Ban will remain in force until such time as is lifted.
- 4.5 For the purpose of Media Releases relating to the issue of Harvest and Vehicle Movement Bans, the following wording will be utilised at all times:
- 4.5.1 "A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Pingelly until further notice" OR
- 4.5.2 "Currently there are no Harvest or Vehicle Movement Ban within the Shire of Pingelly".
- 4.6 The issue of a Harvest and Vehicle Movement Bans is to be recorded onto the telephone hotline and publicised through the local media together with an SMS to registered mobile telephones.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017 15 July 2020, 18 May 2022

6.8 Movement of Vehicles During Harvest Bans

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the Shire's policy on movement of vehicles during harvest bans.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **Laneway/Roadway (non-gazetted)** is defined as having a trafficable surface, free of all inflammable material, a minimum of 4m wide with no overhanging vegetation which could come into contact with parts of a vehicle.
- 3.2 **Yard** is defined as an area, more than four metres wide, with a constructed, trafficable surface, free from all inflammable trees save live standing trees.

4. POLICY STATEMENT

- 4.1 A Total Harvest and Vehicle Movement Ban requires a ban on the movement of all vehicles and machinery and the operation of internal combustion engines within the Shire during the time specified in the notice or broadcast (Reg 38A & B) with the exception of the movement of vehicles and machinery on made gazetted roads, laneways/roadways and yards.
- 4.2 The following activities are permitted provided these comply with specified conditions:
- 4.2.1 Loading and offloading of grain, fertiliser and feed is only permitted on sites which are approved and registered by the Shire of Pingelly on an annual basis, and which are clear of all inflammable material save live standing trees to a radius of at least 30m. A mobile fire fighting unit shall be in attendance at all times the site is in use during the ban period.
- 4.2.2 Water carting for stock and domestic purposes provided it is accompanied by a mobile fire fighting unit, or alternatively, the water carting vehicle acts as the mobile fire fighting unit and meets minimum specifications (this also requires the retention of 400L of water at all times).
- 4.2.3 All necessary travel to, from and within piggeries, sheep or cattle feed lots, provided this is undertaken in a vehicle with a mobile fire fighting unit attached.
- 4.2.4 All necessary carting of livestock provided that such a vehicle is accompanied by a mobile firefighting unit.
- 4.2.5 Activities which received specific exemptions from the CEO or a Fire Weather Officer:-
- 4.2.6 All other activities or operations may only be undertaken during Total Vehicle and Machinery Movement Bans and Bans on the Operation of Internal Combustion Engines, after approval has been granted by the Chief Bushfire Control Officer or the CEO. Approval has to be sought on an individual basis. Approval may be subject to specified conditions. It should be noted that approval may not be granted.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015, 17 May 2017, 15 July 2020, 18 May 2022

6.9 Use of Shire Vehicles on Harvest Ban Days

1. PURPOSE

1.1 The purpose of this Policy is to outline the use of Shire vehicles on harvest ban days.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 During the currency of Total Harvest and Vehicle Movement bans any Fire Control Officer is authorised to order the operator of any Shire plant to cease work or a particular kind of work, between times specified if, in the opinion of the Fire Control Officer, the continued operation of the plant should constitute a serious fire hazard.

4.2 The Fire Control Officer exercising this authority shall inform the Chief Executive Officer or Manager of Works of his action.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015 17 May 2017 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's process for fire fighter attire at a fire.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

3.1 **Operational Member** are those members who take an active part in the ongoing operations of the fire brigade and includes auxiliary members. They must be 16years or over.

4. POLICY STATEMENT

4.1 An operational member may not attend an active fire without the correct Personal Protective Equipment and Personal Protective Clothing.

5. RELATED DOCUMENTATION / LEGISLATION

Bush Fire Act 1954

Shire of Pingelly Bush Fire Local Law 2022

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015, 17 May 2017 15 July 2020, 18 May 2022

6.12 Permits to Burn – Public Holidays and Sundays

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the process of issuing permits to burn on public holidays and Sundays.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 That as a matter of Policy, Fire Control Officers be instructed that within the Restricted Burning Period, Permits to Burn may be issued on Public Holidays and Sundays with the exception of Easter falling within this period

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	16 March 2011, 20 May 2015, 17 June 2015, 17 May 2017 15 July 2020, 18 May 2022

6.13 Bush Fire Brigade Training

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the standards of training which are required for bushfire volunteers, including those volunteers with experience.

2. SCOPE

- 2.1 This Policy is applicable to all Operational Members of a Shire of Pingelly bushfire brigade.

3. DEFINITIONS

- 3.1 **Operational Members**, as defined by the Shire of Pingelly Bushfire Local Law 2022, are those persons aged being at least 16 years of age who undertake all normal brigade activities and have completed the required training qualification as determined by the local government.

4. POLICY STATEMENT

- 4.1 Following the introduction of the Work Health and Safety Act 2020 on 31 March 2022, the Shire of Pingelly now requires all Operational Members of the Shire's bushfire brigades to receive formal training.
- 4.2 To reflect the significant experience of existing Operational Members, volunteers who are Operational Members on or before 31 March 2022, are required to complete the Rural Fire Awareness training or equivalent before 31 March 2024.
- 4.3 New Operational Members are required to complete the Fire Fighter Safety and Awareness and Firefighting Skills training or equivalent before 31 March 2024.
- 4.4 All Operational Members (both new and existing) are required to complete at least 2 training sessions, which may be formal or informal per year. Formal training may include the training specified in sections 4.2 and 4.3. Informal training may include training held by the brigade.
- 4.5 Volunteers who do not complete the training specified in sections 4.2 or 4.3 and also 4.4 are no longer defined as Operational Members.

5. RELATED DOCUMENTATION / LEGISLATION

Work Health and Safety Act 2020
Work Health and Safety Regulations 2022

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	18 May 2022

6.14 Use of Fire Fighting Appliances

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the requirements for individuals utilising the Shire's Fire Fighting Appliances.

2. SCOPE

- 2.1. This Policy is applicable all Operational Members of a Shire of Pingelly bushfire brigade.

3. DEFINITIONS

- 3.1 **Operational Members**, as defined by the Shire of Pingelly Bushfire Local Law 2022, are those persons aged being at least 16 years of age who undertake all normal brigade activities and have completed the required training qualification as determined by the local government.

4. POLICY STATEMENT

- 4.1. The Bushfire Brigade Executive Committee is responsible for developing a roster for the fair private use of their Fire Fighting Appliance(s) as they see fit. This Committee may exclude any person from this roster if that person has acted irresponsibly with the appliance or other equipment in the past or for any other reason.
- 4.2. Persons seeking to utilise the Shire's Fire Fighting Appliances must be:
- 4.2.1. An Operational Member of the Shire of Pingelly bushfire brigade from which the appliance is sought;
 - 4.2.2. Have the required (bushfire and driving) training, experience and licences as required and deemed appropriate by the Captain or Fire Control Officer of the relevant bushfire brigade; and
 - 4.2.3. Have the express permission of the Captain or Fire Control Officer of the relevant bushfire brigade.
- 4.3. The person permitted to use the Appliance is responsible for the following:
- 4.3.1. To ensure the Appliance is used appropriately;
 - 4.3.2. To ensure the Appliance is kept in a ready state, full of fuel, water and cleaned;
 - 4.3.3. To return the Appliance when agreed;
 - 4.3.4. To keep the Bushfire Brigade Executive Committee informed of any damage that may occur to the Appliance;
 - 4.3.5. To keep the Bushfire Brigade Executive Committee informed of the location of the Appliance;
 - 4.3.6. To provide access for brigade members to use the Appliance in an emergency;
 - 4.3.7. To obtain and comply with a Permit to Burn if required; and

4.3.8. Not to loan the Appliance to a 3rd party. This

4.4. The Shire's Fire Fighting Appliances must not be used for a commercial purpose.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	18 October 2023

7. General

7.1 Australia Day Celebrations

1. PURPOSE

- 1.1 The purpose of this Policy is to support the following Australia Day celebrations (with the stated conditions).

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire will host an Australia Day Breakfast.
- 4.2 The Shire will donate trophies including engraving of medallions as appropriate to the Pingelly Tennis Club and Pingelly Bowling Club.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 17 June 2015, 17 May 2017 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process of Council awards.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Each year, Council may present the following awards:

- 4.1.1 Volunteer of the Year
- 4.1.2 Community Member of the Year
- 4.1.3 Senior of the Year
- 4.1.4 Youth of the Year

4.2 Nominations are to be advertised from October and presented to the Ordinary Meeting of Council in December.

4.3 Nominations can be submitted without the nominee's knowledge. Nominations must include 2 references.

4.4 Nominees will be contacted via phone or email for consent prior to being presented to Council for consideration

4.5 Short lists of nominations will be released to the public prior to the Australia Day event.

4.6 Presentations to the award winners shall be made as part of the Australia Day celebrations.

4.7 Invitations to the Award nominees are to be issued by the Shire President and/or Chief Executive Officer to the Australia Day breakfast each year.

4.8 Any Councillor or Shire staff member nominated will not participate in the assessment and selection of the winner.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 January 2005, 21 April 2010, 16 March 2011 20 March 2013, 17 June 2015, 17 May 2017 21 March 2018, 15 July 2020, 18 May 2022, 20 July 2022

7.5 Pingelly Primary School - Trophies

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process for issuing trophies to the Pingelly Primary School.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Council will meet the cost of "Sports Star of the Year" trophies for presentation to students in early December each year, on condition of appropriate acknowledgement of the sponsorship by the Pingelly Primary School.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

7.6 Property Leased to Community Groups

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the conditions that apply when leasing or licencing a Shire land or buildings to a community group.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 Community Group means a group whether incorporated or not which operate on a not for profit basis, located in Pingelly for the benefit of the people of Pingelly, excluding government agencies, departments and organisations.

4. POLICY STATEMENT

- 4.1 The Shire leases and licenses land and buildings at its discretion to local community groups on a cost neutral basis to the Shire. As such, the lease or licence agreement should include the following:
- 4.1.1 Lease establishment fee to partially cover legal costs in the development of the lease agreement of \$250.
- 4.1.2 Utility (water, electricity etc). charges, waste collection rates and emergency services levy are to be met by the community group.
- 4.1.3 Satisfactory insurance cover for contents of the building, public liability and other relevant insurance for activities being carried by the community group.
- 4.1.4 The Shire will provide building insurance for the structure.
- 4.1.5 Cost of repairs and alterations are to be met by the community group to ensure that the building is kept in the same or better condition than at the start of the lease.
- 4.2 Any alterations and repairs to any leased building must to be approved by the Chief Executive Officer prior to work being carried out.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020 18 May 2022, 18 August 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's regulations on political posters.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Political posters will not be permitted on road reserves within the Shire of Pingelly or on Shire of Pingelly owned property.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

7.9 Grazing of Reserves and Road Reserves

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the Shire's policy on grazing of reserves and road reserves.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Grazing of reserves and roads is not permitted without approval of the Chief Executive Officer.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

7.10 Permit vehicle Movement Approval

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for permit vehicle movement approval.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Main Roads WA is authorised to permit oversize vehicles up to 27.5m in length on all roads outside the Pingelly townsite and within the Shire of Pingelly except:

4.1.1	Walwalling Road	SLK 2.00 to 6.18
4.1.2	Tutanning Road	SLK 0 to 4.29 and 4.94 to 15.37
4.1.3	Dwarlaking Road	SLK 2.0 to 6.0 and 10.12 to 12.90

4.2 Main Roads WA is authorised to permit oversize vehicles up to 27.5m on the townsite streets of:

4.2.1	Park Street	from Naylor Street to Paragon Street
4.2.2	Paragon Street	from Park Street to Review Street
4.2.3	Review Street	from Paragon Street to Parker Street
4.2.4	Parker Street	from Review Street to Brown Street
4.2.5	Aldersyde Pingelly Road	from Review Street to the town boundary
4.2.6	Brown Street	from Parker Street to Wickepin Pingelly Road
4.2.7	Harper Street	from Brown Street to Yenellin Road and onwards to the town boundary
4.2.8	Vinicombe Street	from Review Street to the fuel depot.

4.3 Information to be passed onto Main Road WA for inclusion in the Central Register.

5. RELATED DOCUMENTATION / LEGISLATION

See sketch map - \00179\2011-11-17 MRWA - Heavy Vehicle Routes.

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 16 November 2011, 21 March 2012 17 June 2015, 17 May 2017, 18 July 2018, 5 July 2020 18 May 2022

7.11 Pingelly Museum Management

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the management for the Pingelly Museum.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

3.1

- 3.2 **Deaccessioning** is the administrative process whereby an item is removed from the collection. It is distinct from disposal which is the physical act of disposing an item.

4. POLICY STATEMENT

- 4.1 The day-to-day operation of the Museum is delegated through an MOU with a community organisation. This organisation is overseen by the Shire and must comply with this policy.
- 4.2 All volunteers must be inducted and trained appropriately including Safe Handling Procedures.
- 4.3 All materials at the Museum are the property of the Shire of Pingelly and must be managed in accordance with this policy.
- 4.4 The theme of the Museum is the history and development of Pingelly and its people.
- 4.5 The priorities of the Museum are the recording, collection, documentation, preservation and display of the collection and associated history.
- 4.6 The display of objects will include a permanent display which is well researched and interpreted with local stories using a range of interpretive strategies.
- 4.7 Rotational displays including touring exhibitions should be exhibited whenever possible. These displays should be themed appropriately (e.g. current events, dates of significance etc.) and are not required to relate to the overall theme of the Museum.
- 4.8 The Shire will accept or acquire the following materials in accordance with this theme:
- 4.8.1 Oral Histories about the people, places and events of Pingelly;
 - 4.8.2 Personal military material relating to Pingelly men and women at war;
 - 4.8.3 Diaries from people living in Pingelly;
 - 4.8.4 Historical photographs, albums and films relating to Pingelly;
 - 4.8.5 Pingelly businesses and industries;
 - 4.8.6 Products made in Pingelly; and
 - 4.8.7 Pingelly sporting material.

Acceptance of material will be conditional upon the Shire being able to adequately care for the items through proper documentation and storage.

- 4.9 The Shire will not accept or acquire the following materials as part of the Pingelly Museum, although the Shire, at the discretion of Council, may accept these materials as part of a separate collection:

- 4.9.1 Moved buildings or items of moveable heritage that should be left in situ;
- 4.9.2 Large agricultural machinery or parts of such machinery;
- 4.9.3 Items which have no provenance to the Shire of Pingelly;
- 4.9.4 Books, periodicals, magazines or documents unless they are directly linked to an item in the collection and add value to that item;
- 4.9.5 Material which do not relate to the theme of the Museum;
- 4.9.6 Cars, trucks, engines and other large mechanical items or parts of such machinery;
- 4.9.7 Parts of demolished buildings;
- 4.9.8 Firearms and explosive devices;
- 4.9.9 Newspaper collections;
- 4.9.10 Large medical equipment;
- 4.9.11 Materials which require specialised conservation or restoration; and
- 4.9.12 Skeletal remains.

4.10 The Shire is under no obligation to accept material for any reason including material:

- 4.10.1 On loan;
- 4.10.2 With stipulated conditions
- 4.10.3 Duplicates;
- 4.10.4 Damaged;
- 4.10.5 Whose ownership cannot be verified;
- 4.10.6 Without historical significance including through documented or oral history; and
- 4.10.7 Not in accordance with the theme of the Museum.

4.11 All new materials accepted into the collection are to be recorded in the accession register and a receipt provided to the seller/donor. As much relevant information and history about the item should be recorded as possible and a Statement of Significance written.

4.12 All materials in the collection are to be catalogued using the MOSAIC software. This includes all items that are recorded in the accession register and are present in the collection.

4.13 Each item in the collection must be considered to determine the most appropriate method of preservation within the reasonable capacity of the Shire. Items that cannot be suitably preserved must be deaccessioned to a more suitable location.

4.14 Any conservation treatment should be done in such a way that retains the significance, patina of age and evidence of use of the item. Wherever possible, conservation treatments should be reversible.

4.15 The Shire will deaccession items that are currently in the collection, but are denominated at Sections 4.7 and 4.8 above, unless Council has received these items as part of a separate collection. In addition to these sections, the Shire will deaccession items to individuals or groups that have a legitimate claim to their ownership including First Nations items.

4.16 Each item to be deaccessioned will be documented on an appropriate form including the reasons and intended disposal method of the item. Items may be disposed in order of preference by:

- 4.16.1 Transfer to another museum;
- 4.16.2 Return to original owner;
- 4.16.3 Alternative use (e.g. educational tool);
- 4.16.4 Sale through auction;
- 4.16.5 Gift to collector; or
- 4.16.6 Destruction.

- 4.17 Disposal must comply with the Local Government Act 1995.
- 4.18 Only the CEO (or their delegate) may approve the deaccession and disposal of an item from the collection.
- 4.19 Shire staff, volunteers, Councillors and their close friends and families are prohibited from acquiring any deaccessioned item.
- 4.20 Details of deaccessioned material must be kept using the appropriate fields in MOSAIC.
- 4.21 The Shire will only consider loans (both incoming or outgoing loans) for exhibition purposes or bonafide research purposes with a prescribed time period of less than 3 months.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	16 June 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the ownership, control, organisation, role and purpose of the Shire's CCTV operations.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **CCTV** means Closed Circuit Television

4. POLICY STATEMENT

4.1 Ownership And Control Of CCTV Operations

- 4.1.1 The CCTV Operation is owned by and is the sole property of the Shire of Pingelly;
- 4.1.2 The Shire of Pingelly will conduct CCTV Operations in accordance with approved CCTV Management Practices and Authorised Personnel will abide by the Code of Conduct, provided in the CCTV Management and Operations Manual.
- 4.1.3 The Shire of Pingelly Duty Surveillance Officer has delegated control over the CCTV Operation.
- 4.1.4 The Shire of Pingelly CCTV Organisational Policy establishes the purpose, key functions, and control parameters set by the Shire of Pingelly, in order to achieve the following:
- a) Maintain best practice and standards with reference to the Western Australian CCTV Guidelines, available at www.crimeprevention.wa.gov.au.
 - b) Manage CCTV Operations in compliance with Australian Standards 4802:2006, Parts 1 – 4, and future or superseding standards.
 - c) Manage CCTV Operations in compliance with Commonwealth and Western Australia legislation and amendments which may affect the use of CCTV and recorded material. The relevant and primary areas of compliance are privacy laws, camera fields of view and recording parameters, data storage, access control, and freedom of information provisions.
 - d) Operate, use and maintain CCTV Operations in accordance with the Code of Conduct, acknowledged and signed annually by Authorised Personnel.
 - e) Operate, use and maintain CCTV Operations to maintain effective oversight of Monitoring, Review, Auditing and Reporting.

4.2 Role And Purpose Of CCTV Operations

- 4.2.1 The Shire of Pingelly conducts CCTV Operations in order to:
- a) Deter, detect and respond to criminal offences against person or property;
 - b) Facilitate and support an effective response by Shire of Pingelly Authorised Personnel, WA Police Officers or other emergency services personnel to situations of concern or interest; and
 - c) Manage and maintain community safety for residents, traders, retailers,

workers, visitors and Shire of Pingelly staff.

4.3 Organisation Policy For CCTV Operations

- 4.3.1 The Shire of Pingelly's CCTV Policy provides for the manner in which the CCTV Operation will be operated, managed and the reporting protocols to the Shire of Pingelly's Chief Executive Officer ('CEO') and WA Police.
- 4.3.2 CCTV Management Practices will ensure CCTV Operations will be conducted in accordance to the following policy statements:
- a) The CCTV System will be operated within applicable law, and for the ethical and beneficial purposes for which it is established, or which are subsequently agreed in accordance with these approved policy statements.
 - b) The CCTV System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.
 - c) The public interest in CCTV Operations will be recognised by ensuring the security and integrity of recorded material.
 - d) All Stakeholders and Authorised Personnel will act in accordance with the CCTV Operation's Code of Conduct.
 - e) Access to Designated Surveillance Areas will be restricted to Authorised Personnel.
 - f) The Shire of Pingelly will be accountable to its Stakeholders for the effective management and control of CCTV Operations.
 - g) CCTV Operations will be monitored and evaluated to ensure compliance.
 - h) The Shire of Pingelly will make public annual reports in relation to CCTV Operations.
 - i) Recorded material released to Stakeholders shall be verified for accuracy, relevance and must not exceed that necessary to fulfil the purposes of the written request.
 - j) The retention of, and access to any recorded material will be only for the purposes provided by CCTV Policy Statement 4(Role and Purpose).
 - k) Recorded material will be retained for thirty one (31) days unless otherwise specified or required in relation to an approved police operation or the investigation of crime or events for court or formal review proceedings by the Shire of Pingelly. Recorded material, hard copy or electronic will then be erased, deleted or destroyed, with released material destroyed following written confirmation on the original release request.
 - l) Contact and exchange of information between the Shire of Pingelly and WA Police will be conducted in accordance with a signed Memorandum of Understanding.
 - m) Legitimate access may be allowed to live CCTV images which may be required by Shire Works personnel to view public areas for convenient public area familiarisation or reviewing, monitoring or verifying Shire of Pingelly maintenance services and publicworks.
- 4.3.3 CCTV Operations will make all reasonable attempts to serve the interests of all who may be affected by public space surveillance with a focus on community safety and crime prevention, and not be confined to the interests of the Shire of Pingelly or operational needs of the WA Police.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020 18 May 2022

7.14 Communications and Social Media

1. PURPOSE

- 1.1 This Policy establishes protocols for the Shire of Pingelly's official communications with community to ensure the Shire of Pingelly is professionally and accurately represented and to maximise a positive public perception of the Shire.

2. SCOPE

- 2.1. This Policy applies to:

- 2.1.1 Communications initiated or responded to by the Shire of Pingelly; and
- 2.1.2 Elected Members when making comment in either their Shire of Pingelly role or in a personal capacity.

3. DEFINITIONS

Nil

4. POLICY STATEMENT

- 4.1 Official Communications

- 4.1.1 The purposes of the Shire of Pingelly's official communications include:
 - a) Sharing information required by law to be publicly available.
 - b) Sharing information that is of interest and benefit to the Community.
 - c) Promoting Shire of Pingelly events and services.
 - d) Promoting Public Notices and community consultation / engagement opportunities.
 - e) Answering questions and responding to requests for information relevant to the role of the Shire of Pingelly.
 - f) Receiving and responding to community feedback, ideas, comments, compliments and complaints.
- 4.1.2 The Shire of Pingelly's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council.
- 4.1.3 The Shire of Pingelly will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:
 - a) Website;
 - b) Advertising and promotional materials;
 - c) Media releases prepared for the Shire President, to promote specific Shire of Pingelly positions;
 - d) Social media; and
 - e) Community newsletters, letter drops, and other modes of communications undertaken by the Shire's Administration at the discretion of the Chief Executive Officer.

4.2. Speaking on behalf of the Shire of Pingelly

- 4.2.1 The Shire President and the Chief Executive Officer are authorised as the official spokespersons for the Shire of Pingelly and may represent the Shire in official communications, including; speeches, print, electronic and social media. In general, the Shire President will communicate in relation to strategic matters, and the Chief Executive Officer will communicate in relation to high level operational matters.
- 4.2.2 Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson.
- 4.2.3 Communications by Elected Members, whether undertaken in an authorised official capacity or as a personal communication, must not:
 - a) Bring the Shire of Pingelly into disrepute,
 - b) Compromise the person's effectiveness in their role with the Shire, imply the Shire's endorsement of personal views, or
 - c) Disclose, without authorisation, confidential information.
- 4.2.4 Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Pingelly.
- 4.2.5 Elected member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

4.3. Responding to Media Enquiries

- 4.3.1 All enquiries from the Media for an official Shire of Pingelly comment, whether made to an individual Elected Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO to make an official response on behalf of the Shire of Pingelly.
- 4.3.2 Elected members may make comments to the media in a personal capacity – refer to clause 4.6 below.

4.4. Website

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

4.5. Social Media

- 4.5.1 The Shire of Pingelly uses Social Media to facilitate interactive information sharing and to provide responsive feedback to the community. The use of Shire of Pingelly social media accounts is to be specifically authorised by the CEO, or by persons authorised by the CEO.
- 4.5.2 The Shire of Pingelly may post and contribute to Social Media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.
- 4.5.3 When using social media, Elected Members should:
 - a) Avoid making personal comments about other Elected Members, staff or members of the community;

- b) Encourage direct contact with the Shire where requests for service or official feedback has been posted, to enable the matter to be dealt with;
- c) Encourage the original poster to make contact with the Shire for clarification, where misinformation or factually incorrect information is posted;
- d) Remember that liking, sharing or reacting to a post on Social Media is generally taken to be an endorsement of that material, as if you had created it yourself, and may be seen by a wider audience than intended.

4.6. Elected Member Statements on Shire Matters

- 4.6.1 An Elected Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Pingelly.
- 4.6.2 Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:
 - a) Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Pingelly.
 - b) Be made with reasonable care and diligence;
 - c) Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
 - d) Be factually correct;
 - e) Avoid damage to the reputation of the local government;
 - f) Not reflect adversely on a decision of the Council;
 - g) Not reflect adversely on the character or actions of another Elected Member or Employee;
 - h) Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member;
 - i) Observe confidentiality;
 - j) Remember Council decision making is by majority, and while there may be decisions that are disagreed with, alternative points of view should be made respectfully and constructively;
 - k) Not make public statements expressing their opinion on matters before the Council that would indicate a predetermined voting position; and
 - l) Comments which become public, and which breach this Policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

6. REVIEW DETAILS

Review Frequency	Three Yearly
Council Adoption	15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 This policy is designed to provide guidelines for the closure of the Administration Centre and Depot over the Christmas holiday period.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire of Pingelly operations, including the Administration and the Depot, will close annually for a period of no longer than 10 working days (2 calendar weeks) over the Christmas and New Year holiday period. The Chief Executive Officer has the discretion to determine the days of closure spanning Christmas and New Year's Day.
- 4.2 To ensure the community is aware of the closure, widespread advertising is to occur no later than the first week in December each year.
- 4.3 Suitable emergency contact persons are to be maintained to ensure a point of contact is available for urgent requests, and this information is to be provided to the Local Emergency Management Committee.
- 4.4 The ability to issue fire weather warnings and harvest ban information must be maintained during the period of closure.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	16 September 2020, 18 May 2022



1. **PURPOSE**

- 1.1 The purpose of this Policy is to ensure that that Shire's protocols and practice of flying and lowering flags to half-mast is exercised in a consistent, respectful and appropriate manner.

2. **SCOPE**

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. **DEFINITIONS**

Nil

4. **POLICY STATEMENT**

- 4.1 The Australian National Flag and the Aboriginal Flag is to be flown at the Shire Administration Office in ordinary working hours when the Shire is open to the public unless prohibited by weather conditions.
- 4.2 The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:
- 4.2.1 To coincide with national, state or regionally significant events (generally at the behest of the various levels of government protocol arrangements);
 - 4.2.2 When a current or former Elected Member passes away;
 - 4.2.3 When a current or former Citizen of the Year passes away;
 - 4.3.4 When a current Shire employee passes away;
 - 4.2.5 When a person is buried in the Pingelly Cemetery; or
 - 4.2.6 If authorised by the Chief Executive Officer on the request of a member of the community as a sign of mourning.
- 4.3 If the occasion mentioned at Section 4.2 above occurs on a day other than an ordinary working day, the Shire may fly flags at half-mast on the day prior to the occasion when the Shire is open to the public.
- 4.4 Authorisation from a recognised local First Nations Elder should be obtained prior to flying the Aboriginal Flag at half-mast.

5. **RELATED DOCUMENTATION / LEGISLATION**

Local Government Act 1995
Australian Flags Act 1953

6. **REVIEW DETAILS**

Review Frequency	Bi-annually
Council Adoption	18 May 2022

7.18 Pingelly Primary School Policy

1. PURPOSE

- 1.1 The purpose of this Policy is to invite the year 6 student to meet with Council on an annual basis.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

Nil

4. POLICY STATEMENT

- 4.1 An invitation to be sent to PPS to invite the year six students to attend a round table discussion with Councillors at some point during the year.
- 4.2 An invitation will also be sent the Pingelly Primary School to invite the Principal, Deputy Principal and Administrator for evening drinks and Council dinner.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

6. REVIEW DETAILS

Review Frequency	Bi-annually
Council Adoption	14 December 2022

5. PURPOSE

5.1 The purpose of this Policy is to establish a Walk of Fame to:

- Recognise renowned Pingelly people;
- Promote Pingelly outside of Pingelly and encourage tourists to visit;
- Foster community pride;

and provide clear guidance on the Eligibility Criteria by which nominations will be suggested and determined.

6. SCOPE

6.1 This Policy is applicable to the Shire of Pingelly and its operations.

7. DEFINITIONS

N/A

8. POLICY STATEMENT

8.1 A Walk of Fame will be established in Memorial Park.

8.2 The people honoured in this Walk of Fame will be recognised with the installation of star-shaped plaques detailing their name, date of recognition, achievements and QR code with further information.

8.3 Any person may write to the CEO, nominating a person to be recognised in the Walk of Fame. This suggestion must detail how the person complies with the Eligibility Criteria.

8.4 The CEO will make a report to a formal Council Meeting. Council has full discretion to determine if a person has or has not met the Eligibility Criteria to their satisfaction.

8.5 The Eligibility Criteria are:

8.5.1 The person must have a significant connection with Pingelly.
For example childhood and formative years in Pingelly or more than 10 years residence within the Shire boundaries.

8.5.2 Sustained representation at the highest national level or recognition at the highest national level by respected and established national organisations.
For example sustained representation in the Australian Football League or recognised through an Order of Australia Medal.

8.5.3 The person must have a national/international reputation.

8.5.4 The person must be of a good character who is considered unlikely to bring Pingelly into disrepute.

8.5.5 Any other matters that Council considers relevant.

8.6 Honours may be awarded up to 5 years posthumously.

8.7 Once Council has determined that the person has met the Eligibility Criteria the person is contacted to verify that the person is willing to accept this honour and arrange a Walk of

Fame Ceremony to install the plaque.

- 8.8 The person must be present, or in the case of posthumous awards must be represented in person at the Walk of Fame Ceremony.

7 RELATED DOCUMENTATION / LEGISLATION

Nil

8 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	12 December 2023

8. Health and Building

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's policy on footpath protection.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Where a building permit is issued for the construction of a new building and site access for heavy traffic may be required, the landowner is to be made aware of the requirements concerning the adequate protection and care of the road verge (footpaths, trees, etc).

4.2 Where it is viewed necessary by the Chief Executive Officer, a bond of \$1000 may be required to safeguard the Shire of Pingelly's interests prior to the issue of a building permit for the work, unless exemption is given by CEO or Executive Managers.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

9. **Record Keeping**

9.1 Management of Council Records

1. PURPOSE

- 1.1 The purpose of this Recordkeeping Policy is to define the principles that underpin the Shire of Pingelly's recordkeeping function and the roles and responsibilities of those individuals who manage or perform recordkeeping processes on behalf of the Shire. This policy establishes a framework for the reliable and systematic management of Shire's records in accordance with legislative requirements and best practice standards.

2. SCOPE

- 2.1 This policy applies to all government records created or received by a Shire of Pingelly employee, contractor or Elected Member, or an organisation performing outsourced services on behalf of the Shire of Pingelly, regardless of their physical format, storage location or date of creation.

5. DEFINITIONS

N/A

6. POLICY STATEMENT

4.1 Custodianship of Records

- 4.1.1 The Shire of Pingelly recognises its records as a government-owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during the course of business (including those from outsourced bodies or contractors) is vested in the Shire of Pingelly.

4.2 Roles and Responsibilities of Recordkeeping

- 4.2.1 Elected Members: All Elected Members are to create, collect and retain records relating to their role as an Elected Member for the Shire of Pingelly in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping. Originals or copies thereof shall be delivered to the Chief Executive Officer for recording and safe keeping by the Shire of Pingelly. Party political and personal records of Elected Members are exempt.
- 4.2.2 Chief Executive Officer: The Chief Executive Officer is to ensure that an organisational system for the capture and management of records is maintained that is compliant with legislative requirements and best practice standards.
- 4.2.3 Managers: All Managers are to ensure recordkeeping policy and procedures are known and adhered to in their area of responsibility.
- 4.2.4 All Staff: All staff (including contractors) are to create, collect and retain records relating to Shire of Pingelly business activities they perform. They are to identify significant and ephemeral records, ensure significant records are captured into the Recordkeeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping.

4.3 Creation of Records

- 4.3.1 All Elected Members, staff and contractors will create full and accurate records,

in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

4.4 Capture and Control of Records

- 4.4.1 All records created and received in the course of Shire of Pingelly business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate recordkeeping and business systems, that are managed in accordance with sound recordkeeping principles.

4.5 Security and Protection of Records

- 4.5.1 All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

4.6 Access to Records

- 4.6.1 Access to the Shire's records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992* and Shire policy. Access to the Shire's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

4.7 Appraisal, Retention & Disposal of Records

- 4.7.1 All records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

4.2.1 RELATED DOCUMENTATION / LEGISLATION

Recordkeeping Procedures Manual

4.2.2 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

10. Staff

Council Policy

10.3 Senior Staff Designation and Appointment of Acting Chief Executive Officer

1. PURPOSE

- 1.1 To designate Senior Employees in accordance with Section 5.37 (1) of the Local Government Act 1995.
- 1.2 To provide for the appointment of a Senior Employee as Acting Chief Executive Officer during periods of leave, such that the continuous and efficient execution of the Shire's functions are maintained.

2. SCOPE

- 2.1 This policy applies to the role of Chief Executive Officer and those employees designated as Senior Employees.

3. DEFINITIONS

- 3.1 **Act** means *Local Government Act 1995*
- 3.2 **Council** means the Council of the Shire of Pingelly
- 3.3 **Leave** means annual, long service, parental or personal leave

4. POLICY STATEMENT

- 4.1 In accordance with Section 5.37(1) of the Act, a local government may designate employees or persons belonging to a class of employees to be Senior Employees.
- 4.2 In accordance with Section 5.37(2) of the Act, the Chief Executive Officer is to inform the Council of each proposal to employ or dismiss a Senior Employee.
- 4.3 The Senior Employees of the Shire are designated as:
 - 4.3.1 Executive Manager Corporate Services; and
 - 4.3.2 Executive Manager Works.
- 4.4 Council recognises that the appointment of Senior Employees to the role of Acting Chief Executive Officer is an effective succession planning strategy, providing Senior Employees with valuable exposure to and experience in the functions of a Chief Executive Officer.
- 4.5 In accordance with the requirements of the *Local Government Act 1995*, section 5.36(2)(a), the Council has determined that the persons appointed as the permanent incumbent to the position of an Executive Manager are suitably qualified to perform the role of Acting Chief Executive Officer.
- 4.6 The Chief Executive Officer may take leave during periods that are approved by the Shire President in writing. Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer subject to performance and dependent on availability and operational requirements.
- 4.7 Appointment of a Senior Employee to the role of Acting Chief Executive Officer will be determined by Council resolution:
 - 4.7.1 For any period exceeding four continuous weeks; or
 - 4.7.2 In the event that the Chief Executive Officer is incapacitated or otherwise unable to make an appointment under paragraph 4.6.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 16 September 2015 17 May 2017, 18 July 2018, 20 November 2019 15 July 2020, 18 May 2022

Council Policy

10.4 Corporate Uniform – Administration Staff

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process for obtaining uniforms for administration staff.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Unless as specifically authorised by the Chief Executive Officer, or as negotiated in a salary package, the Shire of Pingelly will provide administrative employees with a subsidised corporate uniform.
- 4.2 Full-time Administration staff will be provided with subsidised uniforms to the value of \$500 per annum from the Local Government Corporate Collection.
- 4.3 Staff are entitled to the uniform subsidy after a qualifying period of three months.
- 4.4 Unused uniform subsidy may not be accrued.
- 4.5 Staff leaving Council's employ within three months of receiving the subsidy are required to repay 50% and those that leave between three and six months after receiving the subsidy, 25% of Council's contribution.
- 4.6 PPE and PPC will be provided as necessary.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

10.5 Protective Clothing – Outside Staff

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process for obtaining protective clothing for outside staff.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 Outside staff are to be issued with protective clothing and equipment appropriate to their duties.
- 4.3 Protective clothing issues may include the following:
- 4.3.1 Annually – work clothing, safety boots or shoes; and
 - 4.3.2 As necessary – sunscreen, water bottles, safety vests and wet weather gear.
- 4.4 Upon cessation of employment with the Shire of Pingelly for whatever reason within 8 weeks of commencement, the employee concerned shall return to the Executive Manager Works such protective clothing and footwear which has been issued or make arrangements with the Chief Executive Officer to produce the items.

5 RELATED DOCUMENTATION / LEGISLATION

Nil

6 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

10.7 Shire Housing – Water Usage

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's policy on water usage in Shire housing.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 To ensure maintenance of gardens etc, the Shire of Pingelly will subsidise the usage of water in all Shire of Pingelly owned houses to a maximum of \$75 \$100 per Water Corporation of WA billing period.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

10.8 Gratuity Payments to Employees

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's policy on gratuity payments to employees.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 The Shire of Pingelly will only pay a gratuity to those employees whose employment with the Shire of Pingelly is ceasing.

4.2 The gratuity will be given at the discretion of the CEO and not exceed \$25 for every completed year of service to a maximum payment of \$500.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

10.9 Injury Management and Rehabilitation

1. PURPOSE

- 1.1 The purpose of this Policy is to clarify the process for injury management and rehabilitation.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 In the management of injury and rehabilitation it is the Shire's responsibility to:
- 4.1.1 Make provision for the injury management and rehabilitation of all workers who have sustained a compensable work related illness, injury or disability;
 - 4.1.2 Treat all workers with dignity and respect;
 - 4.1.3 Guarantee that all information is treated with sensitivity and confidentiality; and
 - 4.1.4 To return the injured worker to the fullest capacity for gainful employment of which they are capable.
- 4.2 The key Principles of Injury Management, as identified by WorkCover, will be adopted. They are:
- 4.2.1 Recognition that employers and injured workers are the primary stakeholders within the workers' compensation system;
 - 4.2.2 Maintenance in or a safe return to work is the expected outcome;
 - 4.2.3 Medical practitioners and employers play a central decision making role in the return to work of injured workers;
 - 4.2.4 The focus of all services should be workplace based;
 - 4.2.5 The injury management process should be transparent, cost efficient and effective;
 - 4.2.6 Early intervention and pro-active injury management is critical in achieving return to work goals; and
 - 4.2.7 When vocational rehabilitation is required, all parties are involved in a process that is transparent and requires joint decision-making.
- 4.3 To assist in the timely and effective injury management of employees, the employer has appointed an employee to the role of Workplace Injury Management Coordinator as part of their duties, to implement and monitor the injury management and rehabilitation procedures. This appointment is in the knowledge that Municipal WorkCare Scheme employs a dedicated Injury Management Advisor to assist and guide this individual.
- 4.4 Further to this, the Scheme's claims Team Leader, appointed to the employer, is available to discuss any issues related to the management of the worker's claim.

5. RELATED DOCUMENTATION / LEGISLATION

Municipal WorkCare Scheme Injury Management Policy and Procedural Manual 2006

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

10.12 Noise Hazards in the Workplace

1. PURPOSE

1.1 The purpose of this Policy is to identify and reduce all noise hazards in the workplace.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 The Shire of Pingelly is committed to identifying and reducing all noise hazards in the workplace. The Organisation will, so far as is practicable, ensure that noise to which a person is exposed at the workplace does not exceed the exposure standard for noise (Occupational Safety and Health Regulation 3.46), namely an exposure equivalent to 85 dB(A) for 8 hours a day or a peak noise of 140 dB(C). If there is an exposure to machinery and equipment over 85dB(A) there shall be a regularly updated and maintained "Noise Exposure (Machinery and Equipment) Register".

4.2 It is mandatory to refer to the "Noise Procedure" for the Management of noise in the workplace.

4.3 It is mandatory that everyone exposed to high noise levels at the workplace shall have a base line hearing test at time of employment and annual testing thereafter, and recorded on their personal file, which is stored in a secured location.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to enable the Shire of Pingelly to minimise risk to its employees, the general public and the environment through the adoption of safe practices and compliance with relevant legislation.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire of Pingelly seeks to efficiently provide a wide range of vital services to residents and visitors to our region. We are an equal opportunity employer committed to providing and maintaining an environmentally conscious, safe and healthy workplace for all employees and those who may be affected by our work operations. This commitment is consistently demonstrated through the behaviours of our management and employees at the workplace.
- 4.2 Responsibilities for addressing safety, health and environmental concerns are shared by everyone at the Shire of Pingelly. Our management representatives acknowledge specific responsibility for providing and maintaining a legislatively compliant working environment where persons at the workplace are not exposed to hazards and are provided with adequate resources, education and training to meet our safety, health and environmental obligations. Employees assist our management team to fulfil obligations through actively ensuring their own safety and that of others in the workplace.
- 4.3 All workers engaged with the Shire of Pingelly are required to report in a timely manner any incident, hazard or issues that are identified as posing a risk to health, safety or to the environment. These are promptly managed in accordance with the hierarchy of risk controls and accepted risk management principles.
- 4.4 At the Shire of Pingelly, we are monitoring our environmental impact and we are committed to continually improving our environmental performance through the prevention of pollution, efficient use of resources, waste minimisation, reuse and recycling practices. Our environmental intent is to ensure that our operations are conducted in a manner that contributes to the overall environmental sustainability of Australia.
- 4.5 We are proud of our excellent workplace safety and environmental record and are committed to continuously improving our workplace safety and health performance aimed at the elimination of workplace injury through the achievement of the specific targets and objectives which are documented in our Safety, Health and Environmental Management Plan.
- 4.6 Our Safety, Health and Environmental Management Plan is supported by a procedural framework intended to guide our employees and subcontractors to work safely and in an environmentally conscious manner including, but not limited to, compliance with all applicable legislative regulatory requirements, relevant Australian Standards and with all other requirements to which our organisation subscribes.
- 4.7 This Safety, Health and Environmental Policy and our supporting management systems documentation are regularly reviewed in line with continual improvement and occupational

health and safety management system recommendations.

5 RELATED DOCUMENTATION / LEGISLATION

Nil

6 REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	15 July 2020, 18 May 2022

10.16 Chief Executive Officer Annual Performance Review

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the process for the annual Chief Executive Officer performance review.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 At least once annually the performance of the Chief Executive Officer is to be reviewed by a Committee of the President and two Councillors appointed by Council.
- 4.2 Prior to review all Councillors and the Chief Executive Officer are to complete the performance indicators sheet.
- 4.3 The review is to be conducted in a manner described in the relevant Contract of Employment.
- 4.4 Council is to be informed of the result of the review at the next Council Meeting. Council is then required to accept the review, with or without modification or to reject the review. (Regulation 18D – *Local Government Administration Regulations*).

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995 s5.38(1)

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

9. PURPOSE

- 9.1 The purpose of this Policy is to offer staff housing as part of the salary package to employees with essential qualifications, experience and other position skills that are unlikely to be met from local recruitments.

10. SCOPE

- 10.1 This Policy is applicable to the Shire of Pingelly and its operations.

11. DEFINITIONS

N/A

12. POLICY STATEMENT

- 12.1 The Shire will provide staff housing at the discretion of the Chief Executive Officer through either:
- 12.1.1 The Contract/Letter of Employment with the particular staff member; or
 - 12.1.2 A tenancy arrangement under the *Residential Tenancy Act 1987*. This arrangement may be facilitated by a real estate agent to provide expert guidance and arm's length distance. The tenancy arrangement may provide for market rate or subsidised rent by agreement between the Shire.
- 12.2 Alteration of these agreements must be agreed in writing between the employee and the Shire, including the payment of a housing allowance in lieu of staff housing.
- 12.3 The Contract/Letter of Employment or tenancy arrangement must detail the employee's responsibility regarding maintenance, payment of utilities, and damage to the property.
- 12.4 The Contract/Letter of Employment must also include an express term relating to the payment of costs to the Shire from the employee's termination payment arising from the final inspection in relation to the employee's responsibilities at clause 4.2, professional cleaning, and any outstanding invoices.
- 12.5 The tenancy arrangement must include the requirement for a bond to the equivalent amount of two weeks rent to be paid in advance for the payment of costs to the Shire arising from the final inspection in relation to the employee's responsibilities at clause 4.2, professional cleaning, and any outstanding invoices.
- 12.6 Staff housing arrangements cease on the termination of the employee's contract of employment with the Shire of Pingelly or at some other time as agreed between the parties.
- 12.7 A property report is to be completed by the Shire and the employee prior to the occupation and within 2 weeks of vacation.
- 12.8 The Shire is responsible to ensure that the property is clean and in good working order prior to occupation and the employee is responsible for the same within 2 weeks of vacation.
- 12.9 Staff housing is for the use of staff and their families. Sub-letting or leasing all or a portion of the housing is not permitted.

- 12.10 The employee must keep the premises in a reasonable state of cleanliness, repair and free of damage. The Shire is to be notified as soon as practicable but within three days of any damage to the premises.
- 12.11 The Shire of Pingelly is responsible for carrying out regular maintenance on the air conditioning systems, fire extinguishers and smoke alarms and annual pest control treatments. Urgent repair work will be carried out as reasonably possible by the Shire.
- 12.12 Any repairs required are to be completed by the Shire or by an external contractor.
- 12.13 Where repairs are required due to damage caused by the employee, their family, or any visitors, excluding internal repainting; acceptable general wear and tear; or damage caused by natural occurring conditions such as weather, the employee is liable to reimburse the Shire of such expense.
- 12.14 The Shire undertakes to repaint the interior of staff housing every 5 years, or at the termination of the occupancy, whichever is greater.

13. RELATED DOCUMENTATION / LEGISLATION

Residential Tenancy Act 1987

14. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020 18 May 2022, 18 August 2022

10.19 CEO Recruitment, Performance and Termination

1. PURPOSE

- 1.1 The purpose of this policy is to set out standards for the Recruitment, Performance and Termination of the Chief Executive Officer (CEO).

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly in regard to the Recruitment, Performance Review and Termination of the Chief Executive Officer (CEO).

3. DEFINITIONS

- 3.1 **Act** means the *Local Government Act 1995*;
- 3.2 **additional performance criteria** means performance criteria agreed by the local government and the CEO under clause 16(1)(b);
- 3.3 **applicant** means a person who submits an application to the local government for the position of CEO;
- 3.4 **contract of employment** means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;
- 3.5 **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;
- 3.6 **job description form** means the job description form for the position of CEO approved by the local government under clause 5(2);
- 3.7 **local government** means the Shire of Pingelly;
- 3.8 **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;
- 3.9 **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.
- 3.10 **independent person** means a person other than any of the following -
- 3.10.1 A council member;
 - 3.10.2 An employee of the local government;
 - 3.10.3 A human resources consultant engaged by the local government

4. POLICY STATEMENT

- 4.1 Recruitment of Chief Executive Officer (CEO)
- 4.1.1 This applies to any recruitment and the selection process carried out by the Shire of Pingelly for the employment of a person in the position of CEO
 - 4.1.2 The Shire of Pingelly must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
 - 4.1.3 The Shire of Pingelly 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 sub clause (i)
- 4.1.4 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 ISA.
- 4.1.5 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 ISA as if the position was vacant.
- 4.1.6 If a person requests the Shire of Pingelly to provide to the person a copy of the job description form, the Shire of Pingelly must -
 - a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation ISA(2)(da); or
 - b) if the person advises the Shire of Pingelly 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.
- 4.1.7 The Shire of Pingelly must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO
- 4.1.8 The selection panel must comprise of:
 - a) council members (the number of which must be determined by the Shire of Pingelly
 - b) at least 1 independent person
- 4.1.9 Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- 4.1.10 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.
- 4.1.11 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.
- 4.1.12 The selection panel must act in an impartial and transparent manner; and in accordance with the principles set out in section 5.40 of the Act.
- 4.1.13 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.
- d) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

4.1.14 If the Shire of Pingelly accepts a recommendation by the selection panel that a new recruitment and selection process for the position of CEO be carried out these standards must be abided to unless the Shire of Pingelly considers that changes should be made to duties and responsibilities of the position or the selection criteria

4.1.15 Before making an applicant an offer of employment in the position of CEO, the Shire of Pingelly must, by resolution of an absolute majority of the council, approve:

- a) the making of the offer of employment to the applicant
- b) the proposed terms of the contract of employment to be entered into by the Shire of Pingelly and the applicant.

4.1.16 If the applicant who is made an offer of employment in the position of CEO negotiates with the Shire of Pingelly a contract of employment containing terms different to the proposed terms approved by the Shire of Pingelly, then a resolution of absolute majority of Council must approve the terms of the negotiated contract.

4.1.17 If a period of 10 or more consecutive years have elapsed since a recruitment and selection process for the position was carried out, the Shire of Pingelly must carry out a recruitment and selection process in accordance with this policy.

4.1.18 The Shire of Pingelly must ensure that information provided to, or obtained by, the Shire of Pingelly 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.

4.2 Review of Performance of CEO

4.2.1 The Shire of Pingelly and the CEO must agree on in writing:

- a) the process by which the CEO's performance will be reviewed
- b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria

4.2.2 A review of the performance of the CEO by the Shire of Pingelly must be carried out in an impartial and transparent manner.

4.2.3 The Shire of Pingelly 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;

- b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence

4.2.4 Following a review of the performance of the CEO, the Shire of Pingelly must, by resolution of an absolute majority of the council, endorse the review

4.2.5 After the Shire of Pingelly has endorsed a review of the performance of the CEO, the Shire of Pingelly must inform the CEO in writing of:

- a) the results of the review
- b) any performance issues identified and how the Shire of Pingelly proposes to address and manage those issues

4.3 Termination of Employment of CEO

4.3.1 The Shire of Pingelly must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

4.3.2 The Shire of Pingelly 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.

4.3.3 The Shire of Pingelly must not terminate the CEO's employment unless:

- a) in the course of carrying out the review of the CEO's performance or any other review of the CEO's performance, identified any 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 Shire of Pingelly.
- e) The Shire of Pingelly must not terminate the CEO's employment unless the Shire of Pingelly has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

4.3.4 Any decision by the Shire of Pingelly to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

4.3.5 If the Shire of Pingelly terminates the employment of a CEO, the Shire of Pingelly must give the CEO notice in writing of the termination.

4.3.6 The notice must set out the Shire of Pingelly's reasons for terminating the employment of the CEO.

5. RELATED DOCUMENTATION / LEGISLATION

Local Government Act 1995

Local Government (Administration) Regulations 1996

6. REVIEW DETAILS

Review Frequency	Three yearly
Council Adoption	18 May 2022

11. Subdivisions

12. Works, Services and Plant

12.2 Purchase of Road Making Materials (Acquisition, Compensation, Pit Rehabilitation)

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's Policy for road making materials.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Request permission to search for materials from the owner. Entry powers to be used only as a last resort.

4.2 Calculate approximate requirement for the project or yearly requirement of material from the proposed pit, and the expected life of the pit.

4.3 If suitable material is located, a written agreement is to be reached with the owner as to compensation for materials removed.

4.4 Priority must be given at all times to reasonable negotiation to reach an amicable agreement mutually acceptable to the Shire of Pingelly and the private property owner.

4.5 Should agreement for the removal of road making materials not be reached with the landholder, procedures to resume an area sufficient for immediate and future needs may be instituted.

4.6 Compensation is to be made for the acquisition of road making materials from private land. Compensation (up to the value of the royalty) may take the form of:

4.6.1 Works on the owner's property such as grading, gravel sheeting, drainage works on works to enlarge or improve entrances;

4.6.1 Resumption of the portion of land on which the materials are located at a mutually acceptable rate; or

4.6.2 Payment of royalty calculated on the volume of material extracted.

4.6.3 Works to rehabilitate the gravel pit once materials have been removed shall take place and will take the form of such works agreed on before material extraction takes place. Rehabilitation works may include:

- a) fencing,
- b) tree planting,
- c) deep ripping,
- d) levelling,
- e) stockpiling of original topsoil and spreading after extraction is completed,
- f) creation of a dam site and roaded catchments, etc.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for private works within the Shire.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 All private works shall be subject to a written agreement on the Private Works Application form, supported by a Local Purchase Order where appropriate e.g. Western Power, Telstra.

4.2 All private works for non-ratepayers shall be prepaid unless a Purchase Order is supplied.

4.3 All private works exceeding a total estimated cost of \$5,000 are to be prepaid, or progress payments made as determined by the Chief Executive Officer.

4.4 Minor private works may be carried out on the Manager of Works' authorisation.

4.5 Major works are defined as those exceeding a total estimated cost of \$15,000 and are to be referred to the Chief Executive Officer for acceptance or rejection.

5. RELATED DOCUMENTATION / LEGISLATION

Shire of Pingelly schedule of Fees and Charges

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to confirm the Shire's definition of crossovers.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Access To Property On Land Outside Of The Townsite Boundary:

An appropriate crossover access will be provided from the Shire of Pingelly road network to location boundaries within the Shire and outside of the townsite boundary, where it is considered necessary, appropriate or practicable. Only one access per location will be provided. Any additional access required on a location or on locations that are contiguous to a location where a crossover has been provided, will be at the owner's expense.

4.2 Access To Property On Land Within The Town Boundary:

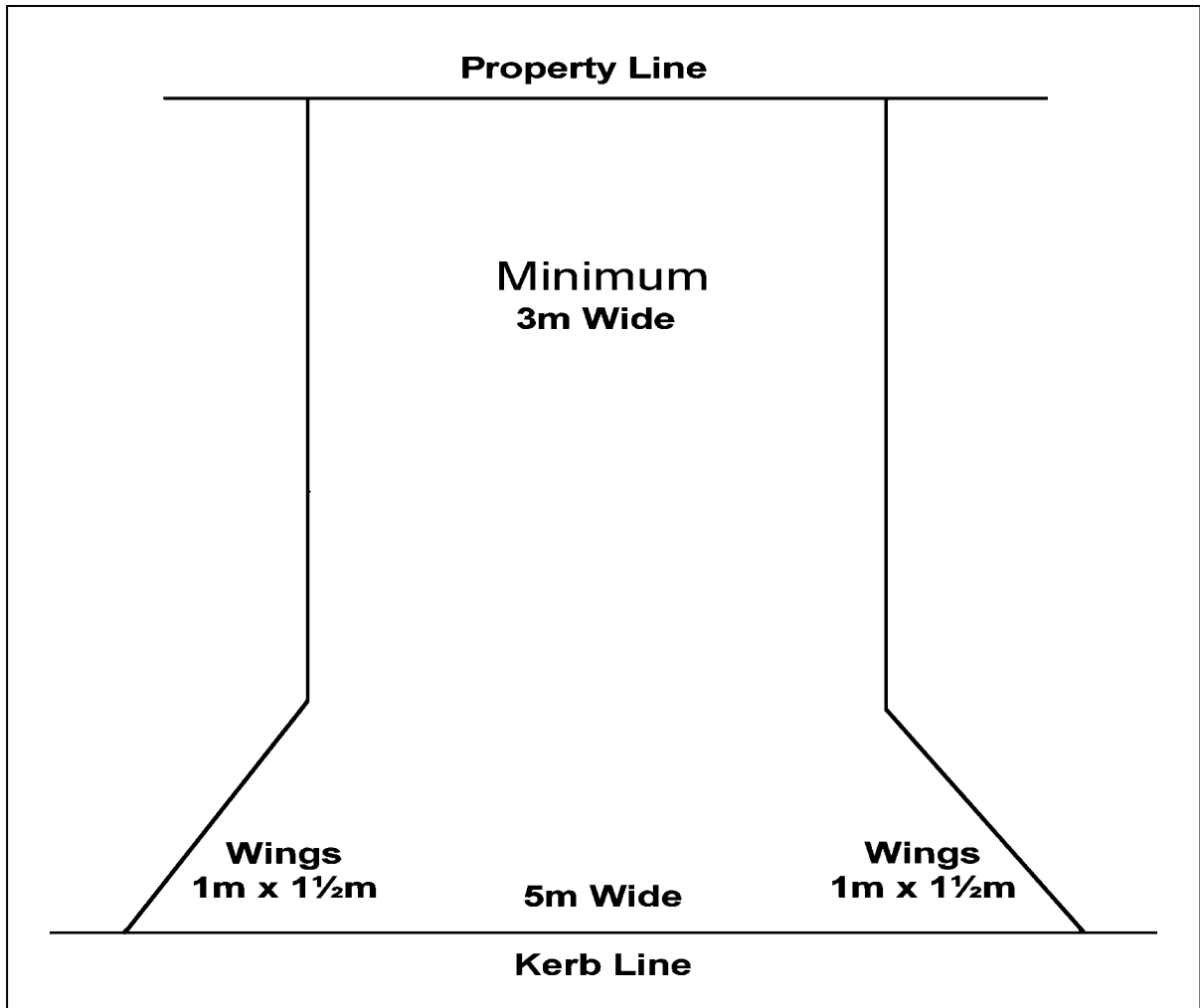
An appropriate crossover access will be provided from the Shire of Pingelly road network to lot boundaries within the townsite, where it is considered necessary, appropriate or practicable. Only one access per lot will be provided subject to an approved building being constructed (or planning approval and building permit issued) on the lot. Any additional access required will be at the owner's expense.

4.3 Townsite Lot Crossovers:

On application by the owner of land adjoining a Shire of Pingelly network road in the Pingelly townsite a contribution of 50% of the cost of the construction of standard crossover will be reimbursed, subject to the following:

- 4.3.1 The standard crossover is deemed to be constructed to a maximum width of 8m to a hot mixseal standard or equivalent.
- 4.3.2 All standard crossovers are to be constructed such that the level at the property line is higher than the road surface at the kerb line or if un-kerbed, the crown of the road.
- 4.3.3 Crossover to be constructed from the edge, or as near as practicable to the edge of a sealed road or the anticipated edge in the event the road is unsealed, to the owner's property boundary.
- 4.3.4 Any extra width required on the crossover to be at the owner's expense.
- 4.3.5 Additional cost for crossovers being constructed in brick paving, concrete or other similar material to be at the cost of the owner.
- 4.3.6 Contribution will only be made towards one crossover per lot.
- 4.3.7 Reimbursement will not be made for crossovers constructed to lots without an approved building being constructed (or development approval and building permit issued).

See Local Government (Uniform Local Provisions) Regulations 1996 Regs 12-16



5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

12.7 Rural Driveways – Grading

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for grading of rural driveways.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Upon request of the occupier, the main driveway to each residence in the General Farming Zone may be graded once per year, free of charge, during the course of maintenance operations, and subject to roadworks priorities.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

12.10 Annual Townsite Verge Clean Up

1. PURPOSE

1.1 The purpose of this Policy is to outline the process for the annual town clean up.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Following advertisement each year, the works crew are to carry out a general town clean-up in March to assist residents to clear rubbish that is not normally removed, or rubbish that they are unable to dispose of.

4.2 Where the rubbish is of such size or quantity that a loader is required, application must be made to the Shire Office prior to the day before the clean-up, and the Chief Executive Officer may determine that a charge be levied.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

12.12 Laying of Water Pipes Under Roads

1. PURPOSE

1.1 The purpose of this Policy is to outline the process of laying water pipes under roads.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Applications to lay water pipe under the road shall be in writing and may be approved by the Chief Executive Officer.

4.2 The approval shall take the following form:

PERMISSION TO LAY WATER PIPES

Permission is hereby granted for you to lay a water pipe under the road between locations

_____ to _____, subject to:

1. The pipe being enclosed in a pipe of larger dimensions where the pipe passes under the road;
2. The water pipe being installed 375mm below the road and table drain;
3. A sign on either side of the road being erected for each water pipe, employing 65mm lettering being black on a white background reading WATER PIPE; and
4. Pavement being reinstated to the satisfaction of the Chief Executive Officer.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	19 April 2010, 17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020, 18 May 2022



1. PURPOSE

- 1.1 The purpose of this Policy is to outline the Shire's Policy on volunteer management.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.
- 2.2 This policy applies to all management, employees, councillors and volunteers working on Shire of Pingelly activities or Shire of Pingelly committees, excluding Bush Fire Brigade volunteers

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire recognises the responsibility to ensure that the following points apply to the management of volunteers in the organisation.
- 4.2 The Shire will maintain a register of volunteers to ensure they are covered by the organisation's insurance policy.
- 4.3 The Shire will comply with the national standards for volunteer involvement which represent and explain the tenets of best practice in the management of volunteers.
- 4.4 The Shire commits to the following:
- 4.4.1 Engage volunteers in accordance with anti-discrimination and equal opportunity legislation;
 - 4.4.2 Provide volunteer staff with orientation and training;
 - 4.4.3 Provide volunteer staff with a healthy and safe workplace;
 - 4.4.4 Provide appropriate and adequate insurance coverage for volunteers Provide appropriate levels of support and management for volunteers;
 - 4.4.5 Acknowledge the rights of volunteers;
 - 4.4.6 Ensure that the work of volunteer staff complements but does not undermine the work of paid staff;
 - 4.4.7 Reimburse volunteer staff for agreed out of pocket expenses Incurred on behalf of the organisation; and
 - 4.4.8 Treat volunteer staff as valuable team members and acknowledge the contributions of volunteers.
- 4.5 Volunteers between the ages of 16 and 80 are covered for personal accident insurance. If volunteers are outside this age group, contact will be made with Local Government Insurance Services to seek approval for insurance cover.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's visitor management policy.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

- 4.1 The Shire of Pingelly is committed to ensuring that visitors to workplaces are not exposed to hazards. Severe penalties apply under the *Work Health and Safety Act 2020*, if visitors to workplaces are injured through not being appropriately cared for.
- 4.2 All visitors who wish to enter workplaces or specified locations of a workplace shall obtain the prior permission of the Supervisor.
- 4.3 Visitors are not permitted to wander around workplaces unaccompanied. All visitors are to report to the front counter (where applicable) or to the appropriate supervisor before entering any workplaces/sites.
- 4.4 Prior to being authorised to enter a workplace, all visitors must be provided with workplace specific induction on the nature of hazards within the workplace and must be instructed in emergency evacuation procedures. It is important that the promotion of a safety culture within the workplace is transferred to the visitor by way of instruction and induction training.
- 4.5 Staff members are to accompany all visitors at all times.
- 4.6 Visitors are restricted from entering all high hazard areas.
- 4.7 It is essential to ensure that the work environment allows safe access/egress of visitors at all times. This can be achieved by ensuring that all walkways remain clear of obstacles.

5. RELATED DOCUMENTATION / LEGISLATION

Work Health and Safety Act 2020

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	21 April 2010, 17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline Shire's Policy on road name sign design.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Road Name signs comply with the following standard:

4.1.1 Shape and Size

- a) Sign blade depth 150mm;
- b) Minimum length 500mm;
- c) Maximum length 1200mm for a single post end mounted sign, 1800mm for a centre-mounted sign and 2000mm for a two post mounted sign; and
- e) Single mounted post signs to have a cutaway end.

4.1.2 Background and Lettering

- 6.1.1.1 Background to be yellow in colour class 1 reflectorized material;
- 6.1.1.2 Text to be nikalite or royal blue in colour non reflectorized material; and
- 6.1.1.3 Text height 100mm.

4.1.3 Street Name Sign Posts

- a) Street name post are to be frangible 60mm NB pipe;
- b) Pingelly Town Site – Posts are to be powered coated nikalite or royal blue in colour; and
- c) Shire of Pingelly rural areas – Posts are to be plain galvanized finish.

5. RELATED DOCUMENTATION / LEGISLATION

Works, Services and Plant Procedure

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	14 November 2014, 17 June 2015, 17 May 2017 18 July 2018, 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this Policy is to outline the Shire's street trees plan.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

N/A

4. POLICY STATEMENT

4.1 Generally Red Flowering Gums are to be planted on the same side of the street as the power lines and that Jacarandas be planted where they will not interfere with power lines. *Lagerstroemia* – Indian Summer Crepe Myrtle are to be used in Parade Street CBD.

4.2 The Plan in detail is (SSR=South Side of Road, NSR=North Side of Road etc):

Street	Existing Plants	Proposed Plants
Park Street (Balfour St to StoneSt)	Very few, natives from seeds.	Leave as is - rocky outcrops prevent street trees.
Park Street (Stone St to Paragon St)	NSR - Red Flowering Gums. SSR–Nil.	NSR –Leave as is. SSR –Leave as is.
Park Street (Paragon St to Queen St)	NSR - Red Flowering Gums. SSR - Jacarandas.	NSR–Leave as is. SSR–leave as is.
Park Street (Queen Quadrant) to	NSR - Red Flowering Gums SSR –Jacarandas.	NSR - Leave as is. SSR - Leave as is.
Park Street (Railway Line to Stratford St)	NSR - Red Flowering Gums. SSR - Red Flowering Gums.	NSR - Red Flowering Gums SSR – Remove low scrub.
Brown Street (Stratford St to Raglan St)	NSR – Red Flowering Gums. SSR – Mixed natives. SSR – Peppercorns.	NSR –Leave as is. SSR - Replace with Jacarandas. SSR – Leave existing Peppercorns.
Brown Street (Raglan St to Somerset St)	NSR – Red Flowering Gums. SSR - Plums, Jacarandas and natives. SSR – Peppercorns.	NSR - Plant 4 Plums opposite existing Plums on SSR. SSR - Replace with Jacarandas except where Plums trees already exist. SSR – Leave existing Peppercorns.
Brown Street (Somerset St to end)	NSR – Red Flowering Gums to Parker Street. SSR – Box Trees	NSR – Plant Red Flowering Gums from Parker Street to end SSR – Replace with Jacarandas.

Street	Existing Plants	Proposed Plants
Review Street (Realm St to Aldersyde Rd)	WSR - Some Natives. Golf Club Side – Natives.	WSR – Replace with Red Flowering Gums on the inside of the fence line of the oval reserve Golf Club Side – Leave as is.
Stratford Street	WSR – Jacarandas, mixed natives Bottlebrushes, Coral Gums, Box Trees ESR – Large Sugar Gums, Bottlebrushes.	WSR – Replace with Jacarandas. ESR – Remove all large Sugar Gums replace with Red Flowering Gums, complete drainage work.
Quadrant Street (Aviation St to Review St)	WSR - Red Flowering Gums planted behind planted natives. ESR – Red Flowering Gums	WSR and ESR - Clear native vegetation and plant Flowering Red Gums to Aviation St.
Quadrant Street Review to Park	WSR – Red Flowering Gums. ESR – Planted trees and shrubs.	WSR – Leave as is. ESR – Leave as is
Parade Street (Sharow St to Pitt St)	WSR – Red Flowering Gums planted from Sharow to Taylor Streets. ESR – Bottlebrushes.	WSR – Continue planting Red Flowering Gums from Taylor to Pitt Streets. ESR – Replace existing plants with Red Flowering Gums
Parade Street (Pitt St to town entrance)	WSR – Gums, planted natives and bush. ESR – Gums, planted natives and bush.	WSR – Plant Red Flowering Gums. Leave planted natives. ESR - Plant Red Flowering Gums. Leave planted natives.
Paragon Street (Pasture St to Palm St)	WSR – Red Flowering Gums. ESR – Natives and bush.	WSR - Leave as is ESR - Jacarandas.
Raglan St (Brown St to Shire St)	ESR – Peppercorns.	ESR – Leave existing Peppercorns.
Sharow St (Somerset St to Raglan St)	NSR – Red Flowering Gums. SSR – Red Flowering Gums.	NSR - Leave as is SSR – Leave as is
Sharow St (Raglan St to Stratford St)	NSR – Natives and bush. SSR – Red Flowering Gums	NSR - Jacarandas. SSR - Leave as is.
Stone Street (Prestige St to Park St)	WSR – Flowering Red Gums. ESR – Natives and bush.	WSR - Leave as is. ESR - Jacaranda trees.
Somerset Street Review St to Brown St)	WSR - Red Flowering Gums ESR – Natives and bush.	WSR - Leave as is. ESR - Plant Jacaranda trees.
Murdoch Street (Paragon St. to Stone St.)	NSR – Red Flowering Gums SSR – Natives and bush.	NSR - Leave as is. ESR - Jacarandas.

5. RELATED DOCUMENTATION / LEGISLATION

Nil

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 November 2010, 17 June 2015, 17 May 2017, 18 July 2018, 15 July 2020, 18 May 2022

1. PURPOSE

- 1.1 The purpose of this Policy is to outline the Shire's Policy on roadside memorials.
- 1.2 The Shire of Pingelly's overall objective is to respect people's grief and ensure the road environment is safe for all road users.

2. SCOPE

- 2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 A roadside memorial can be described as an object or image constructed, erected, planted, painted or placed within the road reserve in honour of family or friends whose lives have been lost on the road or road reserve.

4. POLICY STATEMENT

- 4.1 Every year, too many people lose their lives on Western Australian roads. Frequently, family and friends have chosen to honour their memories by erecting some type of roadside memorial.
- 4.2 Memorials at fatal crash sites provide a means for assisting people to grieve for their loved ones as well as serving as a visual deterrent to road users, delivering a powerful road safety message. The Shire of Pingelly respects the need for people to erect roadside memorials, but it must also provide a safe and efficient road network to all road users to meet its obligations under the *Main Roads Act 1930*. To do this the Shire of Pingelly needs to consider potential safety hazards including visual distractions to motorists, physical objects that could harm road users and the possible movement of personal items onto the road. The Shire of Pingelly also needs to consider the safety of pedestrians in close proximity to fast moving vehicles.
- 4.3 This policy has been developed in consultation with the community and various interest groups. It has been prepared to inform the public and contractors of the types of roadside memorials approved and supplied by the Shire of Pingelly on local roads throughout the Shire of Pingelly. It also outlines how the Shire of Pingelly will arrange the installation and ongoing management of road side memorials.
- 4.4 The Shire of Pingelly has an obligation to provide a safe and efficient road network. The Shire of Pingelly will:
 - 4.4.1 Be considerate and respectful of the needs of persons wishing to install roadside memorials;
 - 4.4.2 Approve the placement of roadside memorials;
 - 4.4.3 Supply roadside memorials (as defined in section 4.3);
 - 4.4.4 Install or assist in the installation of roadside memorials at suitable locations as detailed in the guidelines attached to this policy;
 - 4.4.5 Not accept responsibility for the security or maintenance of roadside memorials;
 - 4.4.6 Remove any roadside memorials not conforming to this policy;
 - 4.4.7 Not approve or provide roadside memorials for animals; and
 - 4.4.8 Will only approve or provide roadside memorials for accident sites where fatalities have occurred.

4.5 Requests for Roadside Memorials

When touched by tragedy, family and friends find a roadside memorial can help comfort and heal, as it provides a tangible record of a life lived and serves as a reminder to the community to drive carefully. Where requests are received, the Shire of Pingelly can provide support to family and friends by assisting them to understand the requirements of this policy and install or assist in the installation of a suitable roadside memorial at the safest location. It should be noted that this policy is intended to provide guidance to Shire of Pingelly Staff and each case should be dealt with on an individual basis.

- 4.6 The Shire of Pingelly's foremost concern is that all road users are provided with a safe road environment and that family and friends and the road user are safe whilst a road side memorial is being erected, visited, or is being maintained. It is important that family and friends park their vehicles safely and clear of the road while attending the roadside memorial.

4.7 Recording Requests for Roadside Memorials

The Shire of Pingelly will maintain a record of requests for roadside memorials. The details will be documented so the person/s responsible for the roadside memorial can be contacted if necessary.

4.8 Memorial Requirements to Maximise Road Safety

The Shire of Pingelly will approve, supply and assist with the installation of a cross, paver, or decal as per the specifications in section 4.3.1, depending on the family and/or friends preference. Alternatively, the applicant may purchase a plant compliant with the Shire of Pingelly's guidelines and the Shire of Pingelly will subsidise the purchase up to \$50 and assist with the installation.

4.9 Roadside Memorials – Types and Structure

In consideration of safety to all, the following specifications are recommended. If unsure, please contact the Shire of Pingelly. These specifications should be used as a guide only. Common sense should prevail when assessing specific locations for placement of roadside memorials.

- 4.9.1 Cross. Crosses are constructed from timber and are:
- a) 850mm long (600mm out of the ground) and 400mm wide;
 - b) Built from pieces 40mm x 18mm; and
 - c) Painted white and are non-reflective.

Crosses shall be located:

- a) No closer than 3 metres from the edge of any bitumen/road seal;
- b) No closer than 1 metre from behind the line of guideposts; and
- c) No closer than 1 metre from the edge of any shared path.

Crosses shall not be located where they may interfere with the role of any traffic control item **or close proximity to residential dwellings where they may cause concern to the occupants.**

- 4.9.2 Paver. Pavers are of grey concrete and are 600mm long and 300mm wide. Pavers should be flush with the existing surface and shall be located:

- a) No closer than 1 metre from behind the line of guideposts;
- b) No closer than 3 metres from the edge of any bitumen/road seal;
- c) No closer than 1 metre from the edge of any shared path;
- d) On control of access highways and freeways; and
- e) On traffic islands and medians where the landscaping permits.
- f) Pavers shall not be located:
- g) Within the area which is regularly graded during shoulder.
- h) In close proximity to residential dwellings where they may cause concern to the occupants;
- i) On landscaped verges; and
- j) On roundabouts.

- 4.9.3 Decal. Decals are adhesive labels, 160mm long and 130mm wide, which display a white cross on a black background. Decals shall be located:
- a) At the base of traffic signal poles; and
 - b) At the base of street light columns.
 - c) Decals shall not be located:
 - d) On any traffic signs; and
 - e) On street name signs.
- 4.9.4 Plant. Plants must comply with the Shire of Pingelly vegetation placement guidelines in regards to trunk size and setback distance. The requested plant type must be stated as part of the application/approval process and the Shire of Pingelly will verify the appropriateness of the plant type for the location.
- 4.9.5 Examples of locally occurring plants that would be suitable for rural areas are:
- a) Geraldton Wax; and
 - b) Albany Woollybush.
- 4.9.6 Other plants that are typical from other regional areas would also be considered if the plant is of special significance to the family. (For further information Shire of Pingelly Staff should be contacted).
- 4.9.7 Plants shall be located:
- a) Outside of the maintenance clearing zone;
 - b) No closer than 1 metre from the edge of any shared path;
- 4.9.8 Plants shall not be located:
- a) Where they may interfere with the role of any traffic control item;
 - b) In close proximity to residential dwellings where they may cause concern to the occupants; and
 - c) On landscaped verges.

4.10 Memorial Options

If a cross is not suitable, please contact the Shire of Pingelly to discuss alternative options.

4.11 Memorabilia and Personalisation

The Shire of Pingelly understands that personalising a memorial may provide comfort to families and friends of people who have lost their lives on the road. In the interest of preserving safety for all, items such as flowers, toys and other personal effects must be firmly secured to the memorial. Where possible, memorabilia should not exceed the dimensions outlined in the memorial requirements, the reason being that such items may be a visual distraction to road users. Physical objects could harm road users and the possible movement of personal items onto the road could be a potential road safety hazard. Only one (1) roadside memorial shall be allowed per life lost.

4.12 Some items that are a safety hazard and should not be used include:

- 4.12.1 Reflective material such as foil and cellophane
- 4.12.2 Solar lights
- 4.12.3 Rocks, bricks or other non-frangible items

4.13 Personalisation of crosses should be limited to non-reflective material.

4.14 Installation of Roadside Memorials

A Shire of Pingelly representative will assist in the installation of approved road side memorials as detailed in section 4.3.1. The Shire of Pingelly will ensure its placement is in accordance with the Shire of Pingelly's standards and requirements and most importantly take into consideration the safety of road users. The Shire of Pingelly will consider safety issues such as where the road geometry is less than optimum i.e. roadcrests, bends and

high-speed locations.

4.15 Maintenance of Roadside Memorials

The road reserve is maintained by the Shire of Pingelly. The Shire of Pingelly does not accept responsibility for the loss or damage of roadside memorials that may occur due to vandalism. The Shire of Pingelly will as part of its regular maintenance program, report on memorials on its network which have been subject to vandalism or are in a significant state of disrepair.

4.16 If the condition of a memorial has deteriorated, or after a period of five years, the Shire of Pingelly will endeavour to contact the owners of a memorial to discuss its condition and to confirm their wish for the memorial to remain in place.

4.17 Visiting a Roadside Memorial

The Shire of Pingelly is concerned for the safety of people who visit roadside memorials. They may expose themselves and other road users to safety risks. If people visit road side memorials, they must understand that roadsides can be hazardous locations and take appropriate precautions. The Shire of Pingelly can provide advice as to what precautionary steps may be taken to maintain a safe environment.

4.18 Roadworks / Maintenance Near Approved Roadside Memorials

The Shire of Pingelly will continue to perform all construction and maintenance works required within road reserves that contain roadside memorials.

4.19 Where works are required to the ground on which an approved roadside memorial is located, the memorial will be carefully shifted away from the work area for the duration of works and then re-installed as close as practical to the original location at the conclusion of works unless otherwise advised by the memorial owner. Care will be taken to minimise damage to the roadside memorial.

4.20 For unregistered memorials, the Shire of Pingelly will make every effort to locate the owners of the memorial before the removal, which may include placing a notice on the memorial prior to removal for roadworks to take place. The Shire of Pingelly will store these removed memorials for 4 months or the period of the road works (whichever is the greater).

4.21 Roadside Memorial Removal Procedure

One of the Shire of Pingelly's key objectives is to maximise road safety on Western Australian roads. Any roadside memorial presenting a safety hazard will be removed without notice. Every effort will be made to contact the responsible person/s regarding the removal of the roadside memorial.

4.22 Person/s responsible for roadside memorials that comply with section 4.3 but require removal because of their poor state of repair or concerns raised by the local community, shall be contacted by the Shire of Pingelly. If the Shire of Pingelly is unsuccessful in contacting the appropriate person, a notice will be attached to the memorial asking the person who has placed, or requested the placement of the memorial, to contact the Shire of Pingelly within 60 days.

4.23 If the Shire of Pingelly is not contacted within the given timeframe, the roadside memorial will be removed. The Shire of Pingelly will store the removed roadside memorial for a period of 4 months.

4.24 Existing Memorials

The Shire of Pingelly will treat all existing roadside memorials in a sensitive manner and will address each one on an individual basis with the aim of making all road side memorials compliant with this policy.

5 RELATED DOCUMENTATION / LEGISLATION

Nil

REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	17 June 2015, 17 May 2017, 18 July 2018 15 July 2020, 18 May 2022

1. PURPOSE

1.1 The purpose of this policy is to:

- 1.1.1 Provide guidelines to what is a “Permissible Verge Treatment” within the verge area of local government roads within the Shire of Pingelly.
- 1.1.2 To provide guidelines of plantings and/or beautification and to outline the Shire’s and residents’ responsibilities.
- 1.1.3 Ensure that verges within the Shire are maintained at a safe level relative to that of the abutting road and/or footpath.
- 1.1.4 Establish the extent of the Shire’s responsibility for maintenance and the removal of rubbish from road verges.

2. SCOPE

2.1 This Policy is applicable to the Shire of Pingelly and its operations.

3. DEFINITIONS

- 3.1 **carriageway** means a portion of road that is improved, designed or ordinarily used for vehicular traffic
- 3.2 **footpath** means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;
- 3.3 **thoroughfare** means a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;
- 3.4 **verge** means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include a footpath;
- 3.5 **verge treatment** means any treatments approved by the local government as the standard verge treatments permitted by Council Policy and includes reticulation pipes and sprinklers.

4. POLICY STATEMENT

- 4.1 Any person who wishes to carry out any works on the verge shall do so in accordance with this policy, guidelines, specifications and the Shire of Pingelly - Activities in Thoroughfares and Public Places and Trading Local Law.
- 4.2 The Shire will encourage and assist where practicable owners/occupiers to maintain street verges in a way that retains and enhances the streetscape, whilst minimising water usage.
- 4.3 The Shire will provide assistance with cleaning and maintenance of verges in accordance with the policy guidelines.
- 4.4 Owners/occupiers of land abutting a street verge may undertake works to beautify the verge. These guidelines apply to the design and installation of verge gardens and landscaping features.
- 4.5 Beautification of street verges carried out in line with these guidelines do not require approval from the Shire.

- 4.6 The Shire recommends you discuss your verge design with neighbours prior to commencing any works, to identify any potential issues that may arise.
- 4.7 Prior to commencing any work on the verge, it is advised to contact 'Dial Before You Dig' to ascertain what, if any services, including Telstra, Water Corporation, Western Power and NBN cables, are located within the verge and to ensure that the depth of the services is sufficient to carry out the proposed works safely.
- 4.8 Any works carried out on the verge by the resident, that results in damage or disruption to the services will need to be reinstated at the resident's full cost.
- 4.9 The Shire strongly encourages the use of Waterwise plants, in particular natives, for planting on verges due to their ability to survive hot dry summers with little to no supplementary water. This information is available on the Water Corporation of WA website – Waterwise Plants Directory.
- 4.10 Subject to budgetary constraints, Waterwise native plants can be purchased through the Shire at subsidised prices. Orders for native plant are to be forwarded to the Shire Natural Resource Management Officer by 1 April each year and further information can be obtained by contacting the Shire.
- 4.11 Plant species selected for the verge should not be prickly, have spines or be known to be poisonous or cause allergic reactions. Plants that bear fruit should be maintained and the fruit harvested to ensure excess or rotting fruit does not pose a hazard or nuisance to pedestrians, cyclists or motorists.
- 4.12 All plants should be maintained to ensure clear lines of sight for pedestrians, cyclists and motorists are provided at all times.
- 4.13 Turfing of verges is permitted however in the interests of saving our precious water resources and reducing fertiliser run-off, alternative options are encouraged. Should turfing be required, it is recommended that a hardy low maintenance turf developed for Australian conditions be laid.
- 4.14 In addition to verge gardens and lawn, there are a number of permissible landscaping features that may be installed within the verge. The installation of these features must be setback from and provide clear access to any infrastructure such as, power poles and underground services.
- 4.15 The installation must also maintain safe access for pedestrians and cyclists and must be setback from footpaths, kerbs and vehicular crossings in accordance with these guidelines so as to not obscure or intrude into sightlines and maintain safe access for pedestrians and cyclists.
- 4.16 Permissible verge landscaping features include:
- 4.16.1 raised garden beds
 - 4.16.2 rocks/stones and/or logs
 - 4.16.3 compacted crushed gravel pathways
 - 4.16.4 paved pathways and/or bin stand areas
 - 4.16.5 seating or benches
 - 4.16.6 decorations and lighting
 - 4.16.7 any other item (not listed above) may be considered at the discretion of the Executive Manager Works in accordance with the policy.

4.17 When installing and/or incorporating landscaping features on the verge, the following guidelines must be met:

- 4.17.1 Any landscaping feature installed on the verge must not obstruct clear lines of sight for any pedestrians, cyclists or motorists;
- 4.17.2 Residents may incorporate a number of permissible verge landscaping features provided the specific guidelines for each feature are adhered to;
- 4.17.3 Residents must ensure landscaping features are checked regularly and well maintained so that they meet and continue to meet the verge landscaping feature guidelines;
- 4.17.4 If a verge landscaping feature is considered by the Shire to pose a safety hazard or does not meet the guidelines, the Shire may require the resident to remove/ revise part or all of the feature to comply with this policy and guidelines;
- 4.17.5 Raised Garden Beds must be:
 - a) Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
 - b) The raised garden bed (built structure) height shall not exceed 0.5 metres unless approved by the Shire;
 - c) Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;
 - c) Provide a minimum 0.5 metre setback from the face of the kerb.
- 4.17.6 Rocks, Stones and Logs must:
 - a) Maintain clear access for parked vehicles at all times;
 - b) Be of a size and installed securely so as to not be easily moved;
 - c) Compacted Gravel Pathways must provide a minimum 0.5 metre setback from any street trees to maintain the health of the street tree.
- 4.17.7 Paved Pathways and Bin Stands must:
 - a) Finished level to be flush with the adjacent footpath, driveway, kerb and verge soil level so as to not create a trip hazard;
 - b) Provide a minimum 0.5 metre setback from street trees to maintain the health of the street tree.
 - c) The above guidelines apply to verge paving for non-parking purposes only.
- 4.17.8 Seating or Benches
 - a) Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
 - b) Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;
 - c) Maintain clear access for parked cars at all times.
 - d) Decorations and Lighting
 - e) Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
 - f) Maintain clear access for parked cars at all times;
 - g) Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;

h) Only solar lighting is permitted in the verge area.

- 4.18 The Shire encourages the installation of Waterwise verge gardens that conserve water eliminating the need for permanent reticulation. If reticulation is to be installed, sub-surface drip irrigation is recommended as the most water efficient reticulation type suited to the exposed conditions typical on the verge area.
- 4.19 If required, slow release fertilisers are recommended for use on all verge beautification treatments, however their use should be carefully monitored and particular care should be undertaken when applying fertiliser to ensure that granules or residues do not enter the local drainage system.
- 4.20 Mulching of the verge area is encouraged to reduce plant stress, suppress weed growth and reduce moisture evaporation from the soil.
- 4.21 Mulch should be installed approximately 5-10cm thick and the finished level must sit just below the adjoining kerbs, footpaths and crossovers. This will prevent the mulch from spreading beyond the verge area, flowing into drainage systems and/or creating a hazard.
- 4.22 The Shire reserves the right to remove any verge beautification treatment or landscaping feature at any time if the Shire considers the installation is contrary to this policy or poses a hazard to or interference with persons or property.
- 4.23 Any damage to the footpath, kerb and road reserve whilst undertaking works will need to be made good by the resident, to the Shire's satisfaction.
- 4.24 Although due care will be taken, the Shire will not be held responsible for any damage that occurs to verge gardens and landscaping features as a result of the Shire's regular maintenance programs or capital works projects.
- 4.25 Where the level of a kerb or footpath has been changed or the level of the verge is considered to pose a safety problem the Shire will:
- 4.25.1 Establish a properly levelled verge by undertaking the grading or filling of verges evenly between the property line and street kerb;
 - 4.25.2 Take all reasonable actions to replace any lawns and/or plants where the level has been changed by the Shire.
 - 4.25.3 Where the level of a kerb has not been changed the Shire will establish a properly levelled verge by undertaking the grading or filling of verges evenly between the property line and the street kerb. Where it is necessary to remove or cover lawn to affect the levelling, the lawn will not be replanted by the Shire. Such work will only be undertaken after written request from the adjoining property owner.
 - 4.25.4 The service is not provided as a top dressing for street lawns, nor will the Shire assist with excavating verges below the kerb level to facilitate paving of verges.
- 4.26 Verges along all Shire roads shall be maintained/mowed by the adjacent owner/occupier. The shire may direct the adjacent owner/occupier to conduct additional maintenance where the in the opinion of the Chief Executive Officer, the verge represents either a:
- 4.26.1 Fire hazard;
 - 4.26.2 Visibility problem;
 - 4.26.3 Safety issue; or
 - 4.26.4 In a neglected state.

- 4.27 Cleaning of litter and removal of the build-up of leaves and grass clippings not associated with shire owned property from the verge is the responsibility of the adjacent owner/occupier
- 4.28 The Shire will assist with the removal of litter and general rubbish from verges only in the following circumstances:
- 4.28.1 Accidents;
 - 4.28.2 Storm damage;
 - 4.28.3 Where the responsibility for placing litter on a verge cannot be determined;
- 4.29 Where responsibility for placing litter on the verge can be determined, the Shire will direct the person responsible to remove the litter and will enforce the *Litter Act 1979* and Regulations.
- 4.30 Placement of plant containers on or obstructing the footpath in commercial and retail precincts within the Shire need to consider public safety, practical and aesthetic considerations, with a view to preserving and enhancing the streetscape.
- 4.31 Containers shall be of an appropriate scale in relation to other elements of the streetscape, and easily seen by pedestrians.
- 4.32 The design of the planters including materials, colour and finish - should be in keeping with the surrounding streetscape and to the satisfaction of the Executive Manager Engineering Services.
- 4.33 Plant species are to be approved by the Executive Manager Works and must not exceed a height of 1.2 metres above ground level. Alternatively trees in pots may be approved where the bottom of the canopy has a minimum 1.5m clearance to the footpath and is not more than 300mm wider than the container and should not obstruct parking signs. The plants must be maintained in a healthy, tidy condition at all times, and all maintenance is the responsibility of the property owners/occupants. No drainage or other discharges from the containers are to flow across the footpath or stain the pavement in any way. No poisonous, prickly or other harmful plants are to be used and maintenance procedures should not interfere with pedestrians at any time.
- 4.34 Plant containers must:
- 4.34.1 not obstruct pedestrian crossing points, public utilities or other public facilities;
 - 4.34.2 be located to provide, at all times, free and unobstructed access of not less than 1.5 metres for pedestrians and other users of the footpath or paved area.
- 4.35 The Shire's approval is not required for plant containers that comply with the requirements of this Part 6. The Shire reserves the right to request owners to remove the containers at any time.
- 4.36 The applicant shall be responsible for the cleaning of the area immediately adjacent to and under the container.
- 4.37 All costs associated with the application, purchase of containers and plants and installation are to be borne by the applicant.
- 4.38 Notwithstanding the granting of approval, the Shire reserves the right to remove the containers at any time, and applicants should ensure that the Shire is indemnified against all claims resulting from the installation of plant containers.

- 4.39 Any damage to footpath, verge or other street furniture caused by the planter or its movement shall be the responsibility of the applicant.
- 4.40 The Shire will consider on its merits any application for a memorial plaque or slab to be included in a footpath within the Shire. The criteria to be considered shall include:
- 4.40.1 The person or event, subject of the memorial, shall have made a significant contribution to the development of the Shire or the State, or some major contribution to a social welfare or community or public organisation.
- 4.40.2 Comments received from the Heritage Council, West Australian Historical Society or other relevant organisation.
- 4.41 The sponsor may be identified either by words or a logo, provided that this identification does not exceed an area of 75mm by 25mm.
- 4.42 The location of the plaque or slab shall be at the discretion of the Shire which may consider in considering the application, the nature of work undertaken by the person, subject of the memorial. The memorial plaque shall be cast in bronze or other approved material and of such design and of such dimensions as determined by the Shire at the time of application.

5. RELATED DOCUMENTATION / LEGISLATION

Shire of Pingelly - Activities in Thoroughfares and Public Places and Trading Local Law

6. REVIEW DETAILS

Review Frequency	Bi-Annually
Council Adoption	18 May 2022