

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Bridgetown-Greenbushes will be held on 29 February 2024 in Council Chambers, commencing at 5.30pm.

N Gibbs, CEO



Date:

26 February 2024

Council Agenda Index – 29 February 2024

Subject	Page No
Opening of Meeting.....	4
Acknowledgment of Country.....	4
Attendance, Apologies and Leave of Absence.....	4
Attendance of Gallery	4
Responses to Previous Questions Taken on Notice	4
Public Question Time.....	4
Petitions/Deputations/Presentations	4
Comments on Agenda Items by Parties with an Interest.....	4
Applications for Leave of Absence	5
Confirmation of Minutes	5
C.01/0224 Ordinary Council Meeting held 14 December 2023	5
C.02/0224 Ordinary Council Meeting held 25 January 2024.....	5
Announcements by the Presiding Member Without Discussion	5
Notification of Disclosure of Interest.....	5
Questions on Agenda Items by Elected Members.....	5
Consideration of Motions of which Previous Notice has been Given.....	5
Reports of Officers	5
CEO's Office	5
C.03/0224 – Repeal of Various Policies	5

C.04/0224 – Repeal of Policies – Part 2	10
C.05/0224 – Repeal PR 1 – Functions in Shire Reserves or Parks Policy.....	14
C.06/0224 – Policy Amendment – CM 2 Electoral Caretaker Period.....	17
C.07/0224 – Risk Management Framework	21
C.08/0224 – Review of Policy RM 1 – Risk Management	24
C.09/0224 – Annual Review of Council Delegations.....	28
C.10/0224 – Review of Policy G 2 – Councillor Training/Conferences and Continuing Professional Development.....	33
C.11/0224 – Review of Policy LS 1 – Legal Representation – Cost Indemnification.....	37
C.12/0224 – Review of P 15 – Accrual of Annual Leave Policy	41
C.13/0224 – Review of Policy P 5 - Equal Opportunity Employment	42
C.14/0224 – Refurbishment at 144 Hampton Street.....	45
C.15/0224 – 154 Hampton Road – BGTA Lease and Charge Up.....	47
C.16/0224 – 2023 Compliance Audit Return	49
C.17/0224 – Talison Partnering for the Future Update	52
C.18/0224 - Talison Partnering for the Future 2023 – Budget Amendment	54
C.19/0224 – Relocation of the State Emergency Services Building.....	57
Corporate Services	59
C.20/0224 – January Financial Activity Statements and List of Accounts Paid in January 2024	59
Development, Community and Infrastructure	61
C.21/0224 – Replacement and Upgrade of Shire Depot Facilities.....	61
C.22/0224 – Standardised Acknowledgement of Country	69
C.23/0224 – Waiving of Fees – Jigsaw Gallery – Bridgetown-Greenbushes Heritage Festival 2024 75	
C.24/0224 – Bridgetown Leisure Centre Assets Upgrades	77
C.25/0224 - Repeal Policies CS 1 – Library – Personal Use of Computer, CS 2 – Library Membership and CS 3 – Library Loans	81
C.26/0224 – Update on Works & Services Programme.....	83
Receival of Minutes from Management Committees.....	88
Urgent Business Approved by Decision	89
Responses to Elected Member Questions Taken on Notice.....	89
Elected Members Questions With Notice.....	89
Notice of Motions for Consideration at the Next Meeting.....	89
Matters Behind Closed Doors (Confidential Items).....	89
C.27/0224 – Employment of Executive Manager Corporate Services.....	89
C.28/0224 – Advisory Committee Nomination.....	89
C.29/0224 – RFT 01–23/24 Bush Fire Brigade Appliance Servicing and Repairs	89
Closure.....	89
List of Attachments.....	89

AGENDA

For an Ordinary Meeting of Council to be held in Council Chambers on 29 February 2024, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land on which we gather. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford

Councillors - S Mahoney (Deputy)

- J Boyle

- M Christensen

- M Fletcher

- T Lansdell

- L Pearce

- A Pratico

- R Redman

Officers

- N Gibbs, Chief Executive Officer

- M Richards, Manager Community Services

- S Alexander, Manager Infrastructure & Works

- L Guthridge, Manager Development & Regulatory Services

- N Price – Manager Governance & Risk

- M Gillham, Principal Project Manager

- L Taramoeroa, Executive Assistant

Attendance of Gallery

Responses to Previous Questions Taken on Notice

Public Question Time

Petitions/Deputations/Presentations

Presentation

Jim Ife - Transition Bridgetown

Comments on Agenda Items by Parties with an Interest

Applications for Leave of Absence

Confirmation of Minutes

C.01/0224 Ordinary Council Meeting held 14 December 2023

That the Minutes of the Ordinary Meeting of Council held 14 December 2023 be confirmed as a true and correct record.

C.02/0224 Ordinary Council Meeting held 25 January 2024

That the Minutes of the Ordinary Meeting of Council held 25 January 2024 be confirmed as a true and correct record.

Announcements by the Presiding Member Without Discussion

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Consideration of Motions of which Previous Notice has been Given

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.03/0224	FILE REF.	203
SUBJECT	Repeal of Various Policies		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	22 January 2024		

Attachment 3 Policy G 1 – Policy Manual

Attachment 4 Policy G 4 – Meetings of Council

Attachment 5	Policy G 5 – Elected Members – Presentations on Retirement
Attachment 6	Policy G 9 – Public Attendance at Meetings – Agendas
Attachment 7	Policy G 15 – Provision of Information for Councillors
Attachment 8	Policy G 19 – Council Photographs
Attachment 9	Policy G 20 – Audio Recording of Meetings
Attachment 10	Policy G 21 – Advertising of Annual General Meeting of Electors
Attachment 11	Policy CM 1 – Decision Making

OFFICER RECOMMENDATION

That Council Repeal the following policies as listed in Attachments 3 to 11:

- *Policy G 1 – Policy Manual.*
- *Policy G 4 – Meetings of Council.*
- *Policy G 5 – Elected Members – Presentations on Retirement.*
- *Policy G 9 – Public Attendance at Meetings – Agendas*
- *Policy G 15 – Provision of Information for Councillors*
- *Policy G 19 – Council Photographs*
- *Policy G 20 – Audio Recording of Meetings.*
- *Policy G 21 – Advertising of Annual General Meeting of Electors*
- *Policy CM 1 – Decision Making*

Summary/Purpose

On a monthly basis Council's policies are being reviewed to ensure both relevance and compliance and also to improve operational efficiency.

This Agenda Item proposes the repeal of the following policies:

- Policy G 1 – Policy Manual.
- Policy G 4 – Meetings of Council.
- Policy G 5 – Elected Members – Presentations on Retirement.
- Policy G 9 – Public Attendance at Meetings – Agendas
- Policy G 15 – Provision of Information for Councillors
- Policy G 19 – Council Photographs
- Policy G 20 – Audio Recording of Meetings.
- Policy G 21 – Advertising of Annual General Meeting of Electors
- Policy CM 1 – Decision Making

Background

Previous year's policy reviews were undertaken on the basis that all policies were reviewed every year. However, Council at its meeting on 28 September 2023 resolved to amend the process to one where the policies were to be reviewed at least every three (3) years from their date of adoption, or as deemed necessary or as legislatively required.

Officer Comment

Given the number of policies and staff workloads policies will be presented monthly rather than in a single report.

As part of the ongoing review the following policies are proposed to be repealed.

Policy G 1 – Policy Manual

With the requirements of this policy now firmly embedded into the policy format (Endorsed by Council in May 2023) there is now no need for this policy to remain as it does not aid in any future decision making and is an operational matter. Any future changes to the format would simply be by a decision of Council at the time.

Policy G 4 – Meetings of Council

The *Local Government (Administration) Regulations 1996* (r.12) provide that the CEO must publish on the local government's website before the beginning of the year the meeting details for ordinary council and committee meetings and any changes to them. The details required are the date and time when, and the place where the meetings are to be held.

To enable this to occur it is customary that Council determines this matter via a resolution every year. As such this policy is unnecessary.

Policy G 5 – Elected Members – Presentations on Retirement

Section 5.100A of the *Local Government Act 1995* states that a local government cannot give a gift to a council member unless it is done under certain circumstances. Regulation 34AC of the *Local government (Administration) Regulations 1996* provides the circumstances as to when this can occur.

The existing policy does not meet the requirement of the legislation and it is therefore considered appropriate that this be repealed. Any decision to provide a councillor with a gift should be made by the Council at the time and not be bound by a decision of any previous council.

Policy G 9 – Public Attendance at Meetings - Agendas

Regulation 14 of the *Local Government (Administration) Regulations 1996* covers both the availability and inspection of agendas to the public together with the requirements of confidential matters.

With the requirements of this policy embedded in legislation the policy is unnecessary.

Policy G 15 – Provision of Information for Councillors

Clause 20 of the Code of Conduct for Council Members, Committee Members and Candidates deals with the relationship with local government employees.

Sections 5.92 – Access to information by council , committee members, 5.94 – Public can inspect certain local government information and 5.95 – Further provisions relating to right to inspect local government information, already provide details on what information can be provided to councillors

With both the Code of Conduct and legislation covering these matters this policy is unnecessary.

Policy G 19 – Council Photographs

Photographs of councillors and senior staff are automatically arranged when changes are made to ensure that the Shire's website is current.

Given that this is normal operational practice the policy is unnecessary.

Policy G 20 – Audio Recording of Meetings

Section 58 of the *Local Government Amendment Act 2023* inserts a new section 5.23A into the *Local Government Act 1995* covering electronic broadcasting (livestreaming) and video and audio recording of council meetings.

Section 5.23A(2) of the Act is a power that allows regulations to be made that may require, regulate, or otherwise make provision for any of the following matters:

- electronic broadcasting of council meetings
- making or retaining recordings of council meetings
- making recordings of council meetings publicly available
- provision, or otherwise making available, recordings of council meetings.
- The requirements for livestreaming and recording of council meetings are aimed at increasing transparency and accountability in local government. This reform will also increase access to council meetings.

Requirements for livestreaming and recording will apply differently depending on a local government's class. As this council is a class 3 local government it is only required to live record council or special council meetings.

Although the Act has been amended, the regulations are still being developed and as such the requirement is not due to come into effect until 1 January 2025.

Despite this implementation date it is considered that the policy serves no purpose and should be repealed as legislation will dictate the requirement.

Policy G 21 – Advertising of Annual General Meeting of Electors

All the requirements of this policy are embedded in Section 5.29 of the *Local Government Act 1995* and as such the policy is unnecessary.

Policy CM 1 – Decision Making

All the requirements contained within this policy are embedded in the Agenda Paper template. Any changes to this format would be presented to Council as part of administration operational procedure. As such the policy is unnecessary.

Statutory Environment

Local Government Act 1995

- s.2.7(2)(b) - The council is to determine the local government's policies
- s.5.3 – Ordinary and special council meetings
- s.5.23A – Electronic broadcasting and video or audio recording of council meetings
- s.5.92 - Access to information by council
- s.5.94 - Public can inspect certain local government information
- s.5.95 - Further provisions relating to right to inspect local government information
- s.5100A – Gifts to council members

Local Government (Administration) Regulations 1996

- r.14 – Notice papers, agenda etc., public inspection of
- r.34AC – Gifts to council members, when permitted etc

r.12 – Publication of meeting details

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs.
 - Objective 13.1 Strengthen leadership and advocacy.
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
 - Objective 13.1 Strengthen leadership and advocacy
 - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Reputational.

The repeal of the above policies does not present any significant risk to Council and as such the overall risk has been measured as Low (Insignificant/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme

Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority.

ITEM NO.	C.04/0224	FILE REF.	
SUBJECT	Repeal of Policies – Part 2		
OFFICER	Chief Executive Officer		
DATE OF REPORT	February 2024		

Attachment 12	G 11 Organisation Structure Policy
Attachment 13	R 2 Timber Royalties Policy
Attachment 14	G 7 Civic Receptions – Approvals/Rejections of Requests Policy
Attachment 15	RC 1 Art Acquisitions Policy
Attachment 16	CS 8 Swimming Pool Entry Age Policy
Attachment 17	G 8 Meetings of Council – Distribution and Release of Minutes Policy
Attachment 18	CR 5 Bereavement Notices Policy
Attachment 19	P 11 Staff Housing Policy
Attachment 20	P 10 Private Telephones Policy

OFFICER RECOMMENDATION

That Council repeal:

- *G 11 Organisation Structure Policy*
- *R 2 Timber Royalties Policy*
- *G 7 Civic Receptions – Approvals/Rejections of Requests Policy*
- *RC 1 Art Acquisitions Policy*
- *CS 8 Swimming Pool Entry Age Policy*
- *G 8 Meetings of Council – Distribution and Release of Minutes Policy*
- *CR 5 Bereavement Notices Policy*
- *P 11 Staff Housing Policy*
- *P 10 Private Telephones Policy*

Summary/Purpose

Council's 162 policies were due for review on 30 November 2023. It is highly unusual for all organisational policies to be due for review at the same time. It was not possible for officers to perform a comprehensive review of all these policies at the

same time without sacrificing accuracy or quality. However, officers will ensure that all policies are reviewed by June 2024.

Moving through the review process, it has so far been determined that the following policies are not required and should be repealed:

- G 11 Organisation Structure Policy
- R 2 Timber Royalties Policy
- G 7 Civic Receptions – Approvals/Rejections of Requests Policy
- RC 1 Art Acquisitions Policy
- CS 8 Swimming Pool Entry Age Policy
- G 8 Meetings of Council – Distribution and Release of Minutes Policy
- CR 5 Bereavement Notices Policy
- P 11 Staff Housing Policy
- P 10 Private Telephones Policy

Background

Council's 162 policies were originally scheduled for review by November 2023. It is uncommon for all organisational policies to undergo review simultaneously. Due to the extensive number of policies, conducting a comprehensive review of all of them at the same time without compromising accuracy or quality was not feasible for our officers. However, all policies will undergo a thorough review process and be updated by June 2024.

As part of the ongoing review, it has been determined that the following policies should be repealed because they:

- a) Are no longer necessary to perform the function;
- b) Are not a legal requirement;
- c) Provide for an onerous administrative burden on officers and Council that costs money and diverts attention away from important work;
- d) Add no value to governance nor operations; and/or
- e) Are already provided for in legislation.

- G 11 Organization Structure Policy
- R 2 Timber Royalties Policy
- G 7 Civic Receptions – Approvals/Rejections of Requests Policy
- RC 1 Art Acquisitions Policy
- CS 8 Swimming Pool Entry Age Policy
- G 8 Meetings of Council – Distribution and Release of Minutes Policy
- CR 5 Bereavement Notices Policy
- P 11 Staff Housing Policy
- P 10 Private Telephones Policy

Please note that repealing a policy does not mean that officers and Council cannot continue to perform the function (e.g. officers can continue to place bereavement notices without needing to have a policy in place to do so).

1. G 11 Organization Structure Policy

The document is not a policy, it is simply a sentence leading into a diagram of an organisational structure. The structure itself is not actually an organisational structure. The document serves no purpose of which officers are aware.

2. R 2 Timber Royalties Policy

The document is not a policy, it is simply a sentence advising that the retention, sale or gifting of timber is at the discretion of the CEO. This is an operational matter. If significant sums of money are involved, these funds are accounted for through our financial systems and budgeting process.

3. G 7 Civic Receptions – Approvals/Rejections of Requests Policy

Whilst this may have been an appropriate policy previously, it has been superseded by a more contemporary approach of simply budgeting an annual amount for events and functions. A policy is not necessary for officers or Councillors to host a function of any form for any purpose.

- RC 1 Art Acquisitions Policy

A policy document is not required to ensure that the organisation gives preference to local providers when purchasing art. The organisation has a 'Buy Local' provision within the Purchasing Policy.

- CS 8 Swimming Pool Entry Age Policy

A policy document is not required to direct the age of children requiring supervision at the pool. This is provided for in the Royal Life Saving Standards and through provision of signage at the pool.

- G 8 Meetings of Council – Distribution and Release of Minutes Policy

The policy document is not required because the legal requirement for the distribution and release of Minutes is provided for in legislation.

Section 5.25 of the *Local Government Act 1995* refers to Regulations about Council and committee meetings and committees.

Regulation 13 of the *Local Government (Administration) Regulations 1996* states:

13. Publication of unconfirmed minutes of meetings (Act s. 5.25(1)(i))

- (1) The CEO must publish on the local government's official website —
 - (a) the unconfirmed minutes of each council and committee meeting that is open to members of the public; and
 - (b) if a council or committee meeting is closed to members of the public — that part of the unconfirmed minutes of the meeting that is a record of decisions made at the meeting.
- (2) The unconfirmed minutes of a council meeting must be published within 14 days after the meeting is held.
- (3) The unconfirmed minutes of a committee meeting must be published within 7 days after the meeting is held.

14. Notice papers, agenda etc., public inspection of (Act s. 5.25(1)(j))

- (1) A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents which —
- (a) are to be tabled at the meeting; or
 - (b) have been produced by the local government or a committee for presentation at the meeting, and which have been made available to members of the council
- or committee for the meeting are available for inspection by members of the public and published on the local government's official website from the time the notice papers, agenda or documents were made available to the members of the council or committee.
- (2) Subregulation (1) does not apply if, in the CEO's opinion, the meeting or that part of the meeting to which the information refers is likely to be closed to members of the public under section 5.23(2).

Any charges for hard copy agendas are covered in our Fees and Charges.

- CR 5 Bereavement Notices Policy

A policy document is not required to enable officers or Councillors to publish bereavement notices for any purpose or at any time.

- P 11 Staff Housing Policy

A Staff Housing policy is not required to enable the CEO to rent out housing. However, it is Council's role to set the rent amounts in the annual Fees and Charges. This is particularly important if staff rental amounts will differ from rental amounts for the general public.

- P 10 Private Telephones Policy

Whilst this policy may have served a purpose previously, it is no longer appropriate. If staff require a phone for work purposes, the organisation is required to provide a phone to the employee.

Officer Comment

That Council repeal:

- *G 11 Organisation Structure Policy*
- *R 2 Timber Royalties Policy*
- *G 7 Civic Receptions – Approvals/Rejections of Requests Policy*
- *RC 1 Art Acquisitions Policy*
- *CS 8 Swimming Pool Entry Age Policy*
- *G 8 Meetings of Council – Distribution and Release of Minutes Policy*
- *CR 5 Bereavement Notices Policy*
- *P 11 Staff Housing Policy*
- *P 10 Private Telephones Policy*

Statutory Environment

Integrated Planning

- Strategic Community Plan

- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.05/0224	FILE REF.	
SUBJECT	Repeal PR 1 – Functions in Shire Reserves or Parks Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	30 January 2024		

Attachment 21 PR 1 – Functions in Shire Reserves or Parks Policy

OFFICER RECOMMENDATION

That Council repeal PR 1 – Functions in Shire Reserves or Parks Policy

Summary

Officers propose repealing PR 1 - Functions in Shire Reserves or Parks Policy, which governs the usage of non-enclosed reserves within our Shire. The policy is due for review and the timing of the review is aligned with the timing of significant asset investment and improvements across the Shire.

This policy is not necessarily the appropriate tool to manage the use of these assets. The more appropriate tools would be:

- Council's Fees and Charges; and
- Advertising/promotional materials available to the public.

Instead of the restrictive policy (restrictive in terms of venue, location, space and cost), officers propose that both Council and officers become more proactive in their approach to advertise and rent out Shire venues for the purposes of:

- Generating significantly more revenue from venues from non-local people;
- Developing and maintaining our asset-base with the extra income; and
- Providing more cost-effective venues for local people.

The policy is not required for these purposes.

If Council approves of the intent of this new strategy:

- The Schedule of Fees and Charges will be altered in time for the new budget cycle (and the opening of the Town Hall).
- The Asset Management Plan will provide for the maintenance costs and schedule for these facilities;
- Infrastructure will advise Council of the cost of these activities to the workforce; and
- Promotional brochures, websites and other marketing materials will detail the terms and conditions of hire.

Background

The proposed repeal of the (PR1) Functions in Shire Reserves or Parks Policy seeks to address the need for flexibility in fee structure, particularly concerning non-local individuals or groups that wish to use these public spaces for private events, such as weddings. This amendment aims to strike a balance between revenue generation and accommodating non-local residents, as well as ensuring local residents are not disadvantaged.

The existing policy governing the usage of non-enclosed reserves has proven effective in promoting responsible and inclusive use of public spaces. However, a recent issue has arisen where the current fee structure does not allow the Council to adjust fees for non-local individuals or groups, even when they may be prepared to pay a higher rate for our public spaces for their events.

The Council may, at its discretion, charge a different fee for non-local residents or groups that wish to use these public spaces for events such as weddings, ceremonies, or other private functions.

The potential advantages of repealing the policy are relatively simple. It will provide for:

- Revenue to reinvest back into the maintenance of the buildings and open spaces. Currently, the hire fees do not even cover staff wages.
- Flexibility in fee structure whereby non-local individuals or groups subsidise the local use of the venues by paying more.
- More effective use of marketing, encouraging non-local residents to utilise our venues for events.
- Enhances the attractiveness of our community as a venue for various events because there is more income to generate back into the maintenance of the venues.
- Increased morale from employees who have to stop critical Shire work to mow lawns and set up seating for outside weddings, the hosts of whom use caterers from Perth, do not shop in Bridgetown and do not use any of our other facilities. At the moment we charge between \$100 - \$130 for this service, which does not cover staff wages and reduces productivity across our outside Shire works.

The disadvantages in not repealing the reviewed policy are (potentially):

- No obvious revenue source for maintaining some significant infrastructure across the Shire.
- Venue hire will continue to cost the Shire more to maintain and operate than the income paid by the people using the resource.
- Outside workers will continue to be pulled from critical works to assist non-local events.

To illustrate this issue, the City of Fremantle, charges up to \$150 per hour or up to \$1,200 per day for the use of its Town Hall for private events, including weddings. In contrast, our current policy charges a flat fee of \$287.15 per day, regardless of the event type, size, or whether the organisers are local or non-local residents.

Officer Comment

Officers propose a fee structure for the use of Shire buildings and non-enclosed reserves, taking into consideration whether the event is organised by local or non-local residents or groups.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government’s policies

Local Government Property Local Law

Integrated Planning

➤ Strategic Community Plan

People

2 Good health and community wellbeing.

2.3 Become a hub of excellence in art, culture and community events.

Prosperity

12 Bridgetown-Greenbushes is regarded to be a major tourist destination.

12.3 Develop and promote festivals, events and trails that showcase the area's natural assets and core competencies.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning
 - PH 3 – Blues Festival Trading
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

ITEM NO.	C.06/0224	FILE REF.	203
SUBJECT	Policy Amendment – CM 2 Electoral Caretaker Period		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	23 January 2024		

Attachment 22 Draft Amended Policy CM 2 – Electoral Caretaker Period.

Attachment 23 Current CM 2 - Election Caretaker Period

OFFICER RECOMMENDATION

That Council adopt the amended Policy CM 2 – Electoral Caretaker Period as presented at Attachment 22.

Summary/Purpose

This motion seeks Council's approval to adopt the updated "Caretaker Period Protocols" policy. This policy establishes direction to prevent the unfair use of public resources or decisions by the Council or administration during the period immediately preceding a Local Government Election. The revisions align the policy with the WALGA template and recently amended *Local Government Act 1995*.

Background

In 2018 WALGA developed a draft template policy relating to the election caretaker policy as a result of a push to have this introduced into WA, for at the time both state and federal governments had such policies. Local government 'caretaker conventions' were legislated for local governments in South Australia, Victoria, NSW and Queensland.

Consequently Council on 30 August 2018 resolved (C.08/0818):

"That Council adopts the 'Election Caretaker Period Policy' as per the WALGA draft template policy, updated to:

- 1. Include 'the Shire of Bridgetown-Greenbushes' where appropriate.*
- 2. Reword definition for 'Election Day' by deleting "<<including an extraordinary election to elect a new Mayor/President>>".*

In 2023 the *Local Government Act 1995* was amended and in relation to the Caretaker Period it introduced:

1. a definition of 'caretaker period' (Section 1.4A) which took effect from 1 January 2024.
2. restrictions on what local government may do during the caretaker period (Section 3.73) which will take effect from 1 July 2024.

Amendments to the Regulations are still being developed.

Officer Comment

The "Caretaker Period Protocols" policy outlines protocols for Council Members and Employees during a 'Caretaker Period' relevant to various aspects, including decision-making, candidate conduct, and public activities.

Amendments have been made to the *Local Government Act 1995*, some of which are currently in place whilst others will take effect on 1/7/24. The policy has been amended to reflect all the amendments that are currently known. It should be noted that regulations are still under development which may impact on this policy.

Key changes to the policy include:

Definitions (Clause 3)

Clarifying essential terms to enhance understanding and consistency and to also bring them in line with recent amendments to the *Local Government Act 1995*.

Specific changes include:

Caretaker Period - amended to reflect the changes to the close of nominations and declaring of election results under the Local government Act.

Extraordinary Circumstances – Deleted as the new legislation provides the circumstances that are exempt during the caretaker period.

Major Policy Decisions – Deleted as the amendments to the Local Government Act now refer to ‘Significant Act’. Details of what a significant act are listed.

Public Consultation – Deleted as it is considered irrelevant.

Significant Expenditure – Deleted as it is no longer required.

Worker – New definition to define worker.

Caretaker Period Protocols - Decision Making (Clause 4.1)

Ensuring that significant acts are scheduled to avoid impacting elections unless permitted by legislation.

Clause 4.1 – Reworded. No change in context.

Clause 4.1.2 – Council Reports Electoral Caretaker period Policy Statement

Sections have been deleted and others reworded as the new legislation covers most aspects.

Clause 4.1.4 – Delegated Authority Decision Making –

Reworded. No change in context

Caretaker Period Protocols – Candidates (Clause 4.2)

Ensuring equitable access to information and resources for all candidates.

Clause 4.2 – Reworded. No change in context.

Clause 4.2.1 – Reworded. No change in context.

Clause 4.2.2 – Added in the ability for Council to approve the use of the crest or logo in campaign electoral material.

Clause 4.2.3 – Made provision for candidates to receive a copy of agendas of meetings during a caretaker period.

Council Member Caretaker Period Protocols (Clause 4.3)

Defining conduct expectations for Council Members during the Caretaker Period.

Clause 4.3.1 – Reworded. Removed the requirement for the CEO to have absolute discretion to determine if information is or is not provided and replaced with the requirement that the CEO will make a determination or refer the matter to Council.

Clause 4.3.2 – Reworded. No change in context.

Clause 4.3.3 – Minor grammatical amendments

Clause 4.3.6 – Minor grammatical amendments

Clause 4.3.7 - Reworded. No change in context.

Shire Publicity, Promotional, and Civic Activities (Clause 4.4)

Providing guidelines for publicity, promotional activities, and communications during the Caretaker Period.

Clause 4.4 – Removed unnecessary wording and amended to reflect new definition of Significant Act.

Clause 4.4.1 - Reworded. No change in context.

Clause 4.4.2 – Minor grammatical amendments. No change in context

Clause 4.4.3 – Reworded. No change in context.

Community Consultation (Clause 4.4.4)

Allowing for community consultation during the Caretaker Period, unless it relates to a significant act or contentious election campaign issues.

Conclusion:

The adoption of the reviewed "Caretaker Period Protocols" policy is necessary to maintaining transparency, fairness, and compliance during election periods. By approving this policy, Council reinforces its commitment to good governance and ensures that elections are conducted with integrity and equity.

Statutory Environment

Local Government Act 1995

s.1.4A – Caretaker period

s.2.7(2)(b) - The council is to determine the local government's policies

s.4.87 – Printing and publication of electoral material

s.5.93 – Improper use of information

s.5.103 - Model code of conduct for council members, committee members and candidates

Local Government (Model Code of Conduct) Regulations 2021

r.17 – Misuse of local government resources

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs.
 - Objective 13.1 Strengthen leadership and advocacy.
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
 - Objective 13.1 Strengthen leadership and advocacy
 - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Reputational.

The repeal of the above policies does not present any significant risk to Council and as such the overall risk has been measured as Low (Insignificant/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority.

ITEM NO.	C.07/0224	FILE REF.	101.5
SUBJECT	Risk Management Framework		
OFFICER	Manager Governance and Risk		
DATE OF REPORT	7 February 2024		

Attachment 24

Risk Management Framework 2024

OFFICER RECOMMENDATION

That the Audit Committee recommends that Council endorses the 2024 Risk Management Framework as presented at Attachment 24.

Summary/Purpose

This framework sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks.

The purpose of the Risk Management Framework is to define how the Shire will meet its commitment to risk management as defined in the Risk Management Policy and aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

Background

Council at its meeting on 29/06/2023 resolved (C.,09/0623c):

- "1. That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented in Attachment 10.*
- 1. The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5,12,16,18,22-30 and 44-46 including any other improvements considered to be a priority by the CEO."*

Recommendation 2 of that report stated "Approve and implement a Risk Management Framework that aligns with AS/NZ ISO 31000:2018 Risk Management.

Officer Comment

Risk is inherent in all Council services and activities. Inadequate attention to managing risks can result in unwanted exposure to the community, Council assets, and the environment in which the organisation operates.

To manage all the risks to which the Shire is exposed to requires the development of a risk culture and supporting risk framework directed towards the effective management of risks and potential opportunities to ensure the interests of the community, staff, contractors, volunteers, services and assets are managed and developed through the application of appropriate risk management principles and practices.

The management of risks in conjunction with management direction is integral to achieving the objectives of the Corporate Business Plan. The management of risk becomes the responsibility of all employees and should be integrated into business processes.

The risk management process sits within a framework designed to provide the means to systematically identify, analyse and control risk at all levels and functions of the organisation.

The Risk Management Framework sets out the methodology for managing risk to ensure that risk management functions will be maintained, managed and governed on an ongoing basis to achieve effective organisational risk management.

The Shire has not previously had a formal risk management framework although it has had elements in place for a period of time. This framework brings all those elements together in a coordinated structure.

The Risk Management Framework was considered by the Audit Committee at its meeting held 15 February 2024 where the following recommendation was carried:

“That the Audit Committee recommends that Council endorses the 2024 Risk Management Framework as presented at Attachment 3.”

Statutory Environment

Local Government (Audit) Regulations 1996:

17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Integrated Planning

- Strategic Community Plan

Outcome 14	Effective governance and financial management
Objective 14.1	Achieve excellence in organisational performance and service delivery

- Corporate Business Plan

Objective 14.1	Achieve excellence in organisational performance and service delivery
Action 14.1.3	Provide a quarterly review each year of the Shire's risk profile.

- Long_Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

Policy RM1 – Risk Management.

Policy RM 2 – Fraud, Corruption and Misconduct

Budget Implications - Nil

Whole of Life Accounting – Not Applicable

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impact, Reputational and Compliance.

Financial Impact:

Catastrophic – More than \$500,000 with a likelihood measure being unlikely, giving an overall risk rating of High.

Reputational:

The ramifications to both external and internal reputation are considered to be moderate - Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring for external and (e.g State

News story) and internal - Decline in staff confidence/morale, or unauthorised absences with a likelihood measure being unlikely, giving an overall risk rating of Moderate.

Compliance:

Major - Non-compliance results in termination of services or imposed penalties, with a likelihood measure of possible, giving an overall risk rating of High.

The overall risk has been measured as High.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.08/0224	FILE REF.	203
SUBJECT	Review of Policy RM 1 – Risk Management		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	4 January 2024		

Attachment 25 Draft amended Policy RM 1 – Risk Management

Attachment 26 Current Policy RM 1 – Risk Management

OFFICER RECOMMENDATION

That Council adopt amended Policy RM 1 Risk Management, as shown in Attachment 25.

Summary/Purpose

A review of Policy RM 1 Risk Management has been undertaken as part of the ongoing review of all policies and a previous commitment to Council for this to be reviewed.

The amended policy is presented to Council for consideration.

Background

Council at its meeting on 30/06/2022 resolved in part (C.09/0622):

“That with respect to Section 3 (Finance) of the Policy Manual Council:

...5. Note that separate reviews of the following policies is to occur:

- Policy F.7 (Reporting Forecast Budget Variations Policy)*
- Policy F.15 (Asset Management)*
- Policy F.18 (Self-Supporting Loans to Shire Community/Sporting Groups)*
- Policy F.19 (Assets Financing and Borrowings)*
- Policy F.21 (Risk Management)”*

Council at its meeting on 29/06/2023 resolved (C.09/0623c):

- “1. That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented in Attachment 10.*
- 2. The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5,12,16,18,22-30 and 44-46 including any other improvements considered to be a priority by the CEO.”*

Recommendation 1 of the Audit Regulation 17 review report states that the Risk Management Policy be reviewed, adopted and promoted to staff.

Officer Comment

The intent of this Policy is to create an environment where Council, management and staff accept direct responsibility for risk management, through development, implementation and improvement of effective risk management practices.

This policy forms an essential part of the risk management framework and has been reviewed to ensure it meets current requirements and standards.

The policy was adopted on 17/12/2015 and although it has been reviewed every year since, there have been no amendments.

This review is proposing substantial amendments, with the proposed changes detailed as follows:

Objectives (Clause 1)

Clear objectives of the policy have been included.

Scope (Clause 2)

A scope has been added to the policy.

Definitions (Clause 3)

These have been updated to reflect current Australian Standards.

Policy (Clause 4)

Removed the objectives from this clause and subsequently reworded.

Roles and Responsibilities (Clause 4.1)

Substantially expanded the roles and responsibilities to make it clear who is responsible for what.

Risk appetite (Clause 4.2)

Reworded to provide that the Shire will take a conservative approach to risk and to identify what risks will not be acceptable.

Quantified Risk Assessment and Acceptance Criteria (Clause 4.3)

New clause to promote that the criteria have been developed to align with the conservative risk appetite and to ensure that all organisational risks are assessed using these criteria.

Recording and Reporting (Clause 4.4)

Reworded.

Measures of Consequence (Appendix A)

Minor increase to financial values to align lower limits to the purchasing policy thresholds.

Statutory Environment

Local Government Act 1995

s 2.7(2)(b)

“Without limiting subsection (1), the council is to —
(b) determine the local government’s policies.”

s 5.41 – Functions of CEO

The CEO’s functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and (d) manage the day to day operations of the local government; and*
- (d) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions; and*
- (e) speak on behalf of the local government if the mayor or president agrees; and*
- (f) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (g) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Local Government (Audit) Regulations 1996

r.17 – CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*
 - (a) risk management; and*

- (b) *internal control; and*
- (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs
 - Objective 13.2 Embrace innovation and a 'can do' culture
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery
- Corporate Business Plan
 - Objective 14.1 Achieve excellence in organisational performance and service delivery
 - Action 14.1.3 Provide a quarterly review each year of the Shire's risk profile
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance, Financial Impact and Reputation.

A demonstrable commitment to sound risk management is one of the hallmarks of good governance and defensible integrity.

Risk is inherent in all Council services and activities. Inadequate attention to managing risks can result in unwanted exposure to the community, Council assets, and the environment in which the organisation operates.

To manage all the risks that the Shire is exposed to requires the development of a risk culture and supporting risk framework directed towards the effective management of risks and potential opportunities to ensure the interests of the community, staff, contractors, volunteers, services and assets are managed and developed through the application of appropriate risk management principles and practices.

This policy forms part of that risk framework.

The overall risk has been measured as High (Catastrophic/Unlikely).

Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.09/0224	FILE REF.	197.2
SUBJECT	Annual Review of Council Delegations		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	5 January 2024		

Attachment 27 Adopted Delegations Register - Council to CEO 2024-25

OFFICER RECOMMENDATION

That Council:

1. Approves amendments to the following delegations as shown in Attachment 27:
 - CM 1 – Authorising and Affixing of the Common Seal
 - ES 4 – Offences – Bush Fires Act
 - ES 6 – Prohibited Burning Times – Control Activities
 - ES 7 – Variations and Control Activities Restricted Burning Periods
 - ES 8 – Burning Garden Refuse/Open Air Fires
 - FM 5 – Write Off of Money Owing to the Local Government
 - LE 4 – Powers of Entry
 - LE 23 – Removal of Graffiti

2. Repeals the following delegations:
 - FM 6a – Tenders for Providing Goods & Services

- *RC 1 – Use of Blackwood River for Active Recreation*
- *RC 2 – Use of Shire Reserves for Camping*
- *RC 3 – Extension of Facility Membership Periods*

3. *Endorse all other delegations without amendment as shown in Attachment 27.*

Summary/Purpose

Section 5.46(2) of the *Local Government Act 1995* requires Council to review its delegations at least once every financial year.

Following a review by officers, the delegations from Council to the CEO are now presented for consideration.

Background

A detailed review of the delegations was undertaken in 2023 using the WALGA model Delegation Register as a guide. The outcome of the review recommended substantial changes to both the format and content of the delegations.

As a result, at its meeting on 23/2/2023 Council resolved (C.09/0223):

“That Council:

1. *Revoke all delegations from Council to the CEO except delegation LUP.3 – Subdivisions*
2. *Approves all the delegations as amended/deleted/created contained within the Delegations Register in Attachment 6, noting that delegation LUP.3 – Subdivisions was adopted by Council on 25 January 2023 (C.07/0123).”*

Section 5.16 of the *Local Government Act 1995* allows a local government to delegate powers to Committees, other than the power of delegation. Similarly, Section 5.42 of the *Local Government Act* allows a local government the ability to delegate powers to its CEO.

Delegations are the standing power of the persons occupying the specified positions to exercise powers on behalf of Council and are required to have a legislative basis and be consistent with legislation. The legislative power to make the delegation and sub delegations is recorded in the Delegations Register.

A local government which delegates powers to its CEO or Committees is to carry out a review of all Delegations during each financial year.

Officer Comment

With the complete rewrite of the delegations register in 2023 together with other additional delegations approved during 2023 there are minimal changes being proposed in this review.

These can be summarised as follows.

Delegations to be amended:

- **CM 1 – Authorising and Affixing of the Common Seal**
Minor grammatical and legislative changes. An additional power has been included to allow the CEO to sign documents on behalf of the Shire of Bridgetown-Greenbushes as detailed under section 9.49A(4) of the *Local Government Act* to meet operational practices.

- ES 4 – Offences – Bush Fires Act
No change to the delegation other than reformatting to provide consistency.
- ES 6 – Prohibited Burning Times – Control Activities
No change to the delegation other than reformatting to provide consistency.
- ES 7 – Variations and Control Activities Restricted Burning Periods
No change to the delegation other than reformatting to provide consistency.
- ES 8 – Burning Garden Refuse/Open Air Fires
No change to the delegation other than reformatting to provide consistency.
- FM 5 – Write Off of Money Owing to the Local Government
Added a further power to waive or grant concessions on amounts owing to the Shire up to a limit of \$500. This will provide greater efficiency in operational matters.
- LE 4 – Powers of Entry
No change to the delegation other than reformatting to provide consistency.
- LE 23 – Removal of Graffiti
Powers have been added to allow the CEO to issue notices or to seek a warrant of an intended entry to private property to enable the removal of graffiti.

Delegations to be deleted:

- FM 6a – Tenders for Providing Goods & Services
This delegation provided authority to the CEO to award the tender for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station from Nyland House Transporters Pty Ltd at a price of \$406,076.00 (EX-GST). As the award of this project has now been completed, the delegation no longer required.
- RC 1 – Use of Blackwood River for Active Recreation.
This is a double up as it is covered under delegation LE 2 – Determining Applications Under Local Laws and Enforcement of Local Law Provisions.
- RC 2 – Use of Shire Reserves for Camping
This is a double up as it is covered under delegation LE 2 – Determining Applications Under Local Laws and Enforcement of Local Law Provisions.
- RC 3 – Extension of Facility Membership periods
This policy already provides the authorisation to the CEO to extend membership and therefore a delegation is not required.

Statutory Environment

Local Government Act 1995

s 5.42 Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43. *
Absolute majority required.
- (2) A Delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of Delegation.

s 5.43 Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties

-
- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;

- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

s 5.44 CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of Delegation.
- (2) A Delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of Delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its Delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a Delegation under this section.
- (5) In subsections (3) and (4) —
"conditions" includes qualifications, limitations or exceptions.

s 5.45 Other matters relevant to Delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a Delegation made under this Division has effect for the period of time specified in the Delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a Delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

s 5.46 Register of, and records relevant to, Delegations to CEO's and employees

- (1) The CEO is to keep a register of the Delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, Delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

Council is legislatively required to review delegations once every financial year. Failure to review the delegations will breach the legislation.

The overall risk has been measured as Low (Minor/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

ITEM NO.	C.10/0224	FILE REF.	203
SUBJECT	Review of Policy G 2 – Councillor Training/Conferences and Continuing Professional Development		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	16 January 2024		

Attachment 28 Draft amended Policy G 2 – Council Member Continuing Professional Development.

Attachment 29 Current Policy G 2 – Councillor Training/Conferences and Continuing Professional Development.

Attachment 30 Policy P 8 – Conferences/Fact Finding Tours.

OFFICER RECOMMENDATION

That Council:

- 1. Adopt amended Policy G 2 Council Member Continuing Professional Development, as presented in Attachment 28.*
- 2. Repeal Policy P 8 Conferences/Fact Finding Tours.*

Summary/Purpose

Policies G 2 - Councillor Training/Conferences and Continuing Professional Development has been reviewed together with policy P 8 - Conferences/Fact Finding Tours for these two policies relate to the same matter. As such they have been combined into the one policy that provides a comprehensive framework to facilitate the ongoing professional development of Council Members, ensuring they possess the necessary knowledge and skills to make informed decisions for our community. The policy also aligns with the *Local Government Act 1995*, which mandates the preparation and adoption of such a policy.

The amended policy is presented to Council for consideration.

Background

In September of 2023 a report was presented to Council seeking to amend Policy G 1 Policy Manual to provide that policies be reviewed every 3 years after the date of adoption, or more frequently when determined by the CEO or Council, or as legislatively required.

The *Local Government Act 1995* requires that Policy G 2 Councillor Training/Conferences and Continuing Professional Development be reviewed after every local government election. Given that this policy was last reviewed in November 2021 following those elections, it is required to be reviewed now.

Officer Comment

Section 5.127 of the *Local Government Act 1995* (The Act) requires a local government to prepare a report for each financial year on the training completed by council members.

Section 5.128 of the Act requires local governments to prepare and adopt a policy in relation to the continuing professional development of council members. It also requires the policy to be reviewed after each ordinary election.

In undertaking a review of policy G2 - Councillor Training/Conferences and Continuing Professional Development it was identified that policy P8 – Conferences/Fact Finding Tours also related to the same matter.

Given the correlation between the two, the portion relating to Fact Finding Tours has been incorporated into policy G 2. As the remainder of policy P 8 is operational in nature and falls within the CEO's function under s. 5.41(g) of the Local Government Act, it is proposed that this policy be repealed.

The existing councillor training policy has been completely reviewed using the WALGA model Council Member Continuing Professional Development policy as a guideline. Substantial changes are being recommended and as such a 'track changed' version has not been prepared as this may cause some confusion.

Upon review the policy has been substantially amended to:

- (a) Provide a better structure;
- (b) Better reflect current practices; and
- (c) Ensure that it meets the legislative requirements.

To assist in understanding the differences between the existing and proposed policy, details of the major changes are as follows. Clauses mentioned refer to the draft amended policy.

Objectives (Clause 1)

Removed unnecessary content which is already encapsulated in legislation and reworded.

Scope (Clause 2)

A scope has been added to the policy to identify that the policy applies to all councillors.

Definitions (Clause 3)

Added in a definition for Mandatory Training.

Budget Allocations (Clause 4.1)

New clause to identify expenses that will be funded from the 'corporate' budget and those that will be funded as a separate allocation to each councillor.

Council Member Induction (Clause 4.2)

A new clause to ensure that newly elected councillors are provided necessary information regarding mandatory training and other training opportunities.

Mandatory Training (Clause 4.3)

This clause has been reworded without altering the context.

Continuing Professional Development (CPD)(Clause 4.4)

This has been reworded to identify:

- Eligible CPD formats.
- What is considered beneficial to a councillor's role.
- Eligible CPD activities.
- Limitations on Fact Finding Tours.

Application and Approval (Clause 4.5)

Includes a more detailed process for applications and approvals and limitations.

Sharing of Knowledge (Clause 4.6)

New requirement that councillors are to provide a report on their attendance, key features and benefits of the training or professional development from interstate conferences, Fact Finding Tours and the Biennial Councillor Study tour.

Registration, Travel and Expenses (Clause 4.7)

New requirement that provides process details on matters such as:

- Event Registration and Bookings
- Travel
- Registration
- Accommodation
- Loyalty Programs and Reward Points
- Meals and Incidental Expenses
- Travel Insurance
- Accompanying persons/Entertainment Costs
- Changes to bookings and cancellations

Report Training (Clause 4.8)

New requirement that sets out what is included in the reports published on the Shire's website on training completed by councillors.

Policy Review (Clause 4.9)

New requirement to meet the legislative requirement for reviews of the policy.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) - The council is to determine the local government's policies

s.5.126 - Training for council members

s.5.127 - Report on training

s.5.128 – Policy for continuing professional development

Local Government (Administration) Regulations 1996

r.35 - Training for council members

r.36 - Exemptions from Act s.5.126(1)

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs.
 - Objective 13.1 Strengthen leadership and advocacy.
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.

- Corporate Business Plan – Nil
 - Objective 13.1 Strengthen leadership and advocacy
 - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

The current budget includes the following:

Conference & Seminar Expenses

Includes accommodation, registration & other costs.

\$7,500 - Attendance at Local Government Week by Councillors.

\$5,250 - Annual allowance of \$1,000 President, \$750 Deputy President & \$500 per councillor.

Training Programs

\$5,250 - Annual allowance of \$1,000 President, \$750 Deputy President & \$500 per councillor.

\$5,000 - Bi-annual compulsory training for newly elected Councillors.

Biennial Councillor Study Tour

\$4,000.

Funds will need to continue to be included in future budgets to ensure this policy can be fully implemented.

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

The Local Government Act requires a policy to be developed and adopted and reviewed after every local government election. Failure to undertake this review will be in contravention of legislative requirements.

The overall risk has been measured as Low (Minor/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring

Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority.

ITEM NO.	C.11/0224	FILE REF.	203
SUBJECT	Review of Policy LS 1 – Legal Representation – Cost Indemnification		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	31 January 2024		

Attachment 31 Draft amended Policy LS 1 – Legal Representation For Elected Members and Employees

Attachment 32 Current Policy LS 1 – Legal Representation – Costs Indemnification

OFFICER RECOMMENDATION

That Council adopt amended Policy LS 1 Legal Representation For Elected Members and Employees as shown in Attachment 31.

Summary/Purpose

A review of Policy LS 1 Legal Representation – Costs Indemnification has been undertaken as part of the ongoing review of all policies.

The amended policy is presented to Council for consideration.

Background

In August 2000 a circular was received from the Department regarding the increasing tendency for aggrieved parties to take, or threaten to take, litigation against a local government or against councillors and employees and that they were intending to develop a model policy on the matter.

The model policy was subsequently developed and in November 2000 Council adopted the Legal Representation – Costs Indemnification policy using that model as a guide.

Officer Comment

The model policy has been amended by the Department quite substantially since it was first developed in 2000 and as such the Shire's existing policy no longer reflects the format and content of that model.

Substantial amendments are proposed to the current policy, and to avoid confusion a track changed version has not been provided.

It should be noted that this revised policy does not address the situation where councillors and employees are interviewed during, or are required to give evidence to, an inquiry into the Shire. Determining whether financial assistance is given in these situations is a complex matter and one that will relate to the circumstances and reasons for the inquiry and is therefore best dealt with at the time.

The proposed changes are detailed as follows:

Objective (Clause 1)

New clause that provides clear objectives of the policy.

Scope (Clause 2)

New clause identifying who this policy applies to.

Definitions (Clause 3)

New clause that provides definitions in line with the Departments model policy. It should be noted that the proposed definitions for Elected Member, Committee Member and Employee make provision for former Elected Members, Committee Members and Employees.

Legal Representation (Clause 3.6) and Legal Services (Clause 3.8)

A new definition of lawyer has been inserted into clause 3, which effectively changes the use of a shire solicitor unless it is not practical or there is a conflict, to the ability to use any certified practitioner approved by the council or CEO under delegated authority.

Introduction (Clause 4.1)

This clause has been added to provide the legislative basis for incurring costs for legal representation.

Payment Criteria (Clause 4.2)

Criteria forms part of the current policy however this clause provides for clearer criteria and an improved structure for determining whether the Shire will pay the legal representation costs of councillors and employees.

Examples of Legal Representation Costs (Clause 4.3)

These have been taken from the General Principles section of the current policy and rewritten in line with the Departments policy.

Application for Permit (Clause 4.4)

This has been expanded from the current policy to provide a clearer process for applications which it brings in line with the Departments model policy.

Legal Representation Costs – Limit (Clause 4.5)

New clause to allow Council to set a limit on the amount of costs it will provide for different circumstances surrounding applications.

Council Powers (Clause 4.6)

New clause to identify what Council may do.

Delegation to Chief Executive Officer (Clause 4.7)

The limit of how much the CEO can approve for urgency reasons has been increased from \$5,000 to \$10,000.

Repayment of Legal Representation Costs (Clause 4.8)

Reworded to make it clearer when a councillor, committee member or employee is to repay any amounts paid for legal representation.

Statutory Environment

Local Government Act 1995

s 2.7(2)(b) – Role of council

“Without limiting subsection (1), the council is to —
(b) determine the local government’s policies.”

s 3.1(1) – General function

“The general function of a local government is to provide for the good government of persons in its district.”

s.6.7(2) – Municipal Fund

“Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.”

s.9.56 - Certain persons protected from liability for wrongdoing

- (1) A person who is —
 - (a) a member of the council, or of a committee of the council, of a local government; or
 - (b) an employee of a local government; or
 - (c) a person appointed or engaged by a local government to perform functions of a prescribed office or functions of a prescribed class, is a protected person for the purposes of this section.
- (2) An action in tort does not lie against a protected person for anything that the person has, in good faith, done in the performance or purported performance of a function under this Act or under any other written law.
- (3) The protection given by this section applies even though the thing done in the performance or purported performance of a function under this Act or under any other written law may have been capable of being done whether or not this Act or that law had been enacted.
- (4) This section does not relieve the local government of any liability that it might have for the doing of anything by a protected person.
- (5) In this section —
 - (a) a reference to the doing of anything includes a reference to the omission to do anything;

- (b) a reference to the doing of anything by a protected person in the performance or purported performance of a function under any written law other than this Act is limited to a reference to the doing of anything by that person in a capacity described in subsection (1)(a), (b) or (c), as the case may be.

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs.
 - Objective 13.1 Strengthen leadership and advocacy.
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

Currently no budget allocation has been made. Any costs would need to be dealt with at the time.

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impact and Reputation.

The overall risk has been measured as Low (Moderate/Rare).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme

Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.12/0224	FILE REF.	
SUBJECT	Review of P 15 – Accrual of Annual Leave Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	19 February 2024		

Attachment 33 Draft amended Policy P 15 – Accrual of Annual Leave

Attachment 34 Current Policy P 15 – Accrual of Annual Leave

OFFICER RECOMMENDATION

That Council adopts the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.

Summary/Purpose

The reviewed Policy P 15 – Accrual of Annual Leave establishes clear guidelines for the accrual and utilisation of annual leave for all full-time and part-time staff within the Shire. It aims to ensure compliance with Work Health and Safety legislation, minimise the Shire’s annual leave liability, and provide clarity on maximum accrual limits.

Background

Policy P 15 – Accrual of Annual Leave was originally adopted on 28 February 2008 (C.19/0208) and last reviewed on 28 April 2022 (C.08/0422). The policy addresses the accumulation of annual leave in accordance with relevant Awards or enterprise bargaining agreements, with a maximum accrual cap of eight weeks. It outlines procedures for managing excess leave, including applications for deferral and directives for employees to take leave under specific circumstances. Recognising existing excessive leave accruals, transitory arrangements are provided to reduce accruals below the eight-week maximum. The policy aligns with statutory requirements and aims to efficiently manage annual leave accruals within the Shire.

Officer Comment

That Council adopts the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government’s policies

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.13/0224	FILE REF.	
SUBJECT	Review of Policy P 5 - Equal Opportunity Employment		
OFFICER	Chief Executive Officer		
DATE OF REPORT	20 February 2024		

Attachment 36 Current P 5 - Equal Opportunity Employment Policy.

OFFICER RECOMMENDATION

That Council adopt the Draft amended P5 - Equal Employment Opportunity Policy as shown in Attachment 35.

Summary/Purpose

The reviewed policy on Equal Employment Opportunity (EEO) aims to reinforce the Shire's commitment to creating a workplace environment that is free from discrimination, bullying, and harassment. It outlines the legal responsibilities of the Shire under EEO legislation and emphasises the promotion of diversity and inclusivity within the workforce. The policy sets forth clear objectives, definitions, responsibilities, and procedures to ensure compliance and adherence to EEO principles.

Background

The Equal Employment Opportunity (EEO) policy is designed to establish guidelines for fostering a workplace culture that upholds principles of fairness, equity, and respect for all workers and Councillors within the Shire. The policy underscores the importance of complying with relevant legislation, including the WA Equal Opportunity Act 1984, and outlines definitions for key terms such as bullying, discrimination, and sexual harassment. It delineates the responsibilities of both the employer and workers in maintaining a conducive work environment, free from unlawful conduct and discrimination.

Additionally, the policy delineates procedures for addressing grievances related to EEO, harassment, diversity, and bullying, emphasizing the utilisation of the Shire's Grievance Resolution Policy, Misconduct Policy, and Bullying, Harassment & Diversity Policy for resolution. Furthermore, it underscores the Shire's commitment to recruitment, training, and promotional practices that align with the principles of merit, equity, and equal opportunity for all workers.

To ensure compliance and accountability, the policy also outlines consequences for breaches, including disciplinary actions for workers and termination of employment for serious violations. Furthermore, it provides a comprehensive overview of relevant legislation governing EEO in Western Australia and at the federal level, underscoring the Shire's commitment to upholding legal standards and promoting a culture of inclusion and diversity in the workplace.

Officer Comment

That Council adopt the Draft amended P5 - Equal Employment Opportunity Policy as shown in Attachment 35.

Statutory Environment

- *Local Government Act 1987*
- *The WA Equal Opportunity Act 1984*
- *The Racial Discrimination Act 1975 (Cth)*
- *The Sex Discrimination Act 1984 (Cth)*
- *The Human Rights and Equal Opportunity Commission (Transitional Provisions and Consequential Amendments) Act 1986 (Cth)*
- *The Disability Discrimination Act 1992 (Cth)*
- *Respect @ Work Act 2022 (Cth)*

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

- Grievance Resolution Policy
- Performance Management Policy
- Professional Development Policy
- Bullying, Harassment and Diversity Policy
- Misconduct Policy
- Employee Code of Conduct
- Council Code of Conduct

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.14/0224	FILE REF.	
SUBJECT	Refurbishment at 144 Hampton Street		
OFFICER	Chief Executive Officer		
DATE OF REPORT	February 2024		

OFFICER RECOMMENDATION

That Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown.

Summary/Purpose

The bathroom and toilet in 144 Hampton have not been refurbished since the late 1970s. Prior to the current CEO moving into the premises, the vanity and tap ware were replaced, but nothing further.

If Council funds the renovation of the bathroom and toilet (and kitchen in the 2023/2024 financial year) the house can be rented out for more than \$650 per week. The return on investment would be relatively expedient.

The building is of historic value, and it would be a shame for the dilapidation to continue unfettered, particularly when there is the financial opportunity to ensure maintenance in future years.

Background

The Shire is currently subject to an accommodation dilemma. Over 20 years ago, the Shire sold off almost all its residential housing. Whilst there was likely sound reason for this at the time, officers have been unable to trace how the proceeds from the sales were used at the time.

Unfortunately, the only two houses that the Shire owns are two historically listed houses, being 144 and 146 Hampton Street, Bridgetown.

144 has recently been painted (inside and out), had air conditioning installed and had window dressings installed. Unfortunately, the budget did not extend to refurbishment of the kitchen, toilet and bathroom, which have not been refurbished since the late 1970s. Attempts have been made to steam clean, disinfect and scrub the flooring in these rooms, but the floors remain grimy and sticky. Prior to the current CEO moving into the premises, the vanity and tap ware were replaced, but nothing further.

146 was refurbished in the 1990s and is in satisfactory condition to offer as a rental.

This Item proposes that Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown. The purpose of 07BU is to complete the point brick work on the outside of the Shire office. However, this work cannot be performed until June/July due to climate constraints and so can be provided for in the new year's budget.

The proposed works for 144 are:

- Removal of existing tiles and fittings where applicable.
- Installation of new bath and repositioning of tapware and outlets.
- Waterproofing.
- Tiling of shower area and half tiled to remainder of bathroom.
- Floor tiling and skirt tile only to toilet.
- Installation of fixtures, shower screen, towel rail, new shower combo, shelf to shower, shower screen, silicone, final clean mirror door, new toilet etc.
- Installation of ceiling fans in the bedrooms.

Quotes for these works have been sought and with added contingency would require an investment of \$25,000.00 Incl GST.

Currently no funding is available for these works, and it is proposed to temporarily source/move funds from another Cost Code to fund these works. This is one project that will generate more income for the Shire than the initial outlay.

Officer Comment

That Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.15/0224	FILE REF.	
SUBJECT	154 Hampton Road – BGTA Lease and Charge Up		
OFFICER	Principal Project Manager		
DATE OF REPORT	22 February 2024		

OFFICER RECOMMENDATION

That Council:

1. Gives in principal support for the leasing of 154 Hampton Street, Bridgetown to the Bridgetown Greenbushes Tourism Association, and.
 - a. Instruct the CEO to commence negotiations with the Bridgetown Greenbushes Tourism Association (BGTA) for a 4-year lease arrangement on 154 Hampton Road, Bridgetown.
2. Gives in principal support (not approval) to the Bridgetown Greenbushes Tourism Association (BGTA) for the installation and operation of an electric vehicle fast charger station including a solar array, battery, and associated equipment at 154 Hampton Road, Bridgetown.

Summary/Purpose

1. To facilitate a formalised lease of 154 Hampton Street, Bridgetown between the Shire of Bridgetown Greenbushes (the title holder) and the Bridgetown Greenbushes Tourism Association (the occupier). It is anticipated that the proposed lease will be brought to the March Ordinary Council Meeting.
2. To allow the Bridgetown Greenbushes Tourism Association to further investigate the plausibility of a large Photovoltaic and battery system installed at 154 Hampton Street, to support an EV fast charger that would be grant funded by the State Government.

Background

At the January Concept Forum, the BGTA presented a proposal and rationale for the Shire to formalise a tenancy agreement on 154 Hampton Street, Bridgetown with a view to the BGTA upgrading the internals of the building and installing an EV Fast Charger that would provide income generation to the organisation.

154 Hampton Street is currently occupied by three entities being the BGTA, Landcare and Blues at Bridgetown.

The BGTA has occupied the building for many years and has facilitated basic cleaning and upgrade works since the shire acquired the building in 1977.

The BGTA does not currently have a formalised lease agreement with the Shire for 154 Hampton Street, Bridgetown.

Officer Comment

If endorsed, this item will allow the BGTA to progress with both the 'Discovery Phase' of the Charge Up proposal (which will be funded by Talison) and allow the organisation to progress with a Charge Up grant application to the Department of Energy, Mines, Industry Regulation and Safety.

Endorsement of this item does not give approval of a lease arrangement or approval to install infrastructure at the site; rather, it will provide a way forward, with any lease proposal being brought to Council in due course and any infrastructure proposals requiring statutory approval processes.

Policy/Strategic Implications

Regulation 30 (2)(b) of the Local Government (Functions General) and Regulations 1996 states:

- (b) the land is disposed of to a body, whether incorporated or not —
- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

It is therefore not a requirement to publicly advertise the disposal (leasing) of this property.

Budget Implications

The Shire will be required to contribute to some renovation works, however the cost of these works will be negotiated during the lease negotiations.

Quantity Surveyors costs for repairs and maintenance will be received shortly and will be used to inform the BGTA's 'Discovery' phase and will also inform lease negotiations that will be brought to the March Ordinary Council Meeting.

Whole of Life Accounting

The buildings referred to in this report is included on the Shire’s Asset Register and the Shire’s Long Term Financial Plans for routine and programmed maintenance and depreciation.

Risk Management

There are no perceived risks to this item as it relates to pre-negotiation and In Principal support only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.16/0224	FILE REF.	101.3
SUBJECT	2023 Compliance Audit Return		
PROPONENT	Department of Local Government, Sport and Cultural Industries		
OFFICER	Manager Governance and Risk		
DATE OF REPORT	16 February 2024		

Attachment 37 2023 Compliance Audit Return

OFFICER RECOMMENDATION

That Council adopt the Compliance Audit Return for the 2023 calendar year (Attachment 37) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.

Summary/Purpose

Each year local governments are required to complete a mandatory Compliance Audit Return (CAR) which must be submitted to Council for adoption prior to being forwarded to the Department of Local Government, Sport & Cultural Industries.

It is a statutory requirement that the completed CAR is to be reviewed by the Audit Committee prior to its presentation to Council.

Background

The Compliance Audit Return is completed for the previous calendar year and is one of the tools that allow Council to monitor how its organisation is functioning.

The Department of Local Government, Sport & Cultural Industries requires the Compliance Audit Return to be:

- a) Presented to Council at a meeting of the Council prior to 31st March;
- b) Adopted by the Council; and
- c) The adoption recorded in the Minutes of the meeting at which it is adopted.

Each year the Compliance Audit Return covers various categories and for the 2023 Return, the areas covered are:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosures of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Optional Questions
- Tenders for Providing Goods and Services

Officer Comment

After completing the responses to the 94 questions contained in the 2023 Compliance Audit Return it should be noted that there were only two questions that were responded to as non-compliant:

Delegation of Power/Duty

Question 12 - Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?

Officer Response – The review of these delegations commenced prior to the end of the financial year however they were not completed until 19/07/2023.

Optional Questions

Question 8 - By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?

Officer Response - Due to a delay in receipt of infrastructure fair values, the Shire requested an extension in time for completion to submit to its auditor the balanced accounts. The Minister granted an extension to 13 October 2023. The accounts were submitted to the Auditor on 13 October 2023 in line with the approved extension.

It is a statutory requirement that the Return is to be reviewed by the Audit Committee prior to its presentation to Council. The 2023 Compliance Audit Return was considered by the Audit Committee at its meeting held 15 February 2024 where the following recommendation was carried:

“That the Audit Committee recommends that Council adopt the Compliance Audit Return for the 2023 calendar year (Attachment 37) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.”

The 2023 Compliance Audit Return is now presented for Council’s adoption.

Statutory Environment

Local Government (Audit) Regulations 1996:

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit,*

is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

Integrated Planning

- Strategic Community Plan

Outcome 14	Effective governance and financial management
Objective 14.1	Achieve excellence in organisational performance and service delivery
- Corporate Business Plan - Nil
- Long_Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil
Whole of Life Accounting – Not Applicable

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance.

Legislation requires that this be completed and lodged by 31 March of each year and failure to do so will be in breach of legislation.

The overall risk has been measured as Low (Moderate/Rare).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.17/0224	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future Update		
OFFICER	Principal Project Manager		
DATE OF REPORT	22 February 2024		

Attachment 38 January 2024 Partnering for the Future 2023 Report

OFFICER RECOMMENDATION

That the information below and contained in the 'January 2024 Partnering for the Future 2023 Report' as shown in Attachment 38 be noted.

Summary/Purpose

For Council awareness to the status of the Partnering for the Future Project between Talison Mining Company (Talison) and the Shire of Bridgetown – Greenbushes (The Shire).

Background

In August 2023, a 'Partnering for the Future 2023' agreement was reached between the Shire and Talison, whereby Talison would fund several Community infrastructure improvement projects in Greenbushes and Bridgetown to the value of \$1,804,504.90 which were to be delivered within the 2023 calendar year period.

Officer Comment

The 2023 projects are now nearing completion with the exception of the Greenbushes asphalt overlay and the installation of the Swimming Pool blankets, both of which will be complete by the end of March 2024. Further commentary of the status of all 2023 projects is included in the attachment. Joint Talison and Shire media statements via various media streams will be published in due course.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

➤ Strategic Community Plan

Item 2 - Good health and community wellbeing.

➤ Corporate Business Plan

Item 2.2 Provide quality sport, leisure and recreation services.

➤ Long Term Financial Plan

Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.

➤ Asset Management Plans

All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.

➤ Workforce Plan

Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.

➤ Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications - No Impact

Whole of Life Accounting - No impact

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.18/0224	FILE REF.	071.1
SUBJECT	Talisson Partnering for the Future 2023 – Budget Amendment		
OFFICER	Morgan Gillham		
DATE OF REPORT	22 February 2024		

Attachment 39 Agenda Item C.03/0124 – Talison Partnering the Future – Budget Amendment

OFFICER RECOMMENDATION

That Council revoke the approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment as shown in Attachment 39 and endorse an amended Budget Amendment for the transfer of funds between Talison funded projects.

Summary/Purpose

The approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment, contained minor errors in the form of project numbers. It is therefore proposed to revoke that approval and in turn, approve this Budget Amendment to the Talison Partnering for the Future 2023 Grant Moneys.

Background

In 2023, the Shire was granted \$1,640,459.00 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

Each of these projects was allocated a budget amount based on assumed costs, however, during the procurement and delivery phase, the true costs of these works has now been realised.

In late 2023, Talison provided written approval for the Shire's Project Management Team to 'pool' these moneys and reallocate any project surplus to projects with a deficit.

As these budgets were formalised and set within Shire budget papers, Officers now require a Budget Amendment to allow for the transfer of funds between these Talison funded projects.

In addition, the Shire has now received the Partnering for the Future 2024 agreement which sees Talison provide support for utilising unspent 2023 funds on approved 2024 projects. Specifically, the transfer of \$170,000 from the 2023 funding into the approved Town Hall air conditioning and audio-visual elements.

Officer Comment

Officers seek a Council budget amendment to transfer 2023 Talison Projects funds as below:

AMOUNT (excl GST)	TRANSFER FROM	TRANSFER TO
\$100	TF08 Greenbushes Court Lighting	25IN Bridgetown Sports Ground
\$3,168	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$497	TF05 Aquatic Blanket	TF04 Aquatic Inflatable
\$52,500	TF11 Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$13,562.86	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,037	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$27,500	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$62,000	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$143,975.29	TF13-21 Greenbushes Local Roads	02BU Town Hall Air Con & Audio Visual
\$32,022.34	TF08 Greenbushes Court Lighting	02BU Town Hall Air Con & Audio Visual

This budget amendment allows for the full construction, HDPE lining and hydraulic works to the new Bridgetown Sports Ground dam, providing irrigation water security to this facility.

It also allows for the installation of ducted air conditioning and the installation of audio visual to the Town Hall that was previously removed due to lack of funds.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
- Item 2 - Good health and community wellbeing

- **Corporate Business Plan**
Item 2.2 Provide quality sport, leisure and recreation services.

- **Long Term Financial Plan**
Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.

- **Asset Management Plans**
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.

- **Workforce Plan**
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.

- **Other Integrated Planning - NA**

Policy/Strategic Implications - NA

Budget Implications

Transfer of funds between Talison funded projects will have no negative impact on the 2023/24 budget.

Whole of Life Accounting - No impact

Risk Management - No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

ITEM NO.	C.19/0224	FILE REF.	
SUBJECT	Relocation of the State Emergency Services Building		
OFFICER	Chief Executive Officer		
DATE OF REPORT	February 2024		

OFFICER RECOMMENDATION

That Council approve the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre.

Summary/Purpose

The purpose of this agenda paper is to request the Council's approval for the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre. This strategic move is aimed at enhancing emergency response capabilities, improving inter-agency collaboration, and addressing current logistical challenges.

Background

The SES's operations are currently constrained by a regulation prohibiting noise after 6 pm. This restriction significantly hampers after-hours training and the testing of machinery and vehicles, which are crucial for emergency preparedness.

The existing colour bond shed housing the SES detracts from the historical character of the surrounding precinct, impacting the aesthetic value of the town centre.

The benefits of relocation to the Incident Control Centre include:

- *Enhanced Collaboration with Other Emergency Services:* Proximity to the Bushfire Brigades and other emergency services at the Incident Control Centre will foster better coordination during emergencies and disasters.
- *Improved Command and Control:* The co-location of multiple emergency services will streamline command and control operations during critical incidents.
- *Efficient Resource Sharing:* Shared access to resources, including training rooms, will optimize the use of facilities and reduce overall operational costs.
- *Coordinated Inter-Agency Training:* The new location will facilitate more systematic and frequent inter-agency training sessions, crucial for effective emergency response.

The relocation project is proposed to be funded through external funds. Officers are actively engaging in an application process with the Department of Fire and Emergency Services (DFES).

In the event the DFES application does not yield the necessary funds, officers are prepared to explore alternative funding opportunities to ensure the project's fruition.

The relocation of the State Emergency Services building to the Incident Control Centre is a crucial step towards enhancing our town's emergency response capabilities. By addressing current limitations and leveraging the synergies of closer

proximity to other emergency services, we can significantly improve our preparedness for emergencies and disasters.

Officer Comment

That Council approve the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Corporate Services

ITEM NO.	C.20/0224	FILE REF.	131
SUBJECT	January Financial Activity Statements and List of Accounts Paid in January 2024		
OFFICER	Manager Finance		
DATE OF REPORT	19 February 2024		

Attachment 40 – January 2024 Financial Activity Statements

Attachment 41 – List of Accounts Paid in January 2024

OFFICER RECOMMENDATION

That council receive the:

- 1. That Council receives the January 2024 Financial Activity Statements as presented in Attachment 40.*
- 2. That Council receives the List of Accounts Paid in January 2024 as presented in Attachment 41.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement, a local government is to provide the following detail:

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

“C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.”

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in January 2024 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Development, Community and Infrastructure

ITEM NO.	C.21/0224	FILE REF.	440
SUBJECT	Replacement and Upgrade of Shire Depot Facilities		
OFFICER	Project Officer		
DATE OF REPORT	13 February 2024		

OFFICER RECOMMENDATION

That Council:

3. *Supports the funding and staging proposal for the Replacement and Upgrade of Shire Depot facilities as detailed in Option 2 of this report with the inclusion of an additional loan contingency amount of \$100,000.*
4. *Approves the following funding arrangement for the construction of an Administration Office at the Shire Depot in line with the approved concept plan, as Stage 1 of the Replacement and Upgrade of Shire Depot facilities.*

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
24-25	Construct Administration Office	485,000	1,300,000		1,785,000

5. *As required under Section 6.20 part (2) of the Local Government Act 1995, gives one month's local public notice of the proposal to construct a new Administration Office at the Shire Depot to be funded in part by a loan of up to \$1.3 million from Western Australian Treasury Corporation.*
6. *Requests approval from the Western Australian Treasury Corporation for a loan of \$1.3 million for the purpose of constructing an Administration Office at the Shire Depot, Lot 1308 Les Woodhead Avenue, Bridgetown, with the term of the loan being 20 years.*
7. *Authorises the Chief Executive Officer and Shire President to sign and affix the Shire's Common Seal to the loan agreement with WA Treasury Corporation.*
8. *Upon written approval of the requested loan of \$1.3 million, advertises the tender for the construction of the Shire Depot Administration Office.*
9. *Receives a further report and Business Case that assesses the viability and justification for the proposed Shire Workshop building.*

(Absolute Majority Required)

Summary/Purpose

This report identifies funding and staging options for the replacement and upgrade of Shire Depot facilities destroyed in the fire of February 2022 and recommends that Council supports the proposal detailed under Option 2 of the report.

Background

Previous reports to Council have identified the need to replace the facilities that were destroyed by the major fire in February 2022.

Following consideration of the most recent report to the Council Meeting held on 14 December 2023 it was resolved (C.08/1223) as follows:

That Council:

1. *Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.*

2. *Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.*

3. *Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.*

Due to the outcome of the funding submission to Talison Lithium not being available for the January Council meeting, this report is now presented for Council's consideration.

The current status of the project is that Willcox and Associates have been formally engaged and are currently working on the detailed design drawings and specifications for the new Office and Workshop buildings. Detailed design is scheduled for completion by the end of March 2024.

A summary of the cost estimates for the replacement facilities and other upgrades is shown in the table below:

Description	Cost (ex GST)
<u>Planning and Design</u>	
Concept Plan and Cost Estimate	\$13,900
BAL Assessment	\$1,280
Feature Survey	\$3,850
Professional Fees/Detailed Design	\$129,240
Sub Total	\$148,270
<u>Office Building</u>	
Construct Office Building	\$1,356,000
IT connection and Office Fit out	\$120,000
Septic system and leach drains	\$30,000
External site infrastructure reticulation	\$50,000
New Water Tank	\$5,000
Relocate and upgrade vehicle access gate	\$10,000
Contingency & Cost Escalation	\$82,500
Sub Total	\$1,653,500
<u>Workshop</u>	
Construct Workshop	\$429,000
Workshop Fit out (including Hoist)	\$70,000
Covered Walkway to Office	\$10,000

Contingency & Cost Escalation	\$26,000
Sub Total	\$535,000
<u>External Works</u>	
Replace perimeter fencing	\$134,000
Car park and pathways	\$69,000
Sub Total	\$203,000
<u>Other</u>	
Heavy machinery storage shed	\$388,000
Light vehicle storage shed	\$148,000
Relocate and upgrade fuel pumps	\$50,000
Relocate sheds and other facilities	To be advised
Total	\$3,125,770

As advised in the previous reports to Council, the insurance payment of \$633,176 is included in the Shire's 2023-24 Budget for the Depot Facilities rebuild.

The Shire has also recently been formally advised by Talison Lithium that its requested contribution of \$1.2 million for the Depot project has been unsuccessful in the 2024 funding round. Unfortunately, there are no other known sources of funding currently available for Shire Depot facility upgrades.

Officer Comment

Given the total estimated cost for the Depot facilities replacement and upgrade, it is proposed that Council consider a staged approach for delivery of the project.

The following funding and staging options are presented for Council's consideration:

Option 1

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
23-24	Planning & Design	148,270			148,270
24-25	Office Building & Workshop	488,500	1,700,000		2,188,500
25-26	Car park Fuel Pump Station	119,000			119,000
26-27	Replace Perimeter Fence	134,000			134,000
27-28	Heavy machinery shed	388,000			388,000
28-29	Light vehicle shed	148,000			148,000
	Totals	1,425,770	1,700,000		3,125,770

This option would be to construct the replacement office and workshop buildings as the first stage of the redevelopment at an estimated cost of \$2,188,500. The funding proposal would be to use the balance of funds from the insurance payout with a small top up allocation of \$3,600 in the 2024-25 Budget plus loan funds of \$1.7 million.

The balance of the works would be undertaken in stages over a four-year period and funded from Municipal funds allocated in the Shire's annual budget. The Heavy Machinery Shed could potentially be funded over two financial years to reduce the impact on the Shire's budget in a single year.

The advantages and disadvantages of this option are as follows:

Advantages

- It would allow the Shire to replace the two main buildings that were destroyed in the fire as the first and major stage of the rebuild and upgrade of the Depot.
- Estimated savings (compared to construction being completed in separate stages) of approximately \$50,000 through reduced mobilisation costs and economies of scale.
- It would address current Work Health and Safety concerns and provide facilities that are safe and fit for purpose for the Shire's outside workforce.
- Improved moral for the Shire's outside workforce.
- Reduced disruption by having the main construction completed in a single stage.

Disadvantages

- A loan of \$1.7 million over a 20-year term would require annual repayments of approximately \$151,000 which equates to a 2.65% rate increase to service the loan.
- A Business Case to justify the replacement Workshop building is yet to be completed. This would include a cost-benefit analysis to determine the justification and viability of the proposed Workshop building.

Option 2

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
23-24	Planning & Design	148,270			148,270
24-25	Construct Office Building	485,000	1,200,000		1,685,000
25-26	Construct Workshop, Car Park, Fuel Pump Station & Perimeter Fence		800,000		800,000
26-27	Heavy machinery shed	388,000			388,000

27-28	Light vehicle shed	148,000			148,000
	Totals	1,169,000	2,000,000		3,169,000

This option would be to construct the new Office building as the first and most critical stage of the Depot rebuild and upgrade, at an estimated cost of \$1,685,000. The funding proposal would be to use the balance of funds from the insurance payout plus loan funds of \$1.2 million.

Under this option, stage 2 would include construction of the Workshop (subject to justification and viability being demonstrated), Car Park, Fuel Pump Station and Perimeter Fence with the estimated cost of \$800,000 to be funded from loan funds. The balance of the works would be undertaken in a further two stages and funded from Municipal Fund budget allocations over a 2-3 year period.

The advantages and disadvantages of this option are as follows:

Advantages

- It would allow the replacement Office building, which has been identified as the highest and most urgent priority, to be constructed in 2024-25.
- It would address current Work Health and Safety concerns and provide facilities that are safe and fit for purpose for the Shire's outside workforce.
- Improved moral for the Shire's outside workforce.
- The repayments for a \$1.2 million loan and the required rate increase are less than that required for a \$1.7 million loan as per option 1.
- It would allow further time to develop a Business Case to determine the need and viability of the proposed Workshop building.
- Subject to the justification and viability of the proposed Workshop being demonstrated, it would allow the balance of the high priority upgrades to be completed in 2025-26.

Disadvantages

- A loan of \$1.2 million for the Office building over a 20-year term would require annual repayments of approximately \$107,000 which equates to a 1.87% rate increase to service the loan.
- A second loan of \$800,000 in 2025-26 would require annual loan repayments of approximately \$69,000 which equates to a further 1.25% rate increase.

Conclusion

Whilst there is a case for constructing the Administration Office and Workshop as the first stage, Option 2 is recommended for the following reasons:

- The required rate increase of 2.65% (on top of planned rate increases) for Option 1 may not be appropriate in the current economic climate.

- When completed, the Business Case to justify the need and viability of the new Workshop would allow Council to make an informed decision as to whether to proceed with the construction of a new Workshop or make other arrangements to service and repair the Shire's vehicle fleet, plant and equipment.
- It would allow the replacement Office building, which has been identified as the highest and most urgent priority, to be constructed in 2024-25.

The proposal to part fund the replacement Administration Office by raising a loan is justified because it is not a viable option to fund the project from Municipal Funds, and a loan would allow the cost to be spread over the 20-year term of the loan. The option of 'doing nothing' and continue with the current unsatisfactory arrangement is not recommended and would likely further reduce staff morale, create ongoing difficulties in recruiting staff and could result in the Shire being prosecuted under the Work Health and Safety Act for failing to provide a suitable and safe workplace for its outside workforce.

Although the cost estimates provided by the Quantity Surveyor to construct the new Administration Office are considered to be generous, the actual costs will not be known until tenders for construction are received. If the tendered prices were higher than the cost estimates provided by the Quantity Surveyor and included in this report, and Council was supportive of increasing the loan amount to make up the shortfall, it would need to readvertise its 'Intention to Borrow' and reapply to the WA Treasury Corporation (WATC) for a larger loan. This process would further delay the commencement of construction by 2-3 months. It is therefore recommended that Council include an additional contingency of \$100,000 in the loan application which would provide WATC approval to borrow up to \$1.3 million should that be required.

The advice received from WATC is that the amount of the loan can be reduced if the tender price is less than the budget but cannot be increased if the tender price is more than the budget without readvertising and reapplying for larger loan.

Statutory Environment

Section 6.20 part (1) of the Local Government Act 1995 provides a local government with "Power to Borrow" money to enable the local government to perform the functions and exercise the powers conferred on it under the Act or any other written law.

Section 6.20 part (2) of the Local Government Act 1995 states that where a local government proposes to borrow money and details of that proposal have not been included in the annual budget for that financial year, the local government must give one month's local public notice of the proposal and the resolution is to be by absolute majority.

Section 3.57 of the *Local Government Act 1995*, and Part 4 of the Local Government (Functions and General) Regulations 1996, provides a mechanism for purchase of goods and services by Public Tender.

The Shire of Bridgetown-Greenbushes' Purchasing Policy provides compliance with the *Local Government Act 1995* and the Local Government (Functions and General) Regulations 1996 for the procurement of goods and services.

The design for the replacement Shire Depot office building and sheds complies with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply for facilities of this nature.

Integrated Planning

- Strategic Community Plan
 - Outcome 16 An engaged and effective workforce
 - Objective 16.1 Attract, train, develop and retain an effective workforce.
- Corporate Business Plan
 - Outcome 16 An engaged and effective workforce
- Long Term Financial Plan
 - Other than the funds allocated in the Shire's 2023-24 Budget from the insurance payout, there are no other additional funds allocated for the replacement of the Depot facilities lost in the fire.
- Asset Management Plans
 - The replacement office building and sheds will need to be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
 - Although not specifically included in the Shire's Workforce Plan 2018-2022, the replacement office building at the Depot will provide suitable long-term accommodation for the Shire's outside workforce.
- Other Integrated Planning - Nil

Policy/Strategic Implications

The Shire's Purchasing Policy FM4 requires public tenders to be invited for purchase of goods and services of \$250,000 and over.

Budget Implications

A capital budget allocation of \$633,176 has been provided in the Shire's 2023-24 Budget for the replacement of Depot facilities destroyed in the fire.

Whole of Life Accounting

The replacement buildings and structures that are proposed in this report for the Shire Depot will be included on the Shire's Asset Register and funds included in the Shire's Long Term Financial Plans for routine and programmed maintenance and depreciation.

Risk Management

The main Risk identified in relation to this item is **Work Health and Safety**. The Consequence could be Reputational and/or Financial if a Work Health and Safety claim was made against the Shire for failing to provide a suitable workplace. The Risk Consequence is considered to be Major and the Likelihood Possible resulting in a High Level of Risk. The Risk is mitigated by adopting the recommendation contained in this report which will lead to provision of a suitable and safe working environment for the Shire’s outside workforce staff.

In addition, as a legislative requirement, the Architect will produce a ‘Safety in Design’ report that will mitigate both construction risk and user risks during operation.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

ITEM NO.	C.22/0224	FILE REF.	860
SUBJECT	Standardised Acknowledgement of Country		
PROPONENT	Cultural Inclusion Advisory Committee		
OFFICER	Manager Community Services		
DATE OF REPORT	December 2023		

OFFICER RECOMMENDATION:
That Council;

1. *Adopt the revised Acknowledgement of Country, which includes the socio-linguistic names Kaneang, Wadandi and Pibelmen as written below:*

Acknowledgement of Country – Meetings and formal events/functions

'We acknowledge the cultural custodians of the land on which we gather, the Kaneang, Pibelmen and Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Acknowledgement of Country – Emails and Communications

'We acknowledge the cultural custodians of the land, the Kaneang, Pibelmen and Wadandi. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

2. *The revised Acknowledgement of Country is to be used by shire staff as an email signature, at formal meetings and functions and offered to the community, groups, private residents and the business community for functions and formal occasions*
3. *Install the revised Acknowledgement of Country as a visual Acknowledgement of Country to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library and the glass door of the customer support area of the administration building, reporting back to Council for design and installation method approval.*

Summary/Purpose

These recommendations seek to correct the Shire's Acknowledgement of Country and ensure Council includes all the socio-linguistic groups connected to the country contained within the Shire boundaries. The officer recommendations are in alignment with the recommendation received from Karri Karrak Cultural Advice Committee on how we can most appropriately word the Acknowledgement of Country for this shire.

Background

As a way of providing some historical background and context the small summary of Tindale's work has been included;

Ethnologist Norman Tindale (1974) who built upon the work of Bates identified 13 'tribal groups' based on socio-linguistic boundaries and minor dialect differences who inhabited an area to the west of a line drawn roughly from Jurien Bay in the north to Esperance in the Southeast. Tindale's (1974) research identified three language groups occupying the upper Blackwood Area at Bridgetown. One of these groups was Kaneang, who was reported to occupy the upper Blackwood area and east to a line joining Katanning, Cranbrook, and Tenterden; at Kojonup, Collie, Qualeup, Donnybrook, Greenbushes, Bridgetown. The group south of the Blackwood River were identified as Pibelmen and occupied an area on the Lower Blackwood River; chiefly between the hills in country between the Blackwood and Warren Rivers; East of the Gardener River and Brooke Inlet; along Scott River inland to Manjimup and Bridgetown Tindale 1974; 255). The third group north of the blackwood River towards the coast to the west was identified as Wadandi.

Tindale (1974:259). Tindale describes the Wadandi territory as "From Bunbury to Cape Leeuwin, chiefly along the coast at Geographe Bay in the vicinity of Nannup and Busselton." Report of an Aboriginal Heritage Survey for the Proposed Blackwood River Foreshore, Development in Bridgetown, Western Australia" B Goode, Louise Huxtable, S Johnston December 2017.

In November 2021 (C.17/1121) Council establish a Bridgetown-Greenbushes Cultural Inclusion Advisory Committee for the two-year term expiring 21 October 2023, and endorsed the Instrument of Appointment & Delegation for the Bridgetown-Greenbushes Cultural Inclusion Advisory Committee.

In March 2022 (C20/0322) Council in part approved that the;

1. *Shire provide a standard Acknowledgement of Country to be offered for use within the shire by community groups, private and business functions with Local Aboriginal Elder Sandra Hill and report back to Council.*

In September 2022 Council (c.13/0922) decided in part to:

1. Revoke Policy M.37 Acknowledgment of Country
2. Adopt the Acknowledgement of Country as recommended by the Cultural Inclusion Advisory Committee to be used by the Shire as an email signature, at formal meetings and functions and offered for use to community groups, private residents and the business community for functions and formal occasions as written below:
 - a. Acknowledgement of Country – Meetings and formal events/functions

'We acknowledge the cultural custodians of the land on which we gather, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps'

- b. Acknowledgement of Country – Emails and Communications

'We acknowledge the cultural custodians of the land, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps'

In late November 2023 the CEO was contacted by an officer from the South West Land and Sea Council to inform the shire that the Acknowledgement of Country was not reflective of the language groups that should be included in the Acknowledgement of Country for this shire

Officers then contacted Brad Goode, an Anthropologist that undertakes anthropological Aboriginal Heritage Surveys throughout the south west, to discuss the

best way to navigate the issue without offending any specific socio-linguistic group or creating disagreement.

Officers then made contact with the CEO of the Karri Karrak Aboriginal Corporation to request advice from the Cultural Advisory Committee. The Karri Karrak committee recommended that Council should include all three groups in all acknowledgements to Country, as per the current officer recommendations.

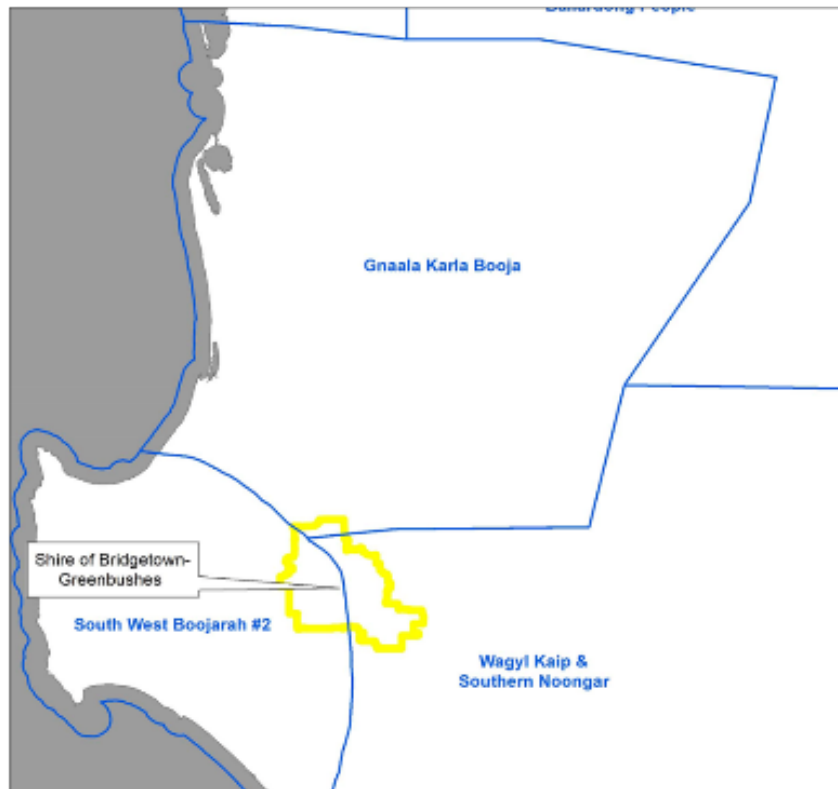
There are different spellings of Pibelmen depending on the organization, Traditional Powner or anthropologist written the name of the socio-linguistic group. In the communications with Karri Karrak the names of the language group has been spelt Pibelmen and the officer recommendation is in alignment with that spelling.

Officer Comment

In 2021 the State of Western Australia and the South West Aboriginal Land and Sea Council (SWALSC) executed an Indigenous Land Use Agreement (ILUA), recognising the full and final settlement of Native Title. The SWLSC set up 6 regional Aboriginal Corporations to administer benefits of the Native Title Settlement, including heritage under the NSHA. For the Bridgetown Shire you have Karri Karrak, Gnaala Karla Booja and the Wagyl Kaip Southern Noongar Aboriginal Corporations.

Resulting from the settlement of native title in the South West, the SWALSC and the state developed the Noongar Standard Heritage Agreement (NSHA). This agreement governs the conduct of heritage survey in the region. The agreement sets survey terms, types, and processes and moves the agreement area from dependence to self-determination of Noongar people by giving the six Noongar regional corporations the tools and rights to take control of their own cultural heritage and govern who consults on Aboriginal heritage and how.

The 3 Aboriginal Corporations specifically overseeing Aboriginal cultural heritage within the Shire are - Karri Karrak, Gnaala Karla Booja and Wagyl Kaip Aboriginal Corporations. The Corporations have been developed to become the lead agencies in on all Aboriginal cultural concerns.



During discussions with the CEO of Karri Karrak(South West Boojarah) it was clearly stated that the corporations would take full responsibility for all advice provided and direction/recommendations given regarding Aboriginal Culture, Heritage, Surveys, Interpretation, stories and truth-telling . Until recently all three corporations have been working through their organisational and operational structure and governance, however the Cultural Advisory Committees (CAC) are starting to provide services and advice to external stakeholders.

Once fully operational and depending on the topic and the location of the cultural or heritage concern Council may be required to seek advice from one or all three corporations. Forwarding requests to each CAC will also incur a fee for service once the fee schedule is completed and implemented.

Statutory Environment

- Aboriginal Heritage Act 1972
- Equal Opportunity

Integrated Planning

- Strategic Community Plan
 - Outcome 1 A growing community that is diverse, welcoming and inclusive
 - Objective 1.4 Grow recognition and respect for all cultures
 - Outcome 8 Local history, heritage and character is valued and preserved
 - Objective 8.1 Identify, preserve and showcase significant local history and heritage
- Corporate Business Plan
 - Action 1.4.1 provide a reconciliation action plan

- Action 1.4.2 facilitate the collection and sharing of information and stories about local culture and history including NAIDOC Week and Harmony Week
- Action 8.1.4 partner with the Historical Society to improve promotion of local history and heritage

- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk is High and is relevant to all three recommendations given the likelihood that community and other members of the socio-linguistic groups located in the Southwest have already gained knowledge of the oversight. Use of Council’s revised Acknowledgement to Country mitigates this reputational risk.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements –Simple Majority

ITEM NO.	C.23/0224	FILE REF.	
SUBJECT	Waiving of Fees – Jigsaw Gallery – Bridgetown-Greenbushes Heritage Festival 2024		
OFFICER	Manager Visitor Servicing		
DATE OF REPORT	21st February 2024		

OFFICER RECOMMENDATION

That Council waive fees of \$5 adults, \$3 children and \$12 family to the Jigsaw Gallery, as published in the 2023/2024 Shire of Bridgetown-Greenbushes fees and charges, on Saturday 13 April 2024 from 10am to 2pm for an Open Day event as part of the Bridgetown-Greenbushes Heritage Festival

Summary/Purpose

The recommendation seeks to support the Bridgetown Heritage Festival by offering audience members the opportunity to access the Jigsaw Gallery free of charge during the Open Day for the Heritage Festival, on Saturday 13 April 2024 from 10 am until 2 pm.

Background

In April 2023, the first Bridgetown-Greenbushes Heritage Festival took place from Monday 17th April – Sunday 23rd April. This was a successful program of events that offered activities to locals and visitors during the second week of the school holidays. Feedback from attendees and community groups regarding the inaugural event was positive and supported its continuation and expansion.

Council decided in January 2023 to support the inaugural Heritage festival by endorsing the Jigsaw Gallery Open Day and waiving fees (C.08/0123). The Jigsaw Gallery Open Day was held on Saturday 22nd April 2023 as part of the Heritage Festival and received 175 people through the Jigsaw Gallery and Visitor Centre.

The Jigsaw Gallery currently has an entrance fee of \$5 adults, \$3 children and \$12 family as published in the 2023/2024 Shire of Bridgetown-Greenbushes fees and charges.

Saturday 13th April was chosen for the Open Day as it is the second week of the school holidays and does not clash with other events happening in the Bridgetown-Greenbushes area. The Blackwood River Arts trail will take place in the first week (1-7 April) of the school holidays.

Officer Comment

Bridgetown was granted Historic Town status by the National Trust in 2000 and is the only town in the south west to be granted this title. Globally, heritage tourism has become one of the largest and fastest growing tourism sectors, with the United Nations World Tourism Organisation estimating that more than 50% of tourists worldwide are now motivated by a desire to experience a country's culture and heritage. Gains from heritage tourism are amplified throughout the global economy with economic, social, and environmental benefits generally much larger than direct spending levels. Research indicates that visitors to heritage-based activities are more likely to seek high value experiences and deliver a higher spend than nature-based activities.

Heritage tourism activities contribute to longer stays, as well as attracting new visitor markets to regional Australia.

The Bridgetown-Greenbushes Heritage Festival 2024 will take place during the second week of the school holidays, from Monday 8th April through to Sunday 14th April. The theme for 2024 is "Connections". We encourage the community to celebrate the rich and diverse stories of our area, strengthen cultural and historical ties and forge new bonds. We celebrate our link to people, places and the past, and the enduring connections that will shape the future of heritage.

The Jigsaw Gallery has strong heritage themes and has been identified as a venue to be included for the Bridgetown Greenbushes Heritage Festival 2024, to encourage visitation to Bridgetown and to raise awareness in the community about the gallery. To this end the Open Day event will encourage locals and visitors to attend the Visitor Centre and Jigsaw Gallery to learn more about the services available at the Visitor Centre and the events and activities on offer in Bridgetown and Greenbushes. The Open Day will also provide an opportunity to showcase the new Descendants Collection that has recently been included for display in the gallery. The Open Day hours will be from 10am to 2pm.

Data will be collected of people attending the events to track where visitors are travelling from. It is hoped that this will be a yearly schedule of heritage events to feature in heritage listed Bridgetown. In 2025, the festival will expand to be branded under the Southern Forests and Valleys tourism brand and grant funding and organisation will start in June 2024.

If the Visitor Centre has moved to the new building before this date, the BGTA are aware they will be forfeiting entry fees into the space. No date has been given for the new Visitor Centre opening at the date of writing this report.

On an average Saturday the Jigsaw Gallery can be expected receive an income of approximately \$23. At the Jigsaw Gallery Open Day in 2023 175 participants enjoyed the Visitor Centre and Jigsaw Gallery, if these patrons were to pay, Council could expect income of between \$300 and \$600 depending on the category of the participants (Adult, Child, Family). However, Council may not see the vast increase in participation if the fee was not waived. The estimated impact on the Jigsaw Gallery income has been estimated at \$23. This figure was derived as an average daily income for the Jigsaw Gallery, taken across the April 2023 School Holidays.

Statutory Environment

2023/24 Fees & Charges – Shire of Bridgetown-Greenbushes

Integrated Planning

➤ Strategic Community Plan

- | | |
|----------------|--|
| Outcome 8 | Local History, heritage and character is valued and preserved |
| Objective 8.1 | Identify, preserve and showcase significant local history and heritage. |
| Outcome 12 | Bridgetown Greenbushes is regarded to be a major tourist destination |
| Objective 12.3 | Develop and promote festivals, events and trails that showcase the areas natural assets and core competencies. |

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

There are minor budget implications with an average loss of income for Jigsaw Gallery being calculated as \$23, based on takings in the 2023 April School Holidays.

Whole of Life Accounting

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Financial, less than \$500.

The financial risk is low. In April 2023 across Saturday trading outside of the Open Day, the Jigsaw Gallery averaged entry takings of \$23. The average visitation to the Visitor Centre over the same Saturdays was 29 people through the door, with visitation increasing to 175 on the open day, due to the free entry. The loss of the entry fees is outweighed by the increased exposure to the products and service of the Visitor Centre, so the financial risk is minimal.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.24/0224	FILE REF.	
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SUBJECT	Bridgetown Leisure Centre Assets Upgrades
OFFICER	Coordinator Bridgetown Leisure Centre
DATE OF REPORT	19/02/2024

OFFICER RECOMMENDATION

That Council:

- 1. Approve the replacement of the Bridgetown Leisure Centre (BLC) Court Scoreboards at a cost of \$36,940 (excl GST)*
- 2. Approve the replacement of the Swimming pool and Mezzanine Sound Systems for Group Fitness Classes and Community Events at a cost of \$17792 (excl GST)*
- 3. Transfer the sum of \$47,202 (\$36,940 + \$10,262) from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE22 Dry Area Programs to cover the cost of purchasing and install new scoreboards and the Mezzanine Sound System.*
- 4. Transfer the sum of \$7530 from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE23 Wet Area Programs to cover the cost of purchasing a new swimming pool sound system.*
- 5. Note that in approving recommendation 1-4 the budget amendment will increase the 'materials and contracts' allocation for*
 - Account RE22 (Dry area programs) from \$8,900 to \$56102*
 - Account RE23 (Wet Areas Programs) from \$500 to \$8030*
 - Decrease the Recreation Centre Floor & Solar Reserve by \$54,732 from \$260,892 to \$206,160.*

Summary/Purpose

These recommendations seek to meet the needs of the community and community sporting groups by replace the existing broken scoreboard and scoring control system and the broken sound systems with new, technically contemporary, and user-friendly equipment for pool side and indoor fitness classes.

Background

The score boards have been compromised for the last 3 months and fully dysfunctional for the last month. This has been an ongoing problem for the Basketball and Netball Associations, with the scoring systems failing during games and competitions, impacting their ability to conduct their competitions effectively.

The current scoreboard system is also not user-friendly making it difficult to change timing parameters for game time, breaks, and time outs or set up for tournaments, creating undue time delays during games and increasing stress on players and staff.

The current sound system in the Mezzanine is not fit for purpose, continuing to fail during classes. As a result, the fitness instructors must raise their voices to instruct classes. Having instructors continue in this manner is not sustainable for the fitness instructors and does not provide good service delivery to class participants.

Fitness Instructors are also having to provide their own portable sound systems from home to play music for classes as the current sound system, when operating, does not allow for music and voice to be broadcast simultaneously. This impacts the private fitness instructors that hire the facility to run their own classes. This has been an ongoing problem for several years with only one working sound system in the whole facility and now this sound system is very unpredictable when operating for classes.

The programs and community user groups are constantly growing at the BLC and with this added pressure are being placed on BLC assets. The following assets are in dire need of replacing:

Officer Comment

The BLC Coordinator has worked closely with the user groups and fitness instructors (internal and external) to try and mitigate the impacts of the facility functioning with equipment that is not fit for purpose, inadequate or broken, however, as the BLC attracts an increased number of participants, members and external venue hires the importance of offering equipment that is fit for purpose, user friendly and functional becomes a priority.

Failure to replace the scoreboards may also result in Basketball WA and Netball WA not being able to host major events at the Bridgetown Leisure Centre. Each year these major events draw about 500 to 600 visitors to the shire which will lead to lost revenue for the Shire and local businesses in the town.

Statutory Environment

Section 6.8 of the Local Government Act requires an absolute majority decision for expenditure not included in the annual budget.

Integrated Planning

- Strategic Community Plan
 - Outcome 2 Good Health and community wellbeing
 - Objective 2.2 Provide quality sport, leisure and recreation services
 - Objective 2.4 Build community capacity by supporting community organisations and volunteers

- Corporate Business Plan
 - Outcome 2 Good health and community wellbeing
 - Objective 2.2 Provide quality sport, leisure and recreation services.
 - Action 2.2.4 Provide and expanded range of activities at Bridgetown Leisure Centre.

- Long Term Financial Plan - Nil

- Asset Management Plans - Nil

- Workforce Plan - Nil

- Other Integrated Planning - Nil

Policy Implications

N/A

Budget Implications

The total cost of replacing Scoreboards and Group Fitness Sound Systems at the BLC is \$54,732. If Council endorse the officer recommendations the 2023-24 budget will reflect the transfer of funds from the Recreation Centre Floor & Solar Reserve of \$54,732 to Account RE22 (Dry area Programs) with budget allocations for materials and contracts increasing from \$8,900 to \$56,102.54 and Account RE23 (Wet area Programs) budget allocation for materials and contracts increasing from \$500 to \$8030.25.

Whole of Life Accounting

The principles of Whole of Life Accounting are met by providing updated assets that will enable whole of life cycle accounting considerations to be assessed thus allowing for capital and maintenance costs to be identified during planning and implementation.

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Financial, Reputational External and Internal.

Financial Risk – the financial risk is High given the potential for loss of user groups, larger regional competitions, facility hire and community participants if the facility does not have available and in use, equipment that is functional and fit for purpose.

Reputational Risk (External)– the reputational risk is High due to the raised awareness of the issues caused by the dysfunctional/broken equipment and community frustration at not receiving reasonable and expected service provision in relation to facility use.

Reputations Risk (Internal) – the reputational risk is high given the stress felt by staff associated with trying to explain to community why the equipment does not work and attempting to mitigate any negative impacts on customer experience, resulting in low staff confidence and morale.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
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Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

ITEM NO.	C.25/0224	FILE REF.	123
SUBJECT	Repeal Policies CS 1 – Library – Personal Use of Computer, CS 2 – Library Membership and CS 3 – Library Loans		
OFFICER	Manager Community Services		
DATE OF REPORT	February 2024		

Attachment 42 CS 1 – Library – Personal Use of Computer

Attachment 43 CS 2 – Library Membership

Attachment 44 CS 3 – Library Loans

OFFICER RECOMMENDATION

That Council repeal the CS 1 – Library – Personal Use of Computer as shown in Attachment 42, CS 2 – Library Membership as shown in Attachment 43 and CS 3 – Library Loans as shown in Attachment 44.

Summary/Purpose

This recommendation seeks to repeal the three policies (above) relating to the Library given the operational nature of the subject matter which they contain and the more appropriate and effective way to cover this content through internal administrative processes.

Background

Council adopted the CS 1 – Library – Personal Use of Computer in October 2002, CS 2 – Library Membership in November 2017 and CS 3 – Library Loans in November 2017.

Repealing these policies will allow more flexibility in service provision and can be more effectively implemented through administrative methods including procedures, operating guidelines on terms and conditions of membership form and educating patrons through staff engagement and promoting guidelines that govern library use.

Officer Comment

The information included in the terms of Library computer use by patrons, Library membership and loans, are essentially guidelines for patrons and the administrative procedures for Library staff, rather than internal council policy. The information contained within the policies can be easily, and more effectively captured and implemented as procedures and operational guidelines to be promoted at the library so that patrons understand their responsibilities and Library staff can continue to administer these elements of everyday Library operations.

The day-to-day administration of library loans and memberships, including enrolment, renewal, and record-keeping, are already managed by library staff who are well-equipped to handle these tasks efficiently. Removing formal policy requirements can provide administrators with the flexibility to adapt membership and library loan

procedures and management to meet changing needs and circumstances promptly through the CEO rather than formally through council.

The requirements and responsibilities of patrons using the Library will continue to evolve in response to changing community demographics, technological advancements, and service offerings. An example of this was seen last year with the change in state library funding and the response of the consortia to fill the gap in service delivery. Permitting Library staff to react quickly to these changes and develop procedures to optimize service delivery, allows flexibility and responsiveness in real-time and enables the library to better meet the diverse needs and expectations of its patrons.

While administrative management of library memberships loans and computer use provides a level of autonomy, it is crucial to implement the procedures and develop monitoring mechanisms to ensure accountability, transparency, and compliance with relevant regulations. Regular reporting and evaluation of membership-related practices can help maintain high standards of service delivery.

Statutory Environment

s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government’s policies

Integrated Planning

- Strategic Community Plan
Outcome 13 – Proactive, visionary leaders who respond to community needs.
Objective 15 – A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements –Simple Majority

ITEM NO.	C.26/0224	FILE REF.	
SUBJECT	Update on Works & Services Programme		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	22/02/2024		

OFFICER RECOMMENDATION

That Council note the current status of the Works & Services programme for the month of February 2024.

Summary/Purpose

To provide a monthly Infrastructure & Works project status report to Council.

PROJECT UPDATES

Construction:

Eedle Terrace

The sealing of approximately 250m on Eedle Terrace was completed in February. Due to an unexpected pavement fault on the sealing day, a small section adjacent to the road to a property boundary was not able to be completed. This will be completed at a later date. Overall project cost is still expected to be within budget.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
RC01	Eedle Terrace	\$40,000.00	\$20,635.17	\$15,322.25	\$(1,230.00)	\$34,727.42	\$5,272.58



Geegelup View

The sealing of approximately 100m at the end of Geegelup View was completed in February. The site is extremely steep and was difficult for machinery to access. The result at the top end of the road is less than ideal and will require some hand applied patching in the near future. Despite the rough finish, the project goal of improving property access has been achieved. Current financial figures show the project is over budget however the final contractor sealing cost will depend on actual materials used.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
RC65	Geegelup View	\$15,000.00	\$3,437.82	\$16,230.24	\$1,230.00	\$20,898.06	\$(5,898.06)



Maintenance:

Grading – Maintenance grading of Carburnup Brook Road and Polina Road complete. Maintenance grading continuing along Elwins road and gravel school bus routes. Currently only one grader is in operation due to staffing issues. One of our Parks crew (experienced grader operator) is temporarily carrying out grader road maintenance and basic construction works when required. Due to our reduced capacity we are prioritising school bus routes and capital works which means not all roads in particular areas are being graded at the moment.

Parks & Gardens – Several Total Fire Bans during the months of January and February saw a reduction in mowing, however, have managed to have parks back up to 99% completed. Time during TFB was allocated to general park clean-ups, retic repairs, electric pruning and watering. The Shire assisted the Water Corp during recent town water supply issues by turning off the lawn reticulation at our sites for extended periods. While not ideal during a heatwave, the impact on the lawns was minimal and temporary.

Winter plantings are currently being planned. Since many garden beds in the Bridgetown and Greenbushes CBD require hand watering, we are looking at native species to allow for more sustainable gardens and a reduction in water use.

The Leisure Centre underwent a garden revamp with new plantings, mulching and repairs to retic. The Bridgetown Sportsground has been top-dressed following completion of the reticulation and drainage works. General spot spraying of weeds is in progress around the towns.

Trees – A contractor has been busy around the Shire undertaking extensive powerline pruning works. The work is ongoing however the bulk of the scope has been

completed. Some trees in Hester have been completely removed by another contractor after they were identified as very high risk.

Storms – Various cleanup works are still planned from the last storm. Some non-urgent verge cleanups are being done and Elphick-Fleeton Rd requires some work to reinstate impacted drainage infrastructure.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
ZA09	Storm Damage Roads Built Up Areas	\$51,779.00	\$57,175.87	\$-	\$-	\$57,175.87	\$(5,396.87)
ZA10	Storm Damage Roads Outside Sealed	\$64,384.00	\$20,242.13	\$-	\$-	\$20,242.13	\$44,141.87
ZA11	Storm Damage Roads Outside Unsealed	\$66,395.00	\$32,976.01	\$-	\$-	\$32,976.01	\$33,418.99

Bridges – Main Roads WA have recently completed a scheduled detailed inspection of bridge 3332 on Old Bridgetown Road. This inspection has identified some emergency works that need to be undertaken. Quotes are currently being sought so the cost is not yet known. Being a very small bridge it is expected the cost will be manageable.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
BM01	General Bridge Maintenance	\$106,757.00	\$76,353.58	\$4,790.00	\$-	\$81,143.58	\$25,613.42

Plant:

Sweeper – The new street sweeper has been put to work around town and is having an impact. Despite the increased performance compared to the old sweeper, it's been slow going due to all the material on the footpaths from the hot weather.



Light Vehicles – Two utilites were sold by public auction in February with both achieving sale prices well above reserve. Sales are yet to be completed so are not present in the financials.

Statutory Environment
Local Government Act 1995

Integrated Planning
➤ Strategic Community Plan

Outcome 6 A sustainable, low-waste, circular economy.

Objective 6.1 Provide sustainable, cost effective waste management infrastructure and services

Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
Objective 9.1 Improve road safety and connectivity.

- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications – not applicable

Budget Implications – none

Whole of Life Accounting – not applicable

Risk Management – not applicable

Measures of Likelihood			
Rating	Description	Frequency	Probability
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Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Receival of Minutes from Management Committees

Nil

Urgent Business Approved by Decision

Responses to Elected Member Questions Taken on Notice

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

C.27/0224 – Employment of Executive Manager Corporate Services

C.28/0224 – Advisory Committee Nomination

C.29/0224 – RFT 01–23/24 Bush Fire Brigade Appliance Servicing and Repairs

Closure

The Presiding Member to close the meeting.

List of Attachments

Attachment	Item No.	Details
1	C.01/0224	Ordinary Council Minutes – 14 December 2023
2	C.02/0224	Ordinary Council Minutes – 25 January 2024
3	C.03/0224	Policy G 1 – Policy Manual
4	C.03/0224	Policy G 4 – Meetings of Council
5	C.03/0224	Policy G 5 – Elected Members – Presentations on Retirement.
6	C.03/0224	Policy G 9 – Public Attendance at Meetings – Agendas
7	C.03/0224	Policy G 15 – Provision of Information for Councillors
8	C.03/0224	Policy G 19 – Council Photographs
9	C.03/0224	Policy G 20 – Audio Recording of Meetings
10	C.03/0224	Policy G 21 – Advertising of Annual General Meeting of Electors
11	C.03/0224	Policy CM 1 – Decision Making
12	C.04/0224	G 11 Organisation Structure Policy
13	C.04/0224	R 2 Timber Royalties Policy

14	C.04/0224	G 7 Civic Receptions – Approvals/Rejections of Requests Policy
15	C.04/0224	RC 1 Art Acquisitions Policy
16	C.04/0224	CS 8 Swimming Pool Entry Age Policy
17	C.04/0224	G 8 Meetings of Council – Distribution and Release of Minutes Policy
18	C.04/0224	CR 5 Bereavement Notices Policy
19	C.04/0224	P 11 Staff Housing Policy
20	C.04/0224	P 10 Private Telephones Policy
21	C.05/0224	PR 1 – Functions in Shire Reserves or Parks Policy
22	C.06/0224	Draft Amended Policy CM 2 – Electoral Caretaker Period.
23	C.06/0224	Current Policy CM 2 – Electoral Caretaker Period.
24	C.07/0224	Risk Management Framework 2024
25	C.08/0224	Draft amended Policy RM 1 - Risk Management
26	C.08/0224	Current Policy RM 1 - Risk Management
27	C.09/0224	Adopted Delegations Register - Council to CEO 2024-25
28	C.10/0224	Draft amended Policy G 2 – Council Member Continuing Professional Development.
29	C.10/0224	Current Policy G 2 – Councillor Training/Conferences and Continuing Professional Development.
30	C.10/0224	Policy P 8 – Conferences/Fact Finding Tours
31	C.11/0224	Draft amended Policy LS 1 – Legal Representation For Elected Members and Employees
32	C.11/0224	Current Policy LS 1 – Legal Representation – Costs Indemnification
33	C.12/0224	Draft amended Policy P 15 – Accrual of Annual Leave
34	C.12/0224	Current Policy P 15 – Accrual of Annual Leave
35	C.13/0224	Draft amended P 5 - Equal Opportunity Employment Policy
36	C.13/0224	Current P 5 - Equal Opportunity Employment Policy
37	C.16/0224	2023 Compliance Audit Return
38	C.17/0224	January 2024 Partnering for the Future 2023 Report
39	C.18/0224	Agenda Item C.03/0124 – Talison Partnering the Future – Budget Amendment
40	C.20/0224	January 2024 – Financial Activity Statement

41	C.20/0224	January 2024 – List of Accounts
42	C.25/0224	CS 1 – Library – Personal Use of Computer
43	C.25/0224	CS 2 – Library Membership
44	C.25/0224	CS 3 – Library Loans

Agenda Papers prepared and
recommended by L Taramoeroa,
Executive Assistant



DATE 26 February
2024

Agenda Papers authorised by
N Gibbs, CEO



DATE 26 February
2024



Council Minutes Index – 14 December 2023

Subject	Page No
Opening of Meeting.....	3
Acknowledgment of Country.....	3
Attendance, Apologies and Leave of Absence.....	3
Attendance of Gallery	3
Responses to Previous Questions Taken on Notice	3
Public Question Time.....	5
Petitions/Deputations/Presentations	6
Comments on Agenda Items by Parties with an Interest.....	9
Applications for Leave of Absence	10
Confirmation of Minutes	10
C.01/1223 Ordinary Council Meeting held 2 November 2023	10
C.02/1223 Ordinary Council Meeting held 30 November 2023	10
Announcements by the Presiding Member Without Discussion	10
Notification of Disclosure of Interest.....	11
Questions on Agenda Items by Elected Members.....	11
Consideration of Motions of which Previous Notice has been Given.....	12
C.03/1223 – Appointment of Fire Control Officer	12
C.04/1223 - Greenbushes Laneway Naming Project	13
C.05/1223 - Renewing of Greenbushes Cemetery Markers	16
Reports of Officers	19
CEO's Office	19
C.06/1223 – Proposed New Local Law Relating to Fencing.....	19
C.07/1223 - Review of Policy FM 4 – Purchasing.....	26
C.08/1223 - Replacement of Shire Depot Facilities	34
C.09/1223 - Construction of Wandillup and Greenbushes Bush Fire Stations	41
C.10/1223 – Repeal Well Wishes from Council Policy	44
C.11/1223 – Proposed Ordinary Council Meeting Dates for 2024	46
C.12/1223 - Rolling Action Sheet	49
C.13/1223 - Standardised Acknowledgement of Country	51

C.14/1223 - Establishment of Work Health and Safety Officer	57
C.15/1223 – Work Health and Safety Act 2020 - Obligations.....	60
Corporate Services	70
C.16/1223 – List of Accounts Paid in November 2023.....	70
Development, Community and Infrastructure	74
C.17/1223 - Amendment 73 to Local Planning Scheme No 3.....	74
C.18/1223 - Process and timing for the preparation of the Local Planning Strategy	79
C.19/1223 – New Policy – Community Grants, Contributions and Donations	86
Receival of Minutes from Management Committees.....	92
Responses to Elected Member Questions Taken on Notice.....	92
Elected Members Questions With Notice.....	92
Notice of Motions for Consideration at the Next Meeting.....	92
Matters Behind Closed Doors (Confidential Items).....	92
C.20/1223 – 2024 Community Citizen of the Year Awards report (Confidential)	93
Urgent Business Approved by Decision	94
C.21/1223 – Annual Report & Annual Financial Report 2022/23.....	94
Responses to Elected Member Questions Taken on Notice.....	99
Closure.....	99
List of Attachments.....	99

MINUTES

For an Ordinary Meeting of Council to be held in Council Chambers on 14 December 2023, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land on which we gather. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford

Councillors - S Mahoney (Deputy)
- J Boyle
- M Christensen
- M Fletcher
- T Lansdell
- L Pearce
- A Pratico

Officers - N Gibbs, Chief Executive Officer
- M Larkworthy, Director Corporate Services
- P St John, Director Development, Community, and Infrastructure
- N Thompson, Infrastructure Services Administration Officer
- M Gillham – Principal Project Manager
- P Quinlivan – Projects Officer
- S Alexander, Manager Infrastructure & Works

Apologies - Cr R Redman
- M Richards, Manager Community Services

Attendance of Gallery

D Hocking, B Bebbington

Responses to Previous Questions Taken on Notice

B Longbottom

Question

Where is the evidence of reversing onto Stanifer Road dangerous?

Response - The evidence is contained in the October 2023 agenda item which referenced all the relevant Australian standards.

Question

Is that a decision that's been passed by the Council? What procedure do we have to go through to get this decision reversed?

Response - In order to do that, there are specific requirements set out in the local Government Administration Regulations 1996 that deal with the revocation, the revocation or change of a previous decision of the Council. Notice must be given of a motion to revoke or change a decision, and this must be signed by at least a third of the number by members of the Council inclusive of the Mover.

Question

What has happened with the speed limit on the road that was supposed to be brought down by main roads? It got changed in Bridgetown quickly why doesn't it get done in Greenbushes? This is in relation to the speed limit on Stanifer Street?

Response - We are still awaiting a formal response from Main Roads. Unfortunately, the Main Roads process is not expedient because they have many of these requests and there is a back log. If the response is negative, we will approach the Minister for Transport and ask for intervention.

Question

What about a school crossing? Has some consideration been given to that on Stanifer Street?

Response - The school is responsible for applying to the Education Department for a school crossing. The Shire is not permitted to do this. The school has submitted an application for a crossing and the Shire has now signed the school's application, confirming that we have no objection to the installation of the school crossing.

M Flemming

Question

The road behind the IGA and the creek is very badly broken at the edges and very dangerous. Is there any chance of that being done soon?

Response - Most of the land is private property. It's not a Shire-managed road.

Question

Does that mean that nobody is going to fix it because it's private property?

Response - We have sought professional advice on the power, if any, that local government has, over private car park and road space. We are still awaiting a response. In the new financial year, a thorough review of all the Bridgetown Greenbushes roads and car parks will be enforced.

P Crossan

Question

We've been told previously that they can't do anything about the pressure in the town water system. This is in Greenbushes. We brought up there is a 550-thousand-litre water tank there that could be flow fed from the fire hydrant line and have a standalone pump inside the station. So they pump from tank into truck.

Response - Water Corporation has advised that there is very little they can do with regards to the town pressure. At the completion of the new Greenbushes fire station, the old station will remain as a Shire asset with DFES utilising this station for State-managed response capabilities such as high season fires. This has operational benefit to the Shire and greater community, including neighbouring Shires. As for the tank, this will remain in situ and be plumbed to both stations to assist in filling fire units, with anticipation to have partial completion in the coming months and connected to town water to top up during the hot months.

Public Question Time

B Bebbington

Question

In relation to Town Planning Scheme Amendment 73, re advertising item. It has been confirmed this afternoon that it will be appearing, if it's approved, will be appearing on public notices and community consultation for the 42-day period. Will there be any changes to the document that was distributed to people previously or to that which appears on the website other than the amendment to the map?

Director Development, Community, and Infrastructure - I'm not anticipating any changes other than the changes to the map Councillors, but if there's another change that community members consider necessary, I'm happy to look at that, but at the moment we just anticipate changing the map.

Question

In relation to that, the main issue that I have is in relation to the statement that it only applies to the fringes of the central business district or the fringes of the Bridgetown town, when clearly commercial area impacted is the entire commercial sector of the town. I would like that to be amended in any future documentation to ensure that there can be no misconstruing by anyone.

Director Development, Community, and Infrastructure - The Shire will review the wording of the documentation when the amendment is further advertised to make it clear that it applies to the whole of the Commercial zone under Town Planning Scheme No 3.

Question

Could we also change reference to Hampton Road to Hampton Street? Could we, if there are changes being done, include a better description of the area that the other streets, because the commercial area does go right past Miter Ten. There are some

streets in Roe Street which possibly, again, nobody can say what people think when they see a document. But I would like to make sure that the Shire gives every possible opportunity for everyone to be fully informed. Would that be okay?

Director Development, Community, and Infrastructure - The Shire will review the description of the roads when the amendment is further advertised.

Petitions/Deputations/Presentations

Pat Quinlivan, Project Management Officer, provided a PowerPoint presentation on the concept plans for the new depot. The key points/slides included:

- Acknowledgement of Steele Alexander (Manager, Infrastructure) and his outside crew who provided a lot of input and contribution to the development of the concept plans.
- The first plan is the contour map, which is important for any building. The red area shows the fire zone, the highest risk area.
- The pink outline to the left is the old depot site.
- The proposed site plan shows the location of a new office building at the main entrance. Previously, the office was right down the back end of the site. When the fire came through and destroyed those buildings, it provided the opportunity to look at a more suitable site for the office building and the obvious location was somewhere close to the main entrance so that there could be visual surveillance of any vehicles entering and exiting the site.
- One of the issues with the current location of the main gate was that there were not clear sight lines to the left of vehicles sort of coming down this way. So, the concept plan proposes that we relocate the main gate from around about here, approximately 30 to 40 odd meters further up, where there are clear sight lines and a safer entry and exit to the site.
- We have a 20-bay staff car park adjacent to the proposed office building. That would provide a safe and secure parking arrangement for outside staff who will come to the depot in the morning and park their cars and then head off for their duties.
- There is an access roadway between the office and the replacement workshop building.
- The workshop building is designed to be a one-way sort of traffic flow. When there's servicing of vehicles, they will come in the front door and be able to drive out onto the ring access road. That is one of the features of the plan for improved safety, that it will be a one-way traffic flow around that central area.
- We have proposed a new water storage tank which would capture the water from the roofs of the new office building and the workshop and be available in the event of another fire, to access that water.
- There is a proposed realignment of the perimeter fencing along.

- At some point in the future there may be a need for additional storage/sheds.
- There are two sheds that are proposed on the western boundary for storage of heavy light vehicles (future development).
- A proposed new arrangement for the bulk materials (gravel and blue metal).
- The proposed floor plan for the office building is probably the highest priority of any of the works. The current situation where the outside workforce staff are operating from residential housing is inappropriate.
- A modest but functional office facility is proposed.
- A plan showing the footprint of the workshop building is provided.
- There will be a hoist located in the light vehicle area for servicing.
- The elevations show what the buildings will look like from the south, west and north elevations.

Questions

Shire President – I am assuming that this is going to be sufficient capacity for foreseeable future and is there capacity for further extensions if need to be, well into the future?

Response - In terms of the office space area, it has been designed to accommodate future growth. We think what is ahead now will probably last the Shire a very long time in terms of its design and capacity, but there is certainly the opportunity to look at expansion in the future if that was required. My thought is that it is probably a long way down the track before that would be required and this is a long-term investment for Council to get some fit for purpose facilities for the outside staff. It is a very important project for the Shire of Bridgetown - Greenbushes.

Cr Pratico - You mentioned the workshop, will that be high enough for them to have an eight-wheeler truck with the hoist up?

Response - The intention is to allow enough height that if we needed to get a heavy vehicle hoist, we could do that. Although in the short term we are not planning on doing that, we will have the capacity.

Cr Fletcher - I noticed on the plan public access will take them outside the fencing, is that right?

Response - Correct.

Cr Fletcher - You mentioned only one way, but I noticed the car park, once the people in the office come out of the car park, they can turn right. They don't have to go right around the facility.

Response - Formalising that traffic flow probably did happen as part of the detailed design. But the access there is really just for the outside staff to come in the morning, park and leave in the afternoon. There shouldn't be any real

conflict because of the almost non-existent traffic movement from behind there. There probably does need to be some consideration on how to manage that properly, however there is plenty of space there to handle that.

Cr Fletcher - Has it been designed so PV panels can be added at some point?

Response - The cost estimate will include provision for the PV panels and capacity for battery storage. We would like to think this building could run almost off-grid. Plus, there is plenty of roof space on top of the workshop building as well, to put additional panels if that should be required. We are certainly very keen to get the panels these days, they are quite reasonably priced in terms of the overall scheme of things, for example, \$20,000 would get you a ten-kilowatt system, which would be more than enough to run that office building. Very keen to include that as part of the design and I think it would be great if our depot was the first one in W.A that was off the grid.

Cr Mahoney - At what stage will there be consideration as to what materials are used so that the maintenance costs of the buildings are low long-term?

Response – We are looking at a steel or timber frame and; is it fibre cement panels on the external area?

Response – It will be corrugated tin on the outside of the office building.

Cr Mahoney – An orange office building?

Response – It will be Colourbond in some format or another.

Cr Mahoney - If it is under consideration, at some point, that doesn't look like that looks like large maintenance, ongoing maintenance of that building, but if it's going to be corrugated tin?

Response - Thank you for the question and we will check that out and provide all Councillors with a response to that.

Cr Pearce - We are always looking for a bit of space when we are having the ISG meetings. There is no space in the ICC to either push out to a level three ICC or to hold ISG's, which we need to when we get level two, level three fires.

Could consideration be given to things like cabling, generator back on etc.?

I don't want to steal the depot space, but just when we have the fires, we quite often need a facility. Last time we came down to the SES building, that was not appropriate at all. Having a facility like that would be quite handy, being so close as well.

Response – We can consider this.

There is a lot of similarities between the ICC building layout and the layout of the proposed depot, with the centralised open plan area, that's got the surrounding offices as well as that lunchroom area as well. Both of those

spaces can certainly function as one in the open area, with a very similar layout.

Cr Christensen - I just wanted to make a quick comment to mention when you were thinking of putting on batteries and solar panels. The roof as it stands, is actually tipped to the south, which is not going to be very useful for solar panels.

You'd have to rethink that if you want to do that. I know it's tipped up, so you get sunlight in, in winter, so not very compatible.

Response – To use the roof alignment for solar gain in the winter, pv panels can be uplifted and repositioned with support structures.

Response - We'll certainly have some discussion with the architect because it's a good point.

Cr Boyle - You said there were going to be water tanks and are they just to bring up mains water or are we also going to collect the roof? We don't see pipes to collect water.

Response - The idea was we will create quite a bit of additional roof space to collect water and if we can put that water into a storage tank, it could be used for different things, even if it's just only used to water the shrubs and things sort of around the building or whatever, but it certainly would be handy to have a full tank there if it was needed during fire season.

How that all might work is still to be worked through at the detailed design phase.

CEO Response - They are very much concept drawings. If you do think of anything else along those lines, feel free to email me for further exploration, but that's the technical detail that we would move into.

Cr Lansdell - But I think overall water efficiency, energy efficiency, load maintenance are the priorities.

Comments on Agenda Items by Parties with an Interest

B Bebbington - C.17/1223 - Amendment 73 to Local Planning Scheme No 3

B Bebbington claims:

- The process used for the Town Plan Scheme amendment.
- There are specific provisions in the Act that dictate process.
- The Minister may seek orders from the Council if they have not complied with the Act. Mr Bebbington has gone to the Minister with this issue.
- Council wasn't given the correct map. The map presented said the impact was restricted to the fringes of Bridgetown. That is not correct.
- The EPA was not provided with the correct map. This needs to happen before you can go to advertising.

- The advertising must be done for 42 days, and the documents must be available for the entire period.
- The current intention that the updated information is only going to be sent to the two landholders and not other affected landowners.
- Mr Bebbington's full submission was not included in the agenda.
- Mr Bebbington has repeatedly raised these issues but the organisation has not reacted to his advice.

Applications for Leave of Absence

Confirmation of Minutes

C.01/1223 Ordinary Council Meeting held 2 November 2023

That the Minutes of the Ordinary Meeting of Council held 2 November 2023 be confirmed as a true and correct record.

**Council Decision Moved Cr Lansdell, Seconded Cr Christensen
C.01/1223 That the Minutes of the Ordinary Meeting of Council held 2 November 2023 be confirmed as a true and correct record.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

C.02/1223 Ordinary Council Meeting held 30 November 2023

That the Minutes of the Ordinary Meeting of Council held 30 November 2023 be confirmed as a true and correct record.

**Council Decision Moved Cr Pratico, Seconded Cr Boyle
C.02/1223 That the Minutes of the Ordinary Meeting of Council held 30 November 2023 be confirmed as a true and correct record.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Announcements by the Presiding Member Without Discussion

As we commence our final Council meeting for the year tonight, I'm reflecting on the last twelve months with mixed feelings.

For many in our community there have been real challenges this year. Loss of loved ones, illness, home insecurity and financial pressures.

Global conflict concerns all of us. It's been a volatile year for the Shire and Council, with many difficult decisions to be made in the last twelve months.

A changing world brings such things and managing that change forms a large part of what we do as Council. The farewelling of a longstanding CEO and the recruiting of

a new one naturally has created upheaval and some uncertainty. A new regime brings a new approach and that needs to be navigated and given time to prove itself.

Council understands that change is difficult, but also that it's necessary. The organisation is being encouraged to evolve, become more contemporary, and provide increased levels of service to the community.

It cannot be instant, but I'm confident over the coming twelve months, you'll see more and more positive outcomes. We understand the community concerns around the encroachment of mining in our region, worries about the environment, fear of losing what is precious to us.

We know there are traffic and parking issues, road maintenance and footpath problems. We listen and understand and have been working towards solutions to many of these over the past year and beyond behind the scenes.

I look forward to being able to announce real initiatives to deal with these over the coming months - action because of informed planning. We'll also be seeking more clarity around the broad mining environment in the whole region so we can determine how to advocate for our unique needs and desires in our own Shire.

It can be hard to rise above the challenges of difficult times, but it's also an opportunity to clarify what we want and how we can create it. There'll be some great opportunities for consultation with the community around our future planning next year, and I hope you'll all embrace that chance to submit your views.

I've enjoyed all my chats on the bench with so many of you. The meetings, phone calls and emails, all coming from a place of caring about where we live. Thanks to my fellow Councillors for your support and for the professionalism you've brought to the task.

Thank you to the Shire staff who ably support us, and to our CEO, past and present.

I wish everyone a joyful Christmas season and an expansive and enriching 2024.

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Cr Mahoney

Question

In relation to C.13/1223 Standardised Acknowledgement of Country the agenda states the proponent, is the Cultural Awareness Advisory Committee. I can't find in the report any mention that any of those people had any contact with that

Committee. Can I ask whether that Committee is the proponent and is recommending it?

CEO Response - Unfortunately, Megan Richards is not with us today. However, my understanding is that because the advisory group did not meet over that period, she spoke individually to Aboriginal members of that group.

I think you're correct, Cr Mahoney. I don't think the proponent should be the Advisory Council, it should perhaps be Megan Richards.

Question

Is there any record of those meetings between Megan Richards and the Aboriginal members of the Committee? And secondly, did Megan Richards contact any other member from that Committee?

CEO Response - I would assume so given they were important meetings. But given I haven't seen that documentation myself, I'm hesitant to confirm without conferring with Megan.

Cr Lansdell

Question

Mr Bebbington sent an email out saying that his submission had been summarized or it wasn't completely full. I would like to know if that was the intention, why it was actually not the full submission in the agenda. Is that normal practice? And why?

Director Development, Community, and Infrastructure - What we did is because we were recommending a further advertising period, my judgment was, which is explained in the report, is that we would deal with procedural matters raised in the submissions and then the planning matters in the other.

There were several planning matters raised in Mr Bebbington's submission that we will report on when this comes back to Council to consider any other submissions received and any others which also raised planning considerations.

I thought considering the planning considerations in two chunks would have been helpful – it can be a bit confusing, so we dealt with procedural matters first.

Consideration of Motions of which Previous Notice has been Given

ITEM NO.	C.03/1223	FILE REF.	
SUBJECT	Appointment of Fire Control Officer		
ELECTED MEMBER	Cr Mike Fletcher		
DATE OF REPORT	1 December 2023		

ELECTED MEMBER RECOMMENDATION

Council approves the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade as approved by the BFAC on 15th November 2023.

Voting Requirements – Simple majority

Moved Cr Mountford, Seconded Cr Pratico
C.03/1223 Appointment of Fire Control Officer.
That Council approve the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade, as approved by the BFAC on 15th November 2023.

Amendment Moved Cr Pearce, Seconded Cr Fletcher
C.03/1223 That the words ‘approved by the BFAC’ be deleted and be replaced by ‘recommended by the BFAC.’

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

The amendment was incorporated into the substantive motion and was put.

**Council Decision Moved Cr Mountford, Seconded Cr Pratico
C.03/1223a Appointment of Fire Control Officer.**

That Council approves the appointment of Kevin Wrightson to the position of Fire Control Officer for the Bridgetown Fire Brigade as recommended by the BFAC on 15th November 2023.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.04/1223	FILE REF.	
SUBJECT	Greenbushes Laneway Naming Project		
ELECTED MEMBER	Jenny Mountford		
DATE OF REPORT	23/11/23		

ELECTED MEMBER RECOMMENDATION

That Council:

- 1. Approve the new naming of laneways in Greenbushes honouring previous residents of the town.*
- 2. That local residents be given the opportunity to nominate names.*

3. *That volunteers of the Greenbushes Discovery Centre be delegated the task of gathering the nominations and completing the relevant research on names submitted.*
4. *That the Greenbushes Discovery Centre then provide Council with a laneway map showing the selected names for approval.*
5. *That Council budget for the laneway network to be rehabilitated as part of the project in the 2023/24 budget.*

Summary/Purpose

In our region, neighbouring Shires have implemented policies that involve naming laneways to pay tribute to past residents, with the public actively participating by providing nominations and suggestions. A volunteer from the Greenbushes Discovery Centre has identified an opportunity for this to be an affordable yet significant project for Greenbushes. This would add to the re-telling of the town's history whilst also creating another interesting walk trail as a tourist attraction.

Background

In the town of Greenbushes, the streets predominantly bear names associated with minerals such as Tourmaline, Telluride, and Galena, or are place-oriented like Spring Gully and Blackwood. Some streets do pay homage to early settlers and royalty, exemplified by names like Jephson and George.

It is important to recognize that Greenbushes, encompassing both the townsite and North and South Greenbushes, has been home to numerous significant families whose profound contributions have shaped the fabric of the town.

There is an existing laneway network of some 15 lanes in the town centre. One of the volunteers at the Greenbushes Discovery Centre - who has a keen interest in the town's history – has very kindly volunteered to manage the project of naming these laneways.

Once complete, the new walking "trail" could be promoted through the Greenbushes Discovery Centre and provide another activity for tourists to enjoy while they are visiting.

In recent years the laneway network in Greenbushes has become considerably overgrown and unkempt. As part of the project, these laneways could be rehabilitated and made clear for easy access providing benefit to locals as well as visitors.

Subject to an assessment of the work required to restore the laneways to good condition, the project could be completed in stages if necessary.

Officer Comment

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Mountford, Seconded Cr Lansdell C.04/1223 Greenbushes Laneway Naming Project.

That Council:

1. Approve the new naming of laneways in Greenbushes honouring previous residents of the town.

2. *That local residents be given the opportunity to nominate names.*
3. *That volunteers of the Greenbushes Discovery Centre be delegated the task of gathering the nominations and completing the relevant research on names submitted.*
4. *That the Greenbushes Discovery Centre then provide Council with a laneway map showing the selected names for approval.*
5. *That Council budget for the laneway network to be rehabilitated as part of the project in the 2023/24 budget.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

Cr Lansdell

Question

Just to clarify the wording of rehabilitated for the laneway network, can you clarify what rehabilitated would be?

Shire President - At the moment the laneways are fairly overgrown so I'm not suggesting that we seal them or anything like that. I think it's just a matter of being walkable, it's more of a maintenance issue.

ITEM NO.	C.05/1223	FILE REF.	
SUBJECT	Renewing of Greenbushes Cemetery Markers		
ELECTED MEMBER	Cr Jenny Mountford		
DATE OF REPORT	27/11/23		

ELECTED MEMBER RECOMMENDATION

That Council:

1. *That new metal grave markers for the Greenbushes Cemetery be designed and manufactured incorporating numbers which will be durable and unfading over a long period of time.*
2. *That once costing has been completed, the project be incorporated into the 2023/24 budget.*
3. *That all existing grave markers be removed, and the new markers be installed in accordance with the map located on the boards at the Cemetery entrance.*

Summary/Purpose

With current grave markers being in a very poor or in some cases illegible condition, new more durable markers be produced and installed in their place.

Background

In relatively recent years, new signs were installed at the entrance to the Greenbushes Cemetery, These attractive signs clearly map out all the numbers of the graves by section.

Unfortunately, the old wooden grave markers have not been renewed for a very long time. These markers are wooden stakes painted white and the numbers then hand-painted in black. A great number of these markers have faded very badly to the point where the numbers are barely visible, others have no paint left on them at all making the number of the plot unknown.

In order to make the markers durable and suitable for the long term it would be sensible to have new ones made of a non-corrosive metal and marked with non-fading numbers. Once completed, these markers would be low to no maintenance and renewal would not need to be re-visited for many decades.

The Bridgetown Cemetery is maintained in generally good order and resources are obviously put to it in the annual maintenance schedule. Whilst the character of the Greenbushes Cemetery is different, being more of a bush cemetery with it's own rustic charm, it is still important for the facility to be maintained with it's important infrastructure kept in good order.

Officer Comment

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Mountford, Seconded Cr Boyle
C.05/1223 Renewing of Greenbushes Cemetery Markers.**

That Council:

- 1. That new metal grave markers for the Greenbushes Cemetery be designed and manufactured incorporating numbers which will be durable and unfading over a long period of time.***
- 2. That once costing has been completed, the project be incorporated into the 2023/24 budget.***
- 3. That all existing grave markers be removed and the new markers be installed in accordance with the map located on the boards at the Cemetery entrance.***

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.06/1223	FILE REF.	LOCAL LAW 11
SUBJECT	Proposed New Local Law Relating to Fencing		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	3 November 2023		

Attachment 3 Draft Fencing Local Law 2023

Attachment 4 Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing

OFFICER RECOMMENDATION

That Council:

- 1. Pursuant to Section 3.12(3)(a) of the Local Government Act 1995, give local public notice of its intent to:
 - (a) repeal the existing Shire of Bridgetown-Greenbushes Fencing Local Laws Relating to Fencing; and*
 - (b) adopt the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 as presented in Attachment 3.**
- 2. The purpose of the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 is to prescribe a sufficient fence and the standard for the construction of fences throughout the district and the effect is to establish the minimum requirements for fencing within the district.*
- 3. Pursuant to Section 3.12(3)(b) of the Local Government Act 1995, give a copy of the proposed new local law and a copy of the notice to the Minister.*

Late Officer Recommendation: That Council defer the motion, subject to internal investigation into technical aspects of the report. The Item is so deferred.

Summary/Purpose

At its meeting on 29 June 2023 Council supported in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing Local Law based on WALGA's model.

This report presents a draft Fencing Local Law for Council's consideration.

Background

Council, at its meeting on 29 July 2021 meeting resolved in part (C.02/0721):

“That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:

- (i) Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law*
- (ii) Cats Local Law*
- (iii) Fencing Local Law*
- (iv) Health Local Law*
- (iv) Standing Orders Local Law”*

Council, at its meeting on 31 March 2022 meeting resolved (C.10/0322a):

“That Council amends its Fencing Local Law to introduce a requirement for electrification of fencing along road reserves being inside of the fence line.”

Council, at its meeting on 27 October 2022 meeting resolved (C.02/1022):

“That Council give local public notice of its intention to make a Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 as contained in Attachment 1 and give notice of this intention to the Minister responsible for Local Government. The purpose of the Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 is to introduce new requirements for licensing of an electrified fence on a commercial or industrial lot and the effect is that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.”

Council, at its meeting on 25 January 2023 resolved (C.06/0123):

“That Council approve the replacement of the previously endorsed Draft Amendment Local Law Relating to Fencing with the new Draft Amendment Local Law Relating to Fencing as per Attachment 4.”

Council, at its meeting on 25 May 2023 resolved (C.07/0523a):

“A report be presented to the June ordinary meeting proposing the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and consideration of a new local law relating to fencing based on the current WALGA model.”

Council, at its meeting on 29 June 2023 resolved (C.11/0623):

“That Council:

- 1. Support in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing local Law based on the WALGA model.*
- 2. Note a further report be presented to Council providing a new draft Fencing Local Law for consideration.”*

Officer Comment

Resulting from Council's previous resolution to provide a new draft Fencing Local Law for consideration, a draft has been developed and is attached to this report.

The proposed new local law is considerably different to the existing local law due to its contemporary nature and as such a tracked changed version has not been prepared. However, both versions have been provided for comparative purposes.

The major differences between the existing and the proposed local law (not including terminology and grammar) are detailed as follows with the clause references referring to the proposed local law:

Clause 1.2 - Commencement

Existing - No such provisions exist.

Proposed - The local law stipulates that it comes into operation 14 days after the date of its publication in the Government Gazette.

Clause 1.3 – Purpose and Effect

Existing - No such provisions exist.

Proposed – The purpose and effect are required to be included in the minutes of the meeting at which the local law is proposed. Contemporary practice now includes this in the local law itself as well as in the minutes of the meeting at which it is proposed.

Clause 1.6 - Definitions

This has been revised to reflect new terminology and requirements.

Clause 2.1(1) – Sufficient fences

Existing – The clause states - “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”

Proposed – The clause states – “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.”

Clauses 2.3 – Gates in fences, 2.4 – Depositing fencing material on public place, 2.5 – Fences on a rural lot, 2.7 – Fences across rights-of-way, public access ways or thoroughfares and 2.8 – General discretion of the local government

Existing – No such provisions exist.

Proposed – These clauses impose greater controls and enforcement provisions for the erection and maintenance of gates and fences.

Clause 2.11 – Electrified and razor wire fences

Proposed - Includes the amendment requested by Council in October 2022 to ensure that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.

Clauses 3.1 – Application for approval, 3.2 – Decision on application for approval, 3.3 – Compliance with approval, and 3.4 – Duration of approval

Existing – Various clauses within the local law refer to seeking approval.

Proposed – Approval clauses in the existing local law have been consolidated into this clause and strengthened to provide greater requirements when seeking approval.

Clause 4.1 – False or misleading statement

Existing – No such provisions exist.

Proposed - New clause that places the onus on a person not to make a false or misleading statement.

Clause 5.1(4) – Notice of breach

Existing – Requires any breaches to be remedied within 28 days of the giving of a notice.

Proposed – Deleted the 28-day time frame and included a requirement that it be remedied within the time given in the notice.

Clause 6.2 (2)(3) – Modified penalties

Existing – The current local law provides that all breaches incur a penalty of \$125.

Proposed – Rather than a single penalty rate for all breaches, a schedule of fines is proposed, which introduces higher penalties of between \$200 and \$250.

Clause 6.3(b) – Form of notices

Existing – Only stipulates the form of an infringement notice.

Proposed –The clause also stipulates the form for withdrawing and infringement notice.

Clause 7.1 – Objections and review

Existing - No such provisions exist.

Proposed – Part 9, Division 1 of the Local Government Act provides that whenever a local government makes a decision under a local law made under the Act, a person has a right of objection or review if they consider the decision to be unfavourable. This clause states that requirement.

Schedule 1 – Offences and modified penalties

Existing – No schedule of penalties applies as all breaches have been set at \$125.

Proposed – Includes a table that specifies each breach of the local law with a corresponding penalty. The penalties have increased from \$125 to a range of between \$200 and \$250.

Schedule 2 – Specifications for a sufficient fence on a residential lot

Proposed - Most of the dimensions are different. All categories of fence are the same except that the section on colour bond or zincalume sheeting has been deleted and incorporated in the corrugated fence section.

Schedule 3 – Specifications for a sufficient fence on a commercial lot or an industrial lot

Proposed – Includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Schedule 4 – Specifications for a sufficient fence on a rural lot or special rural lot

Proposed – There are some variations in dimensions. This also includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Making the local law

The Shire must carefully comply with s3.12 of the *Local Government Act 1995* (Act) in order to repeal the existing local law and adopt a new local law. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance.

Once the Shire has resolved to give local public notice (not less than six (6) weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it. This process allows the Department to provide feedback to the Shire, and any requested amendments can be incorporated into the new Local Law.

Following the last day for submissions, the Shire is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed. This means if the Department has requested any simple grammatical amendments or the like, this would not be substantially different.

The Shire could also make substantial amendments following consideration of any submissions however in the event there are any substantial amendments, the process must be commenced again.

After making the local law, the Shire is required to publish the new Local Law in the Government Gazette and give a copy of it to the Minister. Local public notice is again required.

The Shire is to provide the new Local Law and relevant explanatory memorandum, with supporting documents to the Joint Standing Committee on Delegated Legislation (JSCDL). At this stage the JSCDL could:

- request amendments, requiring the Shire to make an undertaking; or
- disallow the local law should it not be supported, or the Shire has not substantially followed the prescribed process for making a local law under s.3.12 of the Act.

The process for making/amending a local law is a lengthy process and should everything progress smoothly will take approximately six (6) months, so if council were to endorse the attached draft local law now then it would be approximately mid 2024 before it would become operational.

Statutory Environment

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

Council's 2023/24 budget contains an allocation for local law review advertising.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

If council did not adopt the draft local law it runs the risk of having legislation that is outdated and doesn't reflect contemporary practices, given that the existing local law has been in operation since 2004 and has had very little changed to it in that time.

The overall risk has been assessed as LOW (Minor/Unlikely).

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Voting Requirements – Simple Majority

The CEO advised that this item has been withdrawn from the Agenda for further Officer research.

ITEM NO.	C.07/1223	FILE REF.	203
SUBJECT	Review of Policy FM 4 – Purchasing		
OFFICER	Manager Governance & Risk/Chief Executive Officer		
DATE OF REPORT	2 November 2023		

Attachment 5 Draft amended Policy FM 4 – Purchasing

Attachment 6 Current FM 4 – Purchasing Policy

Attachment 7 Supporting documents – Combined FM 3 – Regional Price Preference, FM 6 – Buy Local Purchasing and FM 13 – Budget Management Policy

OFFICER RECOMMENDATION

That Council:

1. *Adopt amended Policy FM 4 Purchasing Policy, as presented in Attachment 5.*
2. *Repeal the following policies:*
 - (a) *FM 3 – Regional Price Preference*
 - (b) *FM 6 – Buy Local Purchasing*
 - (c) *FM 13 – Budget Management Policy*

Summary/Purpose

The FM 3 – Regional Price Preference Policy, FM 4 – Purchasing Policy, FM6 Buy Local Policy and FM 13 – Budget Management Policy have been reviewed, amended and combined into the one Purchasing Policy to:

- Reduce the risk to Council of delays on:
 - The delivery of projects and programs;

- The potential inability to deliver on projects and programs;
- Potential inadequate services and/or service delivery;
- Increased costs in administration staff; and
- The consequential increased pressure and workload on staff.
- Reduce the risk of non-compliance with legislation assigning us with the responsibility of delivery on specific projects, programs and services.
- Reduce the risk of non-compliance with funding body requirements and the potential loss of grant funding for non-compliance with these requirements.
- Align the policy content with contemporary legislation and practice reflected across the sector (including providing for the mental health well-being of staff under Work Health & Safety legislation); and
- Align the policy content and practice with various advice provided from Bob Waddell (Bob Waddell & Associates), James McGovern (Governance Team, WALGA) and Allister Butcher (Rural Infrastructure Services).
- Align purchasing thresholds with the recommendation of our own auditors, who consider them to be very low. This is a highly unusual position for a financial auditor to take, which indicates our thresholds are significantly low.

The amended policy is now presented to Council for consideration.

Background

Council at its meeting on 30 June 2022 resolved in part (C.09/0622):
“That with respect to Section 3 (Finance) of the Policy Manual Council:

...4. Note that a separate review of Policy F.6 (Purchasing Policy) and Policy F.14 (Buy Local Policy) is to occur with both policies being incorporated into a new single policy...”

The Audit Committee at its meeting on 21 September 2023 recommended (AC.03/0923):

“That the Audit Committee approve the following broad local purchasing principles to be incorporated into a new draft Purchasing Policy for further consideration by Council:

- 1. Incorporate the existing Buy Local Purchasing, Regional Price Preference’ and Purchasing policies into one simplified document.*
- 2. Remove the terms ‘buy local’ and ‘regional price preference’ and replace with the term ‘local purchases’*
- 3. Definition of ‘local’ means business owned and/or physically operating within the Shire (this includes businesses which might be national companies but have physical premises that trade within the Shire e.g. Ampol or BP).*
- 4. Removal of policy provisions allowing for any regional price preference outside of the boundaries of the Shire of Bridgetown-Greenbushes.*
- 5. Remove mandated local purchasing requirements where the purchasing policy provides for direct procurement at purchaser’s discretion (i.e. purchase that do require the seeking of quotes in the procurement policy generally).*
- 6. For tender purchases above \$250,000 (currently dealt with under Regional Price Preference policy) include a 5% (to a maximum of \$50,000) price preference for local suppliers.*

7. For procurement where it incorporates the requirement to seek quotes or for tenders below \$250,000:
- Policy to require at least one quote from a local supplier and one other (to provide broad market comparison) where local supplier can supply the good or service as part of normal business (i.e. excluding suppliers who might be able to 'get the product in').
 - Maintain existing price preference thresholds as contained in Councils current Buy Local policy, being:
 - 10% on Shire purchases of a value up to \$5,000.
 - An amount of \$500 or 5% (whichever is the greater) on Shire purchases of a value between \$5,001 and \$25,000.
 - An amount of \$1,250 or 2.5% (whichever is the greater) on Shire purchases of a value between \$25,001 and \$249,999."

Council at its meeting on 29 June 2023 resolved (C.09/0623c):

- ‘1. That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented at Attachment 10.
2. The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5, 12, 16, 18, 22-30 and 44-46 including any other improvements considered to be apriority by the CEO.”

The quarterly risk report presented to Council identifies various risks to the Shire and provides treatments (Actions) to mitigate those risks.

The report identifies some of these treatments as follows:

1. Develop and Implement Contract Performance Review Methodology.
2. Develop a Contractor Management Framework and associated processes (including site inductions).
3. Implement a Contractor Management Process (including site inductions).
4. Develop a procedure for assessment of any proposed contract renewals including a documented assessment of current contractor performance which is to determine whether a contract renewal should be considered.
5. Develop a procedure providing guidance on what constitutes a contract variation and when a separate procurement process is required.
6. Develop checklist for new contracts to ensure the Shire's rights, obligations and risks are protected within the contract.

Budget Management Policy

On receipt of concerns from some managers that the Budget Management Policy may hinder some of their ability to perform work expediently on the Talison-funded projects, the CEO sought clarity on the purpose of the Policy from:

- Michelle Larkworthy (Director, Corporate Services, Shire of Bridgetown-Greenbushes);
- Bob Waddell (Bob Waddell and Associates);
- Allister Butcher (Rural Infrastructure Services); and
- James McGovern (Manager, Governance, WALGA).

Ms Larkworthy advised that it was unusual for such a policy document to exist and that she was comfortable for it to be repealed so far as other formal checks and balances were put in place in the new Purchasing Policy. Ms Larkworthy and the CEO conferred on the new Purchasing Policy until agreement was reached on the content.

Both Mr Waddell and Mr McGovern advised that no other local governments (that they were aware of) had such a policy in place and questioned why our Shire was not simply using 10% Variance on Budget. This 10% Variance Rule has now been incorporated into the new Purchasing Policy.

Both also advised that the reason other local governments did not have such a policy in place was because provisions within the *Local Government (Financial Management) Regulations 1996* govern the practice provided for in the Policy.

Mr Butcher was concerned that the Budget Management Policy was too restrictive and created an unnecessary risk to operations, in terms of having to cease work, reduce budget or reduce the scope of work subject to Council convening a Special Ordinary Council Meeting. Mr Butcher considered the Policy to be unworkable in the Infrastructure area. This is a particularly high risk at the moment because it is difficult to engage contractors and, if you send them home, pending the outcome of a Special Council Meeting, they may not return for 8 – 10 months.

The advice from WALGA is to have budget variance reported to Council through the monthly financial reports (as is currently the case in Bridgetown – Greenbushes). A budget amendment will not be required and to have budget amendments provided for through the six-month budget review process.

To be clear:

- If Council has adopted the budget;
- If Council has approved the project, program or service; and
- If there is a genuine underspend in one approved project, program or service,

Managers will be able to use the 10% Variance Rule to use that underspend to fund another approved project, program or service.

Managers are to be accountable for non-compliance with the new Policy and will face disciplinary action if they breach the new Policy.

Officer Comment

Currently Council has four policies relating to procurement, these being:

- FM3 – Regional Price Preference
- FM4 – Purchasing Policy
- FM6 – Buy Local Purchasing
- FM13 – Budget Management

Given that all four policies relate to purchasing it is more practical and efficient to incorporate them into one policy. Therefore, a single procurement policy has been developed to facilitate efficient and effective implementation of these four policies.

The existing purchasing Policy FM4 has been completely reviewed using the WALGA model purchasing policy as a guideline. Substantial changes are being recommended and as such a 'track changed' version has not been prepared as this may cause some confusion.

Supporting documents have been developed to enable this policy.

To assist in understanding the differences between the existing and proposed policies, details of the major changes are as follows. Clauses mentioned refer to the draft policy.

Objectives (Clause 1)

All new objectives have been included to better reflect contemporary practices.

Scope (Clause 2)

A scope has been added to the policy to apply to all workers involved in procurement.

Definitions (Clause 3)

Definitions have been included for clarity purposes.

Ethics and Integrity (Clause 5)

The previous content has been deleted and now just refers to the Code of Conduct.

Value for Money (Clause 6)

Further considerations have been included when assessing value for money.

Supplier Order of Priority (Clause 7.1)

A Supplier Order of Priority has been introduced to provide guidance on who to approach (where practicable) when purchasing goods or services.

Purchasing Thresholds (Clause 7.2)

The purchasing values have been amended to reflect a more practical purchasing arrangement that meets operational needs.

This section now includes exempt provisions from the purchasing threshold requirements for emergency purchases and insurances from LGIS.

The commentary for each threshold limit in the old policy has been deleted.

Purchase Orders (Clause 7.3)

This is a new provision and provides that purchase orders must be raised for all goods and services except under certain specific circumstances.

Emergency Purchases (Clause 7.4)

This is a new provision which provides clarity on what an emergency purchase is.

Other Purchasing Exemptions (Clause 7.6)

Certain circumstances may arise where it is not reasonably practicable to adhere to the purchasing thresholds therefore to provide clarity as to what these circumstances may be, they have now been listed.

Sole Source of Supplier (Clause 7.7)

More stringent requirements have been added to this section to provide greater accountability when seeking exemption for this purpose.

Contract Renewals, Extensions and Variations (Clause 7.9)

The draft policy now provides greater clarity in respect of the legislative requirements regarding variations and extensions both before and after a contract has been entered into.

Expressions of Interest (EOI) (Clause 7.10)

This is a new provision and although not extensively used provides clarity in relation to the EOI process.

Local Economic Benefit (Clause 8.1)

A new addition that promotes economic development through the encouragement of competitive participation in the delivery of goods and services firstly by local suppliers permanently located within the Shire, and secondly, those permanently located within the broader region.

Buy Local (Clause 8.2)

Encompasses the previous two policies of Buy Local Purchasing and Regional Price Preference. The following highlights the changes from these two policies:

Buy Local

1. Included a definition of 'Buy Local'.
2. Retained the existing price preferences.
3. Removed all other content.

Regional Price Preference

Removed all policy provisions including price preference and included a broad reference under Local Economic Benefit (clause 8.1).

Regulatory Compliance (Existing Policy)

The draft policy has removed clause 2.6 from the existing policy as these were matters that are already specified in legislation.

Purchasing From Environmentally and Socially Sustainable Businesses (Clause 8.3)

This is a new provision and commits the shire to sustainable procurement and must consider minimisation of environmental and negative social impacts as part of the selection process.

Purchasing Non-Compliance (Clause 10)

This is a new provision. It outlines the repercussions of failing to comply with legislative requirements and the Shire's policies and procedures.

Variance Provision (Clause 7.3)

A 10% Variance Provision has been inserted into the Policy.

Statutory Environment

Local Government Act 1995

s.3.57 – Tenders for providing goods or services

s.2.7(2)(b) – Role of Council – determine the local government’s policies.

Local Government (Functions and General) Regulations 1996

Part 4 – Provision of goods and services

Regulation 11A(1)

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
 - (a) *the form of quotations acceptable; and*
 - (ba) *the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) *the recording and retention of written information, or documents, in respect of —*
 - (i) *all quotations received; and*
 - (ii) *all purchases made.*

Part 4A – Regional price preference

Integrated Planning

- Strategic Community Plan
 - Outcome 14 Effective governance and financial management
 - Objective 14.1 Achieve excellence in organisational performance and service delivery

- Corporate Business Plan
 - Objective 10.3 Support local business to thrive
 - Action 10.3.1 Provide an audit of Shire buy local purchasing

- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

If Council adopt the amended policy FM 4 – Purchasing, then the following policies will need to be revoked:

- FM 3 – Regional Price Preference
- FM 6 – Buy Local Purchasing
- FM 13 – Budget Management Policy

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impacts, Compliance, Service Interruptions, Reputational (External) and Property.

The amended policy provides greater mitigation of fraud and corruption and also strengthens the procurement processes to ensure compliance with legislation and the Shire’s policies and procedures.

The overall risk has been measured as High.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Morgan Gillham, Principal Project Manager, spoke of the need for this Motion to be passed to enable successful execution of Talison co-funded or funded projects on time.

**Council Decision Moved Cr Boyle, Seconded Cr Christensen
C.07/1223 Review of Policy FM 4 – Purchasing.**

That Council:

1. **Adopt amended Policy FM 4 Purchasing Policy, as presented in Attachment 5.**
2. **Repeal the following policies:**
 - a) **FM 3 – Regional Price Preference**
 - b) **FM 6 – Buy Local Purchasing**
 - c) **FM 13 – Budget Management Policy**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Christensen

Question

As far as I could tell, there's only an indirect definition of the term local supplier and no definition of what a regional supplier is. I would really like to see that included.

The CEO committed to inserting both respective definitions.

Cr Pearce

Question

Does this policy provide provision for, I couldn't find any references to it for corporate card?

CEO Response – There is a separate Corporate Card Policy.

ITEM NO.	C.08/1223	FILE REF.	440
SUBJECT	Replacement of Shire Depot Facilities		
OFFICER	Project Officer		
DATE OF REPORT	28 November 2023		

Attachment 8 Bridgetown Shire Depot Draft Concept Plan

OFFICER RECOMMENDATION

That Council:

1. *Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.*
2. *Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and*

authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.

- 3. Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.*

Summary/Purpose

This report recommends that Council approve the draft concept plan for the Bridgetown Shire Depot subject to any further minor changes and accept the quote of \$149,140 from Willcox and Associates for detailed design and documentation of the Shire Depot facilities rebuild.

Background

In February 2022 a major bush fire destroyed the office building and various sheds at the Shire Depot. In the period since the fire, the Shire's outside workforce has been based at a Shire owned residential property in Gifford Road which is unsatisfactory and not fit for purpose.

Following consideration of a report to the Council Meeting held on 2 November 2023 it was resolved (C10/1123) as follows:

That Council:

- 1. Approve the design brief contained within the Request for Quotation document (Attachment 1) for Design and Documentation of Shire Depot Facilities Rebuild.*
- 2. Authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and the successful quoter for Design and Documentation of the Shire Depot Facilities Rebuild.*
- 3. Receive a further report on completion of the draft concept plan for the Shire Depot Facilities Rebuild.*

Quotations for Design and Documentation for the Shire Depot Facilities Rebuild were invited from six consultants and four quotations were received by the closing date of 10 November 2023.

The Request for Quotation (RFQ) document required the consultants to submit separate prices for the two stages of the design process i.e.

Stage 1 – Concept Plan and cost estimate

Stage 2 – Detailed Design and Documentation

A panel comprising the following members was formed to assess the quotations and recommend the most advantageous quote.

- Director Development, Community and Infrastructure
- Manager Infrastructure and Works
- Project Officer

Following the assessment process, the quote of \$13,900 (plus GST) for Stage 1 submitted by Willcox and Associates was accepted. Willcox and Associates is a well-established and experienced architectural practice that is based in Margaret River and has designed many Local Government facilities including the Bridgetown Library.

A start-up meeting was held with the Architect on 20 November 2023 and 'first draft' sketch plans were received on 24 November 2023. Following a thorough review of the draft plans, the revised concept plans are presented for Council's consideration and approval (refer *Attachment 8*).

Officer Comment

The draft concept plan includes the following components:

- Floorplans and elevations for the proposed replacement office building and sheds.
- Perspective drawings of proposed buildings and structures.
- A Master Plan for the site which identifies current and future requirements and will help ensure that any future development of the site occurs in a planned and coordinated way; and
- Itemised cost estimates for proposed works.

A summary of the main features of the draft concept plan is provided below:

Relocation of the Main Entry

- The main entrance/exit is proposed to be relocated approximately 30 metres to the Northeast of the current position to provide clear sightlines and improved safety for vehicles exiting the site.

Replacement of Office Building

- A replacement office building is located adjacent to the main entry/exit to enable visual surveillance of vehicles entering and exiting the site.
- The new building provides a modest and functional office facility that meets modern standards, is fit for purpose and will adequately cater for the Shire's outside workforce for the expected 50-60-year lifespan of the building.
- The design provides sufficient office space to allow the Shire's Technical Services staff to relocate to the new Depot Office plus some additional office space to accommodate future growth. This would also benefit the Shire by freeing up space in the Shire's Administration building to accommodate future staffing requirements.

Replacement Workshop Shed

- A replacement workshop shed is proposed to be located adjacent to the Office building with a connecting walkway between the two buildings.
- The workshop shed will provide facilities for servicing Shire vehicles and heavy machinery, a hot works area and storeroom. These activities are currently outsourced to private operators at a significant cost to the Shire.

Car Parks

- A sealed staff car park with 20 bays is proposed on the western side of the Office building which would provide easy access to the Office from the car park and a secure parking facility for staff.
- A small Visitors car park (3 bays plus disabled access bay) is proposed outside the main entry with access to the Office via a pedestrian gate and walkway.

Storage Sheds

- A new heavy and light vehicle storage shed on the western side of the site is proposed to replace one of the sheds lost in the fire.
- An extension to the heavy machinery shed in the central area of the site is proposed as a future stage of the redevelopment of the site to provide secure storage for current and future heavy machinery.

Relocation of existing Sheds and Facilities

- The draft Master Plan proposes the relocation of a number of sheds and facilities currently located within the Fire Zone (BAL FZ) to low risk areas of the site.
- The Parks and Gardens area is proposed to be consolidated in the North-East area of the site along with the relocated chemical storage shed.

Site Planning for Vehicle Movement

- To improve the safety of vehicle movement within the site, the Master Plan proposes a one-way system of traffic flow into and out of the site.

Fencing

- The existing perimeter fence is in poor condition and needs to be replaced. The Master Plan proposes a realignment of fencing in the Northern area of the site and replacement of the existing fence with a Garrison style fence or similar, to provide good security for the site.

Cost Estimates

Itemised cost estimates for the proposed works have unfortunately been delayed and will be circulated to Councillors as soon as they become available.

Detailed Design and Documentation

Once the concept plan is approved by Council, the next stage of the planning process is detailed design and preparation of tender documents. Subject to Council being supportive of the concept plan, it is recommended that Council accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.

Funding and Staging Options

As advised in the previous report to the Council Meeting on 2 November 2023, the insurance payment of \$633,176 is included in the Shire's 2023-24 Budget for the Depot Facilities rebuild. Given the need to replace the old sub-standard office with a new office building that meets modern work health and safety standards, it was identified that there was likely to be a shortfall in funding for the project.

A separate report to the Special Council Meeting held on 13 November 2023 identified the Shire Depot facilities rebuild as one of Council's priority projects for the 2024 Talison Community Investment Program with a requested contribution of \$1.2 million. The outcome of this submission is likely to be advised mid to late December following the Talison Board Meeting.

Given that the outcome of the Talison funding request won't be known until after the December Council Meeting, it is proposed that a further report be presented to the January Council Meeting that identifies funding and staging options for delivery of the project.

Conclusion

In conclusion, the draft concept plan addresses all known current and future requirements for the Shire Depot site and subject to any further minor changes, it is recommended that Council approves the concept plan and the plan be used to guide the rebuild of facilities and redevelopment of the site.

Statutory Environment

The concept design for the replacement Shire Depot office building and sheds must comply with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply for facilities of this nature.

Integrated Planning

- Strategic Community Plan

Outcome 16 An engaged and effective workforce
Objective 16.1 Attract, train, develop and retain an effective workforce.

- Corporate Business Plan
Outcome 16 An engaged and effective workforce
- Long Term Financial Plan
Other than the funds allocated in the Shire's 2023-24 Budget from the insurance payout, there are no other additional funds allocated for the replacement of the Depot facilities lost in the fire.
- Asset Management Plans
The replacement office building and sheds will need to be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
Although not specifically included in the Shire's Workforce Plan 2018-2022, the replacement office building at the Depot will provide suitable long-term accommodation for the Shire's outside workforce.
- Other Integrated Planning - Nil

Policy/Strategic Implications

The Shire's Purchasing Policy FM4 requires at least three written quotations to be obtained for purchase of goods and services between \$5,001 and \$249,999. Six consultants were invited to quote, and four quotations were received.

Budget Implications

A capital budget allocation of \$633,176 has been provided in the Shire's 2023-24 Budget for the replacement of Depot facilities destroyed in the fire. This report recommends that a quote of \$143,190 be accepted for detailed design and documentation for the proposed replacement facilities and a further report be presented to the January 2024 Council Meeting that identifies funding and staging options.

Whole of Life Accounting

The replacement buildings and structures that are proposed in this report for the Shire Depot will be included on the Shire's Asset Register and funds included in the Shire's Long Term Financial Plans for routine and programmed maintenance and depreciation.

Risk Management

The main Risk identified in relation to this item is **Work Health and Safety**. The Consequence could be Reputational and/or Financial if a Work Health and Safety claim was made against the Shire for failing to provide a suitable workplace. The Risk Consequence is Major and the Likelihood Possible resulting in a High Level of Risk. The Risk is mitigated by adopting the recommendation contained in this report which

will lead to provision of a suitable and safe working environment for the Shire’s outside workforce staff.

In addition, as a legislative requirement, the Architect will produce a ‘Safety in Design’ report that will mitigate both construction risk and user risks during operation.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.08/1223 Replacement of Shire Depot Facilities.**

That Council:

- 1. Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.**
- 2. Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.**
- 3. Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

ITEM NO.	C.09/1223	FILE REF.	
SUBJECT	Construction of Wandillup and Greenbushes Bush Fire Stations		
OFFICER	Project Officer		
DATE OF REPORT	4 December 2023		

OFFICER RECOMMENDATION

That Council;

- 1. Receives the information contained in the report on the status of the new Wandillup and Greenbushes Fire Stations.*
- 2. Requests the Chief Executive Officer, in consultation with the Shire President, the Brigade Captains and the Department of Fire and Emergency Services, to arrange suitable promotion of the additional funding for the new Wandillup and Greenbushes Bush Fire Stations.*

Summary/Purpose

This report provides an update on the status of the new Wandillup and Greenbushes Fire Stations and recommends that staff arrange for suitable promotion of the additional funding approved by the Department of Fire and Emergency (DFES) Services for the new facilities.

Background

At the Council Meeting held on 2 November 2023 tenders for the construction of the Wandillup and Greenbushes fire stations were awarded to BRC Building Solutions Pty. Ltd.

Although the tenders closed on 20 June 2023, the delay in awarding the tenders was due to insufficient funding being available. As advised in the earlier report, the following grants for the construction of two new Fire Station buildings at Greenbushes and Wandillup were approved by DFES in June 2021.

\$242,600 (ex GST)	Construction of Greenbushes Fire Station
\$271,100 (ex GST)	Construction of Wandillup Fire Station

To address the shortfall in funding for both the Wandillup and Greenbushes Fire Station buildings, staff contacted DFES and forwarded a copy of the preferred tenders for their assessment. A formal request was then made to DFES on 13 October 2023 seeking additional funding to make up the shortfall. On 19 October 2023 the Shire received email correspondence confirming that additional funding of \$686,678 had been approved for both the Wandillup and Greenbushes Fire Stations.

The required Shire contributions for siteworks have been included in Council's 2023-24 Budget which together with the additional DFES grants provide sufficient funds for both projects to proceed.

Officer Comment

A start up meeting was held with the builder on 8 November 2023 and project schedules for both buildings are currently being prepared. Siteworks are likely to commence mid-late January 2024 and construction completed by September 2024, prior to the start of the 2024-25 bush fire season.

A meeting with the Bush Fire Brigade Captains was held to exchange information and establish communication channels between the builder and the brigades. This will help to ensure that there is minimal disruption to normal Bush Fire Brigade operations during the current fire season.

In consultation with the Shire President, DFES and the two Brigades, it is also proposed to arrange for some media coverage and promotion of the additional DFES funding that will allow the new facilities to be built and generally promote the vital role played by the brigades in protecting our communities.

Statutory Environment

The new Wandillup and Greenbushes Bush Fire Stations must comply with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply for facilities of this nature.

Integrated Planning

- Strategic Community Plan
Objective 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Corporate Business Plan
Objective 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Long Term Financial Plan - Nil
- Asset Management Plans
The new Bush Fire Stations will be constructed on Shire managed land and therefore will be included in the Shire's Asset Management and Building Maintenance Plans.
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The new Wandillup and Greenbushes Fire Stations will provide good standard facilities for the two brigades and help attract new members and increased capacity to respond to bush fires in their respective communities.

Budget Implications - Nil

Whole of Life Accounting

The design stages of project planning included an assessment of the maintenance requirements to identify the whole life cycle costings associated with infrastructure maintenance and the required workforce implications.

Risk Management

The main Risks identified in relation to this item are cost overruns and delays with construction. The Consequence could be Reputational and/or Financial if cost overruns and/or delays with construction were to eventuate. The Risk Consequence is considered to be Moderate and the Likelihood Possible resulting in a Moderate Level of Risk. The Risk of cost overruns is mitigated by a small contingency allowance being included in the budgets for both projects and DFES agreeing to fund unforeseen variations. The Risk of delays with construction is mitigated by establishing a Project Control Group to manage and monitor the project and avoid delays wherever possible.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

**C.09/1223 Construction of Wandillup and Greenbushes Bush Fire Stations
That Council:**

- 1. Receives the information contained in the report on the status of the new Wandillup and Greenbushes Fire Stations.**
- 2. Requests the Chief Executive Officer, in consultation with the Shire President, the Brigade Captains and the Department of Fire and Emergency Services, to arrange suitable promotion of the additional funding for the new Wandillup and Greenbushes Bush Fire Stations.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.10/1223	FILE REF.	
SUBJECT	Repeal 'Well Wishes from Council 'Policy		
OFFICER	Executive Assistant		
DATE OF REPORT	7 December 2023		

Attachment 9 G 12 – Well Wishes From Council Policy

OFFICER RECOMMENDATION

That Council repeal G 12 – Well Wishes From Council Policy as listed in Attachment 9.

Summary/Purpose

This Agenda Item proposes the repeal of the "Well Wishes from Council" policy, which allows for the acknowledgment of personal events in the lives of staff, Councillors, and affiliates through the sending of flowers, cards, small gifts, and notices in the local paper.

Background

This Agenda Item proposes the repeal of the "Well Wishes from Council" policy, allowing Council and Executive the discretion to determine the appropriateness of recognising personal events through flowers, small gifts, or acknowledgments in the local paper.

In place of the "Well Wishes from Council Policy," the decision-making process for gifts and newspaper advertisements will be guided by the CEO's delegated authority, the Purchasing Policy, the Conflict-of-Interest Policy, the Code of Conduct and the reasoned judgement of Elected Members. This will ensure that ethical standards are maintained in every recognition gesture.

The current "Well Wishes from Council" policy was implemented to express goodwill and recognition for personal events among Council members, staff, and affiliates. Recognising the need for flexibility in such matters, this proposal seeks to empower

Council and Executive with the authority to decide the appropriateness of acknowledging personal events.

Council and Executive are best positioned to assess the appropriateness of recognising personal events within the organisation. Repealing the policy enables a more flexible approach, allowing decisions to be made on a case-by-case basis.

The amounts associated with the policy fall within the CEO's delegated authority. Granting discretion to Council and Executive aligns with established governance structures and ensures efficient decision-making.

Officer Comment

Council is asked to consider the repeal of the "Well Wishes from Council" policy, granting Council and Executive the discretion to determine the appropriateness of recognising personal events through flowers, small gifts, or acknowledgments in the local paper.

Officers have been unsuccessful in finding another local government in Australia that retains such a policy.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management – Low.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Mahoney, Seconded Cr Pratico
C.10/1223 Repeal ‘Well Wishes from Council’ policy.**

That Council repeal G 12 – Well Wishes From Council Policy as listed in Attachment 9

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

ITEM NO.	C.11/1223	FILE REF.	230
SUBJECT	Proposed Ordinary Council Meeting dates for 2024		
OFFICER	Executive Assistant		
DATE OF REPORT	6 December 2023		

OFFICER RECOMMENDATION

That Council approve the following schedule of ordinary council meetings for 2024, to take place at 5.30pm in the Council Chambers, excepting the month of May and November, where the meetings are to be held at the Greenbushes Community Resource Centre;

Thursday 25 January 2024
 Thursday 29 February 2024
 Thursday 28 March 2024
 Thursday 25 April 2024
 Thursday 30 May 2024
 Thursday 27 June 2024
 Thursday 25 July 2024
 Thursday 29 August 2024
 Thursday 26 September 2024
 Thursday 31 October 2024
 Thursday 28 November 2024
 No Ordinary Council Meeting in December 2024

Summary/Purpose

The *Local Government (Administration) Regulations 1996*, s.12(2) require the CEO to publish the date, time and location of ordinary council meetings on the Shire's website prior to the commencement of the year in which the meetings are to be held.

Officer Comment

The proposed meeting structure is in accordance with Council Policy G 4 - Meetings of Council, where meetings are to be held on the last Thursday of each month commencing at 5.30pm (excepting December). The December meeting is to be held on the second Thursday of December, as is normal practice to hold the meeting earlier in the month.

Statutory Environment

Local Government (Administration) Regulations 1996, s.12(2)

- (1) In this regulation —
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - (a) ordinary council meetings;

Integrated Planning

- Strategic Community Plan
 - Outcome 13 Proactive, visionary leaders who respond to community needs
 - Outcome 14 Effective governance and financial management
 - Objective 15.1 Engage the community in a meaningful and timely way using appropriate communication and consultation channels

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning – Nil

Policy/Strategic Implications

G 4 - Meetings of Council

Ordinary Meetings of the Council will be held on the last Thursday of each month (excepting the month of December), commencing at 5.30pm. If Australia Day or Anzac Day falls on a normal Council Meeting Thursday, then the meeting be held on the Wednesday beforehand.

Budget Implications

Elected Members are paid council meeting attendance fees in accordance with Section 5.98(1)(b) of the *Local Government Act 1995* and Council Policy G 3 – *Members Allowances/Expenses*.

Room hire fees for the May and November ordinary meetings taking place at the Greenbushes Community Resource Centre is included in the annual budget.

Whole of Life Accounting - Nil

Risk Management

Failure to set and advertise Council meeting dates will contravene legislative requirements.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Moved Cr Christensen, Seconded Cr Pratico
C.11/1223 Proposed Ordinary Council Meeting dates for 2024.

Amendment Moved Cr Christensen, Seconded Cr Pratico
C.11/1223 That

1. the April 2024 date be changed from Anzac Day Thursday 25 April 2024 to Thursday 18 April 2024.
2. Remove the words from the Officer Comment 'The December meeting is to be held on the second Thursday of December, as is normal practice to hold the meeting earlier in the month'.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

The amendment was incorporated into the substantive motion and was put.

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.11/1223a Proposed Ordinary Council Meeting dates for 2024.**

That Council approve the following schedule of ordinary council meetings for 2024, to take place at 5.30pm in the Council Chambers, excepting the month of May and November, where the meetings are to be held at the Greenbushes Community Resource Centre;

**Thursday 25 January 2024
Thursday 29 February 2024
Thursday 28 March 2024
Thursday 18 April 2024
Thursday 30 May 2024
Thursday 27 June 2024
Thursday 25 July 2024
Thursday 29 August 2024
Thursday 26 September 2024
Thursday 31 October 2024
Thursday 28 November 2024
No Ordinary Council Meeting in December 2024**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.12/1223	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	23 November 2023		

Attachment 10 Rolling Action Sheet

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the Rolling Action Sheet as shown in Attachment 10.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the status of previous resolutions/decisions that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an attachment to this agenda.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans- Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

There are no risk areas identified in accordance with Council Policy RM 1 – Risk Management as the report is for Council’s information only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Lansdell, Seconded Cr Fletcher C.12/1223 Rolling Action Sheet.

That Council acknowledges receipt of information contained in the Rolling Action Sheet as shown in Attachment 10.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Lansdell

Question

On the rolling action sheet for C.03/0623 - Which is the initials on the wall, it states that if all parties are happy with it for it to go ahead, are we part of that party?

CEO Response - Yes

Question

And if we're not happy with it, then what?

CEO Response - Council adopted a motion that it would be put back in a replica manner. That's our intention so unless that Motion is rescinded, hopefully Council will be comfortable.

Question

I think I'm just concerned with the chalk and how it's been done. I think it's too large.

CEO Response - we have a photograph of the original sketch and that's what's going to be done. My understanding was that the agreement was that the original initials would be inserted in the same manner and place they were previously.

Shire President - I believe Mr. Moyes has been involved in the location of it, helping with making sure that the location is correct, and the presentation is correct.

CEO Response - There's two up on the wall now, one in blue chalk and one in white. I don't know if it's bigger because I don't know if the chalk-up is reflective of the size of the point work. But I will double check.

ITEM NO.	C.13/1223	FILE REF.	860
SUBJECT	Standardised Acknowledgement of Country		
PROPONENT	Manager Community Services		
OFFICER	Manager Community Services		
DATE OF REPORT	December 2023		

Attachment 11 Tindale's Map of the South West
Attachment 12 Tindale's Map of Australia

OFFICER RECOMMENDATION:
That Council;

1. *Adopt the revised Acknowledgement of Country, which removes the socio-linguistic names Wadandi and Pibbulmun and replaces them with the Bibbulmun Nation. This refers to the Aboriginal name by which the Indigenous people of the Southwest recognised themselves, their language and their culture prior to European Settlement.*
2. *The revised Acknowledgement of Country is to replace the current Acknowledgement of Country and be used by shire staff as an email signature, at formal meetings and functions and offered for use to community groups, private residents and the business community for functions and formal occasions as written below:*

Acknowledgement of Country – Meetings and formal events/functions

'We acknowledge the cultural custodians of the land on which we gather, the Bibbulmun Nation. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Acknowledgement of Country – Emails and Communications

'We acknowledge the cultural custodians of the land, the Bibbulmun Nation. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

3. *Install the revised Acknowledgement of Country as a visual acknowledgement to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library and the glass door of the customer support area of the administration building, reporting back to Council for design and installation method approval.*

Summary/Purpose

These recommendations seek to correct Council's Acknowledgement of Country and ensure Council is as technically correct as possible, negating issues associated with identifying specific socio-linguistic groups.

Background

In November 2021 (C.17/1121) Council establish a Bridgetown-Greenbushes Cultural Inclusion Advisory Committee for the two-year term expiring 21 October 2023, and endorsed the Instrument of Appointment & Delegation for the Bridgetown-Greenbushes Cultural Inclusion Advisory Committee.

In March 2022 (C20/0322) Council;

1. *Endorse the change of name of this committee from the Cultural Awareness Committee to the Cultural Inclusion Committee.*

2. *Endorse the appointment of Jaye Herring as a representatives on the Cultural Awareness Advisory Committee to fill the position of a person that identifies as an Aboriginal and/or Torres Strait islander.*
3. *Endorse an annual budget allocation of \$10,000 to be used by the committee as seed funding for grants, projects, programs and events including Harmony Week and NAIDOC Week.*
4. *Direct the CEO to investigate the process and cost associated with dual naming of the Blackwood River (Goorbilyup) and report the findings back to Council at the April Council Meeting.*
5. *That the Shire provide a standard Acknowledgement of Country to be offered for use within the shire by community groups, private and business functions with Local Aboriginal Elder Sandra Hill and report back to Council.*

In September 2022 Council (c.13/0922) decided in part to:

1. Revoke Policy M.37 Acknowledgment of Country
2. Adopt the Acknowledgement of Country as recommended by the Cultural Inclusion Advisory Committee to be used by the Shire as an email signature, at formal meetings and functions and offered for use to community groups, private residents and the business community for functions and formal occasions as written below:
 - a. Acknowledgement of Country – Meetings and formal events/functions
‘We acknowledge the cultural custodians of the land on which we gather, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps’
 - b. Acknowledgement of Country – Emails and Communications
‘We acknowledge the cultural custodians of the land, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps’

In late November 2023 the CEO was contacted by an officer from the South West Land and Sea Council to inform the shire they were including incorrect language groups in our Acknowledgement of Country. Specifically, the Wadandi language group should not be included and the Kaneang group should be included. Officers then contacted Brad Goode, an Anthropologist that undertakes anthropological and archaeological Aboriginal Heritage Surveys throughout the South West to discuss the best way to navigate the issue without offending any specific socio-linguistic group or creating disagreement between elders of each language group.

Officer Comment

“Anthropological research suggests that prior to European settlement the South West and Western Australia was considered to form a distinct cultural bloc that was defined by the distribution of Noongar language groups. The work “Noongar” is a generic term used today to define those people of Indigenous descent whose ancestors originally occupied the whole of the Southwest (Bates 1985: 47; Collard 1994: 23). Before the word Noongar was used to denote a social-linguistic group, the Indigenous people of the Southwest recognised themselves, their language and culture as Bibbulmun (Bates 1985: 46).

Ethnologist Norman Tindale (1974) who built upon the work of Bates identified 13 ‘tribal groups’ based on socio-linguistic boundaries and minor dialect differences who inhabited an area to the west of a line drawn roughly from Jurien Bay in the north to Esperance in the Southeast. Tindale’s (1974) research identified three language groups occupying the upper Blackwood Area at Bridgetown. One of these groups were Kaneang, who reported to occupy the upper Blackwood area and east to a line joining Katanning, Cranbrook, and Tenterden; at Kojonup, Collie, Qualeup, Donnybrook, Greenbushes, Bridgetown. The group south of the Blackwood River were identified as Pibelmen and occupied an area on the Lower Blackwood River; chiefly between the hills in country between the Blackwood and Warren Rivers; East of the Gardener River and Brooke Inlet; along Scott River inland to Manjimup and Bridgetown Tindale 1974; 255). The third group north of the blackwood River towards the coast to the west was identified as Wadandi. Tindale (1974:259). Tindale describes the Wadandi territory as “From Bunbury to Cape Leeuwin, chiefly along the coast at Geographe Bay in the vicinity of Nannup and Busselton.” *Report of an Aboriginal Heritage Survey for the Proposed Blackwood River Foreshore, Development in Bridgetown, Western Australia* B Goode, Louise Huxtable, S Johnston December 2017.

SWALC provided a map to the CEO suggesting Wadandi territory came very close by not quite to the Bridgetown-Greenbushes shire boundary, however, these language based boundaries were not as precise as a shire boundary placed on a map today. This can be seen in attachment XX Tindale’s map of the Southwest of Western Australia. For these reasons the officer recommendation suggests Council err on the side of caution and acknowledge the Bibbulmun Nation rather than specific socio-linguistic groups.

Shire officers have recently been in contact with 3 Kaneang Elders interested in the Dual Naming of the Blackwood River project and other activities undertaken by Council relating to cultural inclusion. Mark Smith, Denise Smith-Ali and Beverly Rebbeck have offered their ongoing assistance. All three elders reside in Perth but are willing to review projects developed through the Cultural Inclusion Advisory Committee and provide feedback to Council. It is hoped that with the continued input of local Elder Sandra Hill (Pibelmen-Wadandi) and the support and possible inclusion of the Kaneang Elders into the cultural Inclusion Advisory committee, a balanced assessment of future cultural projects will be available to Council.

Statutory Environment

- Equal Opportunity

Integrated Planning

- Strategic Community Plan
 - Outcome 1 A growing community that is diverse, welcoming and inclusive
 - Objective 1.4 Grow recognition and respect for all cultures
 - Outcome 8 Local history, heritage and character is valued and preserved
 - Objective 8.1 Identify, preserve and showcase significant local history and heritage

- Corporate Business Plan
 - Action 1.4.1 provide a reconciliation action plan
 - Action 1.4.2 facilitate the collection and sharing of information and stories about local culture and history including NAIDOC Week and Harmony Week
 - Action 8.1.4 partner with the Historical Society to improve promotion of local history and heritage

- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk is high and is relevant to all three recommendations given the likelihood that community and other members of the socio-linguistic groups located in the Southwest have already or will gain knowledge of the mistake and continued use of Council’s current Acknowledgement to Country.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements –Simple Majority

Moved Cr Pratico, Seconded Cr Boyle
C.13/1223 Standardised Acknowledgement of Country.

Council Decision *Moved Cr Boyle, Seconded Cr Pratico*
C.13/1223a *Standardised Acknowledgement of Country.*

That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.13/1223 – Standardised Acknowledgement of Country be adjourned to a future ordinary meeting of Council to allow for further information to be obtained.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Fletcher

Question

Just in reference to where the actual acknowledgment will be placed. It's only a very minor one. It's just not going to mention that it would appear on the Shire website. It's going to be on all other correspondence, to the signatures, but not the Shire website. So please make sure it goes on there.

CEO Response - We'll make sure it does.

Cr Lansdell

Question

I am just concerned that the proponent is the Cultural Awareness Advisory Committee, which is the wrong title. We haven't met. I'm part of that committee. I wasn't part of these discussions. I just don't think the proponent should actually be that Committee. That's misleading.

CEO Response - I would agree. I didn't realise the Committee hadn't met. It may have just been an oversight.

Council could defer the Motion. Cr Mahoney has already queried whether we have in writing the meetings that we had with the Aboriginal representatives. Unfortunately I'm not able to confirm this because Megan Richard's not here. If Council would prefer to defer the Motion until Megan is able to attend the meeting, we are comfortable to do that.

ITEM NO.	C.14/1223	FILE REF.	
SUBJECT	Establishment of Work Health and Safety Officer		
OFFICER	Chief Executive Officer		
DATE OF REPORT	8 December 2023		

Attachment 13 Position Description – Work Health and Safety Officer

OFFICER RECOMMENDATION

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Summary/Purpose

The Shire of Bridgetown-Greenbushes, in conjunction with the Boyup Brook Local Government, recognises the paramount importance of ensuring the health and safety of its employees, residents, and visitors. As part of our commitment to fostering a safe and compliant working environment, we propose the establishment of a shared Work Health & Safety Officer position.

Background

Officers propose the creation of a shared Work Health & Safety Officer position, which will be jointly funded and shared between the Shire of Bridgetown-Greenbushes and the Boyup Brook Local Government. This position will be responsible for overseeing and implementing safety measures, promoting a culture of safety, and ensuring compliance with relevant regulations.

The primary purpose of this position is to enhance safety within our organisations, reducing the risk of workplace incidents, injuries, and accidents. A dedicated Work Health & Safety Officer will help ensure strict compliance with all relevant laws, regulations, and standards, reducing the potential for non-compliance fines and penalties. By sharing the position with Boyup Brook, we can pool resources, share expertise, and reduce costs, making it more financially feasible for both organisations. Having a dedicated officer will streamline safety-related tasks, making the workplace safer and more efficient, ultimately saving time and resources. The Officer will identify potential hazards, conduct risk assessments, and develop mitigation strategies, reducing the likelihood of costly incidents.

Employee safety and wellbeing are paramount. A dedicated Officer will provide support and resources to promote physical and mental health in the workplace. The initial funding for this shared position will be sourced from the Shire of Bridgetown-Greenbushes' underspend funds, resulting from vacancies in the first six months. This will cover the cost for the first six months of the shared position. After this initial period, we intend to embed the Work Health & Safety Officer position into our organisational structure and fund it through the established budget process for the

new year. This approach aligns with our long-term commitment to safety and sustainability.

Officer Comment

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Statutory Environment

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Mahoney
C.14/1223 Establishment of Work Health and Safety Officer.**

That Council support the establishment of a new permanent position, being a Work Health & Safety Officer.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Fletcher

Questions

I have a couple of questions and one is obviously, what is the portion FTE that we are going to be sharing with Boyup Brook Shire and how much in Bridgetown, how much that person is there.

The second one, I'm just questioning why we might need a permanent position. Why can't it be a shorter term than that?

Number three, what is the cost to Shire? I know the first six months are covered by savings that have been made in reallocated funds, so I'd love to know that. Could the position be incorporated with existing part time employee that's already at the Shire.

CEO Response – We've had a couple of resignations on very good terms. Someone's husband has obtained a job up north and someone became very unwell and didn't want to resign but had to. This provides us with opportunity to repurpose positions.

Most organizations have a full-time Work Health and Safety Officer, due to high-level risk with the outside crew, and everything that we have to do in that regulatory space.

In a dream world, we'd have one five days a week, but unfortunately, we're not that financial, so we believe we can be on top of it three days a week.

I can confirm that we desperately need this position and that three days a week, they're going to have a lot of work to do in that time.

It would be difficult to entice anyone to that role if it's only temporary. We're in an employee's market and people aren't champing at the bit to take part time jobs for the local government when we can't offer housing. So we're already restricted to people that live in the immediate vicinity.

Question

I should of used the term fixed-term as well. Whether it'll be three years, if we've got a software package that's to go to do a lot of the work and every employee has an obligation under OHS. I was wondering whether we found also if we are struggling to get people to the position and we put someone in a permanent position that finds it difficult to function two years down the track or whatever. We now have a permanent position, could we be struggling as a Shire?

CEO Response - I like to provide the best terms and conditions for employees that I possibly can. I like to try and build a culture of mutual respect and if people are worried about contract length, they will resign.

Cr Pearce

Question

Just with the position description - I've noticed that it reports to Steele. Just confirming that the position is across the whole organisation. It reports to Steele, but it's obviously dealing with work health and safety across the whole organization.

CEO Response - The longer-term intention is that the Work Health and Safety Officer will be located at the depot because that's where our highest risk is, but the officer will operate across the whole organisation.

Cr Lansdell

Question

I noticed in the write-up that there was nothing under budget implications. Am I assuming that's because of their requirements?

CEO Response - With apologies, we should have put in the exact budget implications. We'll get better at that. At this point, there are none because I'm able to repurpose components of other positions and pull them together to be able to pay for three days a week for this year.

ITEM NO.	C15/1223	FILE REF.	
SUBJECT	Work Health and Safety Act 2020 – Obligations		
OFFICER	Chief Executive Officer		
DATE OF REPORT	December 2023		

OFFICER RECOMMENDATON

That Council acknowledge receipt of information contained in this report.

Summary/Purpose

To inform any Elected Members, who are not already aware, of their significant obligations under the *Work Health & Safety Act 2020* (the WHS Act). The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers are largely expected to “hit the ground running” in compliance with the new laws. This Item highlights features of the new legislation with the potential to impact Council and the Shire in general.

Background

The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers were expected to immediately comply with the new laws.

THE MOST SIGNIFICANT CHANGES

1. The WHS Act introduces the concept of a 'Person Conducting a Business or Undertaking' (PCBU), replacing the outdated concept of an 'employer' as the person with primary health and safety duties. A PCBU can be a sole trader, each partner within a partnership, a joint venture, a company, an unincorporated association, a not-for-profit organisation, a government department or a public authority (including a local government) whether or not they are operating for profit or gain.
2. There is now the inclusion of the new offence of 'Industrial Manslaughter.' Under the new laws, individuals can be charged with Class One or Class Two Industrial Manslaughter offences in the event of a workplace death. Class One Industrial Manslaughter covers conduct that is engaged in, with knowing disregard, that it is likely to cause death and carries a maximum jail term of 20 years. Class Two Industrial Manslaughter covers conduct that is a negligent breach of a duty owed by a PCBU that results in death and carries a maximum jail term of 10 years.
3. The concepts of Worker and Workplace have been expanded. Workers now include employees, contractors, sub-contractors, employees of contractors, employees of labour hire companies, apprentices, trainees, work experience students and, in certain situations, volunteers. Workplace is defined as a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. The term place includes vehicles, vessels, aircrafts or other mobile structures and extends to any waters and installation on land, including roads.
4. There has been a change to primary duty. The new laws require all PCBUs to ensure, so far as is reasonably practicable, while workers are at work in the PCBU, the health and safety of:
 - Workers engaged, or caused to be engaged by the person; and
 - Workers whose activities in carrying out the work are influenced or directed by the person.

This change drives a need to focus on the risks a hazard may pose and to manage those risks to a practicable level. The duty to ensure health includes a duty with respect to taking positive practicable steps to ensure the mental health of workers.

5. Penalties for WHS breaches are no longer insurable. Duty holders are no longer able to obtain insurance for a penalty imposed following a WHS prosecution. Individuals who breach this are liable for penalties of up to \$51,000 and body corporates are liable for penalties up to \$250,000. This

change means that businesses need to ensure they are taking proactive steps to develop procedures designed to meet their legal obligations and to ensure compliance with those procedures by their workforce. Duty holders should be aware that duties are not transferrable and cannot be contracted out of.

6. There is now a duty to consult with other duty holders and workers and their representatives. The new laws require duty holders with shared responsibilities to work together to make sure someone does what is needed. This requires consultation, co-operation and co-ordination between duty holders such as partners, joint venture partners, and principals and contractors. PCBU's are now also required, so far as is reasonably practicable, to consult with workers and health and safety representatives about matters that directly affect them. This duty extends to consulting with all kinds of workers, not just the PCBU's own employees. Meeting these consultation duties requires some planning as to how and when consultation will be undertaken.
7. There is now provision for officer due diligence. Officers of PCBU's now have personal obligations to demonstrate a proactive approach to workplace health and safety matters. Officer has the same meaning as defined in the *Corporations Act 2001* (Cth) and includes directors and/or any person who makes or participate in making decisions that affect the whole, or a substantial part, of the PCBU. Officers must now exercise due diligence to make sure the business meets its duties to protect workers and other people against harm to health and safety. All officers now need to be trained to ensure they fully understand these obligations and are taking all necessary steps to comply with them. There is an obligation on an officer to refuse work if it cannot be done safely.
8. CODE OF PRACTICE – WORKPLACE BEHAVIOUR

This Code aims to prevent and manage inappropriate or unreasonable behaviour that may occur in the workplace, encompassing all types of workplace behaviour that may create a risk to the personal health and safety of workers. Whilst the Code captures physical behaviours, it also extends to psychological and social conditions which may negatively impacts workers. It is the responsibility of PCBU's to ensure, so far as reasonably practicable, that workers and other people in a workplace are not exposed to psychological health and safety risks.

Inappropriate or unreasonable behaviour includes, but is not limited to:

- Bullying;
- Harassment;
- Sexual harassment;
- Racial harassment;
- Violence and aggression;

- Discrimination;
- Misconduct; and
- Escalated or unreasonable conflicts.

9. CODE OF PRACTICE – PSYCHOSOCIAL HAZARDS IN THE WORKPLACE

There is now provision for psychosocial hazards in the workplace. Penalties for contributing to mental health harm are now as severe as penalties for contributing to physical harm.

This Code captures hazards and conditions in workplaces that pose psychological and social risks to workers (as opposed to just physical risks). These include the obvious factors of bullying, harassment, violence and aggression, but also the less obvious issues of fatigue, stress and burnout that can compromise a worker's psychosocial wellbeing. Under this Code, it is the responsibility of PCBUs to facilitate a systematic approach to managing psychosocial hazards in order to meet their responsibilities under the WHS Act and to create a safe and healthy work environment for employees.

10. CODE OF PRACTICE – VIOLENCE AND AGGRESSION IN THE WORKPLACE

This Code captures any incident where a person is harassed, threatened, attacked or physically assaulted within a workplace, and includes any form of physical assault, sexual assault, verbal abuse, threats, intimidation and harassment (including sexual harassment).

Under this Code, PCBUs must consider violence and aggression risk management as part of an overall prevention plan. There are three key areas employers should focus on when implementing this plan, including managing violence and aggression in the workplace, responding to any type of abuse in the workplace and ensuring post-incident support services are available such as counselling or legal support should they arise.

Code of Practice compliance centres around the implementation of a Risk Management Approach.

To comply with the above Codes, PCBUs must adopt a proactive risk management approach to prevent and reduce psychosocial risk in the workplace by:

- Identifying the hazards and risk factors;
- Assessing the risks;
- Controlling the risks by making the changes necessary to eliminate the hazards or risk factors, and if this is not practicable, then minimising the risk of harm; and

- Monitoring and reviewing the effectiveness of controls and adapt or improve the controls where necessary.

11. THE APPROACH THE REGULATOR TAKE TOWARD BREACHES

WorkSafe WA and Resources Safety have been consolidated into the Safety Regulation Group under the independent WorkSafe WA Commissioner. PCBUs may expect to be prosecuted in accordance with the WorkSafe WA Prosecution Policy.

The WHS Act will allow WorkSafe WA inspectors to issue PCBUs with consequences dependent on the circumstances and by applying a consistent approach to similar fact circumstances to achieve greater certainty and protection in the workplace. Where a breach has occurred, in addition to recommending prosecution, a WorkSafe inspector may issue PCBUs with:

- Advice on compliance;
- Assistance to mediate and resolve workplace disputes;
- Issuance of improvement notices;
- Issuance of prohibition notices;
- Revoking, suspending or cancelling authorisations;
- Enforcing criminal prosecutions; and
- Publishing enforcement actions and outcomes.

WorkSafe WA inspectors may conduct site visits either in response to an incident or a complaint or as part of a targeted compliance program. This means that inspectors may require the employer or persons involved to produce documents relevant to WHS and conduct interviews requiring these persons to answer. This may result in the inspector seizing information to use against the employer as evidence of an offence and may issue a notice of improvement or prohibition notice.

12. WHAT ELSE MAY LEAD TO A PROSECUTION?

- Failure to consult between multiple PCBUs where the risk is obvious;
- Failure to carry out due diligence;
- Labour hire employees working outside of their skill or scope;
- Taking on work contracts which ultimately lead to risks and safety issues;
- Contractors failing to be responsible for not only employees, but also the plant and equipment of the client; and
- Failure to audit to ensure safety procedures and systems are being complied with.

13. WHAT DO WE NEED TO DO NOW?

PCBUs and their officers were directed to take urgent steps to ensure they were compliant with the WHS Act from 31 March 2022. The Shire of Bridgetown was expected to:

- Understand how the WHS Act impacts on the Shire;
- Review and update systems and processes to ensure compliance with the WHS Act;
- Provide training to officers about the new obligations and what Courts and regulators are likely to consider is required for compliance;
- Develop evidence of daily compliance with the obligations under the WHS Act; and
- Implement audits to ensure ongoing compliance with the WHS Act.

Immediate action has been taken over the past month to ensure rapid implementation of initiatives intended to ensure compliance with the above.

14. APPLICABILITY TO LOCAL GOVERNMENT

The Shire of Bridgetown itself is a PCUB as a local government entity. However, the WHS Act and regulations identify specific organisations that are not considered to be a PCBU for the purposes of the WHS Act. These include (but are not limited to):

- Individuals engaged solely as a worker (such as an employee) and an officer (such as an executive manager) acting in that capacity alone.
- Local government members, who are acting in that capacity.

However, local government employees, executive managers and Elected Members, while exempt from being a PCUB, are not exempt from the WHS Act and their respective obligations under this Act. Worksafe is clear that failing to perform these obligations will potentially lead to prosecution.

Specifically, local government employees, executive managers and Elected Members are defined as 'Others.' Section 29 of the WHS Act refers to 'Duties of other persons at the workplace' and outlines the following obligations:

29. Duties of other persons at the workplace

A person at a workplace (whether or not the person has another duty under this Part) must —

- (a) take reasonable care for the person's own health and safety;*
and

- (b) take reasonable care that the person's acts or omissions do not adversely affect the health and safety of other persons; and*
- (c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.*

In addition, Section 31(2) states:

31. Failure to comply with health and safety duty — Category 1

(2) A person commits an offence (a Category 1 offence) if —

- (a) the person has a health and safety duty otherwise than as a person conducting a business or undertaking; and*
- (b) the person fails to comply with that duty; and*
- (c) the failure causes the death of, or serious harm to, an individual.*

Penalty for this subsection:

- (a) for an individual, if the offence is committed by the individual as an officer of a person conducting a business or undertaking, imprisonment for 5 years and a fine of \$680 000;*
- (b) for an individual, if paragraph (a) does not apply, imprisonment for 5 years and a fine of \$340 000;*
- (c) for a body corporate, a fine of \$3 500 000.*

(3) For the purposes of subsections (1)(c) and (2)(c), the failure causes serious harm to an individual if it causes an injury or illness to the individual that —

- (a) endangers, or is likely to endanger, the individual's life; or*
- (b) results in, or is likely to result in, permanent injury or harm to the individual's health.*

(4) A person charged with a Category 1 offence may be convicted of a Category 2 offence or a Category 3 offence.

15. PENALTIES

The WHS Act provides for three main categories of WHS offences (each with different 'fault elements'), along with a new offence of industrial manslaughter. A high-level overview of the maximum penalties for these offences for both PCBUs and officers is set out in the table further below.

A PCBU commits industrial manslaughter if it, in breach of its duties, engages in conduct that causes the death of an individual, knowing that the conduct is likely to cause the death of, or serious harm to, an individual, and in disregard of that likelihood.

An officer of a PCBU commits industrial manslaughter if a PCBU, in breach of its duties, engages in conduct that causes the death of an individual, and the PCBU's conduct is attributable to any neglect on the part of the officer, or is engaged in with the officer's consent or connivance.

WHS offences and maximum penalties

Offence	Maximum Penalty – PCBU	Maximum Penalty – officer
Industrial manslaughter	<ul style="list-style-type: none"> • Individual: 20 years imprisonment and a fine of \$5,000,000. • Body corporate: \$10,000,000 	<ul style="list-style-type: none"> • 20 years imprisonment and a fine of \$5,000,000.
Category 1 Offence	<ul style="list-style-type: none"> • Individual: 5 years imprisonment and a fine of \$680,000. • Body corporate: \$3,500,000 	<ul style="list-style-type: none"> • 5 years imprisonment and a fine of \$680,000.
Category 2 Offence	<ul style="list-style-type: none"> • Individual: \$350,000. • Body corporate: \$1,800,000. 	<ul style="list-style-type: none"> • \$350,000.
Category 3 Offence	<ul style="list-style-type: none"> • Individual: \$120,000. • Body corporate: \$570,000. 	<ul style="list-style-type: none"> • \$120,000.

16. INSURANCE AND INDEMNITY ARRANGEMENTS

The new laws prohibit entering and receiving the benefit of insurance and other indemnity arrangements which cover WHS fines/penalties.

The prohibitions make it unlawful (for example) for a person to enter into an insurance policy that purports to indemnify a person for their liability to pay a fine for an offence under the WHS Act; or be indemnified, or agree to be indemnified, by another person for liability to pay a fine for an offence under the WHS Act.

Consequently, companies are no longer able to indemnify directors by paying fines on their behalf.

Officer Comment

Councillors requested that the CEO have confirmed that they could be prosecuted for negligence, as individuals, under the *Work Health and Safety Act 2020*.

In November 2023, the CEO confirmed that a WorkSafe Inspector had deemed the above information to be correct.

The CEO has now had confirmed by Taylor Smart Lawyers that the above information is correct. The legal advice arrived only hours before the November 2023 Ordinary Council Meeting, so the meeting was deferred to ensure proper consideration of the advice.

On advice from Cr Pearce that the WorkSafe Inspector had provided him with alternate information to the advice he had provided to the CEO with regard to Industrial Manslaughter, the CEO re-contacted WorkSafe for clarification this month and was told WorkSafe could not provide us with the clarification because this would be leaning towards 'legal advice.'

Regardless, the legal advice from Taylor Smart Lawyers confirmed that individual Councillors would not be prosecuted specifically under the Industrial Manslaughter provision.

To be clear, according to the external advice received:

- Elected Members and Executive Managers are not precluded from the WHS Act and can be prosecuted under the Act. However, they are not classified as a PCUB and so will not be prosecuted under the Industrial Manslaughter provisions.
- The Shire of Bridgetown-Greenbushes and the CEO are PCUBs and may be prosecuted under multiple provisions within the Act, including the Industrial Manslaughter provisions.
- It is the high-level responsibility of Elected Members and the Executive Team to ensure that the Shire is never subject to a successful Industrial Manslaughter charge, which would potentially prove catastrophic to the Shire's long-term viability.
- It is not the role of the CEO to interpret, rephrase, debate or defend external advice with Council, but to simply provide the advice to Council to assist with deliberations and decision-making.

Statutory Environment – Work Health & Safety Act 2020

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil

- Asset Management Plans
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not applicable

Budget Implications

Potentially catastrophic if subject to prosecution for negligence as a PCUB (the organisation itself).

Whole of Life Accounting

Not applicable

Risk Management

Risk areas identified according to the Shires risk management policy, are Health, Financial Impact, and Reputational External.

Health:

Catastrophic (fatality, permanent disability) with a likelihood measure being unlikely, giving an overall risk rating of High.

Financial Impact:

Catastrophic (more than \$500,000) with a likelihood measure being unlikely, giving an overall risk rating of High.

Reputational External:

Dependent on the event. If one or more people die, the reputational damage could be Catastrophic.

Due to the current dissatisfaction amongst affected members of the public there is a risk the issue will be escalated and therefore Reputational External is considered Moderate (substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g. State News story) with a likelihood measure being Likely, giving an overall risk rating of High.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic

Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Pratico
C.15/1223 Work Health and Safety Act 2020 – Obligations.**

That Council acknowledge receipt of information contained in this report.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

CEO Response - If you look at section 15 of that agenda item, it talks about the penalties and provides you with a table.

Cr Fletcher

Question

The question was from that table, what is Category One, Two and Three offense?
What is the definition?

Cr Mahoney stated:

- *A Category One offense causes the death of or serious harm to an individual.*
- *A Category Two offense exposes an individual to a risk of death or of injury or harm.*
- *A Category Three offence is where a person fails to comply with a duty if they have a health and safety duty.*

Corporate Services

ITEM NO.	C.16/1223	FILE REF.	131
SUBJECT	List of Accounts Paid in November 2023		
OFFICER	Manager Finance		
DATE OF REPORT	05 December 2023		

Attachment 14 – List of Accounts Paid in November 2023

OFFICER RECOMMENDATION

That council receive the List of Accounts Paid in November 2023 as presented in Attachment 14.

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- (a) annual budget estimates, considering any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and

- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Officer Comment

At the time of agenda preparation for the December 2023 Council meeting, month end finance processes were ongoing, as such the monthly statement of Financial Activity for November 2023 will be presented to the January 2024 Council meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

“C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.”

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in November 2023 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
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Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Boyle, Seconded Cr Fletcher
C.16/1223 List of Account paid in November 2023.**

That council receive the List of Accounts Paid in November 2023 as presented in Attachment 14.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Christensen

Question

Yes, I do because I'm on the committee together with Tracy, I had a question as to an amount paid \$52,000 to WBAC. I was just wondering what that breakdown is - what that is exactly for?

Director Corporate Services – Please see table below.

WARREN BLACKWOOD ALLIANCE OF COUNCILS (WBAC)	
Description	Amount
Annual Membership Fee	\$ 14,674
Climate Change Impact Group Contribution	\$ 2,640
Trails Development/Website Contribution	\$ 1,100
Regional Tourism Marketing Contribution	\$ 34,155
Total Paid EFT37975	\$ 52,569

Development, Community and Infrastructure

ITEM NO.	C.17/1223	FILE REF.	
SUBJECT	Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development in the Commercial zone		
OFFICER	Director Development, Community and Infrastructure		
DATE OF REPORT	1 December 2023		

Attachment 15 Copies of submissions received

Attachment 16 Map of Bridgetown townsite Commercial zoned land

OFFICER RECOMMENDATION

That Council advertise Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 for an additional 42 days to commence on Friday 22 December 2023, by;

- 1. Including a notice on the Shire website advising of the further opportunity to make submissions and including explanatory mapping showing all the land zoned 'Commercial' and subject to the amendment,*
- 2. Writing to the owners of Lot 601 (No 183) and Lot 2 (No 179) Hampton Street*
- 3. Considering any further submissions received, and the submissions already received on Amendment No. 73, after the completion of the further advertising period.*

Summary/Purpose

The purpose of this report is to enable the Council to consider the submissions received on amendment No 73 to the Shire of Bridgetown-Greenbushes Town Planning Scheme No. 3. The purpose of this amendment to allow for increased residential density within the Commercial zone, by enabling the approval of development of residential density of R35 as opposed to R12.5/R20 which currently applies in the scheme area.

Background

On 29 June 2023 (refer item C.15/0623) Council resolved to adopt, for the purposes of public advertising, Amendment No. 73 to the Scheme No. 3. The amendment proposes to add text to the Scheme to as follows;

4.3.3. Notwithstanding clause 4.3.3 (d) Council may permit development for residential use which complies with the provisions of the Residential Design Codes as they apply to areas coded R35, within the Commercial zone, where:

- i. it is satisfied that the development is consistent with the amenity of the locality, and*
- ii. in the case of a development located on or adjoining a site listed in Schedule 4 of the Scheme, it is satisfied that the development enables the place, building or object listed in Schedule 4 is conserved and preserved, and*
- iii. the development can be connected to the reticulated sewerage system.*

Submissions received:

Seven (7) submissions (three (3) from state government agencies and four (4) from community members) have been received on the amendment, shown in Attachment 15.

One of the submissions received has raised a number of concerns about the compliance of the public advertising of the amendment with the relevant Regulations.

As this report recommends that a period of further advertising occur as a response to one of the issues raised in this submission, the planning issues raised in the submissions will be addressed in the officer report presented to Council following the additional advertising period recommended.

Officer Comment

Summary of the advertising related issues raised in public submissions.

1. Process of advertising of the amendment

Summary: The submission claims that the amendment has not been properly advertised on the basis that the amendment documents have not been made available as required by Regulation 76A of the Planning and Development (Local Planning Schemes) Regulations 2015.

Comment: The notifications on the website of the amendment were as follows;

- On 4 October 2023 a notice of the amendment was published under the 'public notices' section of the website. Notice of the amendment was also included under the 'Community Consultation' section of the website, which included a link that took the user to the 'public notices' section. This link took the user to the top of the Public notices page rather than to the specific notice for the scheme. The full notice was on this page, the user just had to scroll down the page to see it.
- On 30 October this notice was mistakenly moved to 'past public notices' section of the website and was put back in current public notices on 3rd November.
- On 2nd November following a letter from a member of the public, the notice on the Community Consultation page of the website was altered to replicate the post of the public notice page rather the user having click a link to see the full notice. Both posts included links that took the users directly to the details of the amendment documentation.

Although it would have been preferable and clearer if notice of the amendment had been confined to one part of the website, the core requirements of Reg 76A are considered to be satisfied, in that the amendment documents were available on the website, albeit in some times with some scrolling required to find the details of the amendment.

2. Inaccurate description of the land involved in the amendment in the June 2022 (sic) report

The submission claims that the land involved in the amendment in in the original officer report is inaccurate in that it refers to 'Hampton Road' as opposed to 'Hampton Street' and that it refers to Commercial zoned lots fronting Hampton Street and Steere Street without reference to those lots fronting other streets such as Roe or Rose Street.

Comment: It is correct that the officer report to Council of June 2023 inaccurately referred to 'Hampton Road' as opposed to 'Hampton Street' and did not refer by name to the Commercial zoned lots fronting other streets such as Roe or Rose Street. These errors / omissions are not considered to have a significant material impact on the advertising of the amendment.

3. Inaccurate map attached to the amendment documents.

The submission claims that the explanatory map attached to the amendment fails to include two lots which are zoned Commercial.

Comment: It is correct that the map attached to officer report to Council of June 2023 and subsequently included in the explanatory material advertised as part of the amendment did not include 2 two lots which are zoned Commercial. These 2 lots,

Lot 601 (No 183) and Lot 2 (No 179) Hampton Street should have been included in the map but were not included owing to a drafting error.

Although a relatively minor error and not having any material impacts on the content of the scheme amendment, it is considered possible that the omission of these lots from the plan could have had a material impact on the advertising. The reason for this is that interested persons may have viewed the plan and may have reasonably assumed that the amendment did not apply to these lots, when in fact it does.

On this basis, further advertising of the amendment, with a corrected version of the plan, is recommended.

Statutory Environment

Regulation 50 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 states as follows;

Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution -

- (a) to support the amendment without modification; or***
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or***
- (c) not to support the amendment.***

A later date for compliance with the requirements of Regulation 50 (3) of 29th February 2024 has been approved by the WA Planning Commission.

Integrated Planning

- Strategic Community Plan
 - Outcome 7 Responsible and attractive growth and development.
 - Objective 7.1 Plan for a diverse range of land, housing and development opportunities to meet current and future needs.

- Corporate Business Plan
 - Objective 7.1 Plan for a diverse range of land, housing and development opportunities to meet current and future needs.
 - Action 7.1.1 Provide a Local Planning Strategy, in consultation with the community, to plan thoughtfully, creatively and sustainably for population growth, affordable housing and protection of environmental values.

- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The proposed amendment, if ultimately approved by the Minister for Planning, could assist in facilitating development that could contribute positively towards meeting Objective 7.1 of the Strategic Community Plan.

Budget Implications

There will be a cost of publishing the approved amendment in the Government Gazette, however this is not significant from a budget perspective.

Whole of Life Accounting - Nil

Risk Management

A risk assessment has been undertaken in accordance with Council Policy RM 1 (Risk Management). Possible risks include external reputation and compliance. Both these risks have been assessed as Low / Moderate.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Pratico
C.17/1223 Amendment 73 to Local Planning Scheme No. 3 – amendment to clause 4.3.3 to provide discretion to permit higher density residential development in the Commercial zone.**

That Council advertise Amendment No. 73 to the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 3 for an additional 42 days to commence on Friday 22 December 2023, by;

- 1. Including a notice on the Shire website advising of the further opportunity to make submissions and including explanatory mapping showing all the land zoned ‘Commercial’ and subject to the amendment,**

2. **Writing to the owners of Lot 601 (No 183) and Lot 2 (No 179) Hampton Street**
3. **Considering any further submissions received, and the submissions already received on Amendment No. 73, after the completion of the further advertising period.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Shire President

Question

I'm assuming given Mr. Bebbington's point about the days that are to be removed from those 42 days, I assume we're going to do that?

Director Development, Community, and Infrastructure - I'm sure we'll check that and we'll advertise this for the required period of time.

ITEM NO.	C.18/1223	FILE REF.	
SUBJECT	Process and timing for the preparation of the Local Planning Strategy		
OFFICER	Director Development, Community and Infrastructure		
DATE OF REPORT	7 December 2023		

Attachment 17 WA Planning Commission Local Planning Strategy Guidelines
(not including appendices)

OFFICER RECOMMENDATION

That Council adopt the process and timing for the preparation of the Local Planning Strategy (Stage 2 of the Scheme review) as included in this report.

Summary/Purpose

The purpose of this report is to determine the high-level process and anticipated timing to prepare the new Shire of Bridgetown Greenbushes Local Planning Strategy. This Strategy is required to be prepared as part of the review of Town Planning Schemes 3 and 4 and is comprises stage 2 of the process as determined by Council in July 2022.

Background

The Councils Town Planning Schemes set out the future direction of growth for Shire, through zoning land for various purposes and providing for standards and requirements for the development and subdivision of land. The current two (2)

Planning Schemes have been in operation since the late 1980's and are outdated and long overdue for review.

In July 2022, the Council decided on an approach to the review that involves 3 stages.

- Stage 1 – Preparation of a new Local Planning Scheme No 6 text and maps as a simplification and administrative update of the current Schemes, with a focus on combining the two operational Schemes to provide for simplicity, clarity, and compliance with contemporary requirements of the State Government. This scope would not include any strategic or visionary changes.
- Stage 2 – Preparation of the Local Planning Strategy, this being a strategic planning document that captures the Council's aspirations for future long-term development of the Shire. The purpose of the Local Planning Strategy is to provide the strategic planning direction for the growth and development of the Shire.
- Stage 3 – Preparation of a series of logically grouped planning amendments to Local Planning Scheme 6 to enable the implementation of the Local Planning Strategy.

Stage 1 of the new Local Planning Scheme No 6 was adopted by the Council in March 2023. This is expected to be advertised for public comment in early to mid 2024.

This report deals with the process and anticipated timing of Stage 2 of the Scheme review process, namely the preparation of the Local Planning Strategy.

Officer Comment

Local Planning Strategy content

Before deciding on the detail process for stage 2 of the scheme review (the Local Planning Strategy) it is worth considering the role of Council and the WA Planning Commission / Minister for Planning in the process of Strategy and Scheme preparation and understanding the limitations on their content.

Regulation 11(2) of the Planning and Development (Local Planning Schemes Regulations 2015) requires that the Local Planning Strategy be approved by the WA Planning Commission, and that it must.

- (a) be prepared in a manner and form approved by the Commission.
- (b) set out the long-term planning directions for the local government.
- (c) apply any State or regional planning policy that is relevant to the strategy.
- (d) provide the rationale for any zoning or classification of land under the local planning scheme.

Furthermore, Regulation 12 provides the Commission with the power to require a local government to change its draft Local Planning Strategy in the event that it does not meet the requirements of 11 (2) above.

The WA Planning Commission published the Local Planning Strategy Guidelines in March 2023. These set out in detailed the process of preparation of and the content of a Local Planning Strategy. The Guidelines (not including appendices) are shown in Attachment 17.

The Scheme Text, which is the mechanism through which the strategy is implemented, is also subject to the approval of the Planning Commission and the Minister for Planning. Significant sections of Scheme content are prescribed via the Deemed Provisions (included in the 2015 Regulations and which are required to be read as part of the Scheme) and the Model Provisions (required to be included in the Scheme unless approval is granted by the Commission / Minister). Major state planning policies, most notably SPP 2.5 (Rural Planning), SPP 3.7 (Planning for Bushfire Prone Areas) and SPP 7.3 (Residential Design Codes) will all significantly impact on the content of the planning strategy and scheme text and will be required to be referenced in the scheme and strategy.

In essence, this means that a considerable amount of the content of the new scheme and strategy is prescribed by state planning requirements and falls outside of the Councils ability to control. The planning system in WA is somewhat centralised and the scope of the Council to include scheme content which is inconsistent with the policy requirements of the State is limited. This means that, to some extent, the Local Planning Strategy process needs to be tempered with pragmatism and management of expectations of the Councils capacity to include Scheme content which may not accord with the government requirements.

Community engagement on the Local Planning Strategy

Given the factors above, the Council faces a balanced decision on the extent of community engagement that should be undertaken as part of the Local Planning Strategy. Although, on the face of it, there is an argument that more engagement is always better and a strong and robust 'bottom up' engagement might at first seem a desirable process, the Council needs to be mindful of the resources involved and the capacity to create expectations within the community which cannot be fulfilled in the scheme. It is quite possible that a number of the issues that might be raised in the community engagement will be subjects on which the Council cannot have any meaningful response in a statutory planning sense.

This is not to say that such input would be without value, and Council could adopt some community feedback as advocacy positions if these cannot be included in the statutory planning regime.

A level of engagement that is commensurate with the level of influence and the issues involved is considered the preferred way to approach this issue, whilst being highly transparent with the community about the process of preparation of the Local Planning Strategy and the Scheme.

Concurrent Stage 1 process

It should be noted that the Stage 1 of the Scheme review process (the new Local Planning Scheme No 6 text and maps) is expected to be advertised for public comment

during the February – April 2024. The anticipated timing of this advertising works quite well with the timing of this this Stage 2 of the Scheme review. Noting that the Stage 1 process is limited to legal, administrative, and state government required changes only, it is likely that some of the community responses received as part of the advertising of the Scheme Text during February – April will not be able to be accommodated in the scheme as part of that process. These responses could, however, be incorporated into the Local Planning Strategy community engagement process for consideration of more strategic changes to the planning regime as part of stage 2 of the review.

The recommended process for the preparation, community engagement and timing for Stage 2 of the Scheme review (Local Planning Strategy)

- 1) Research phase dealing with issues such as demographics, collation and mapping of land use and environmental data, growth and development trends, fire risk analysis, physical servicing issues, liaison with state agencies and examination of relevant key government policy positions. Development of brief discussion papers on key issues (Jan - June 2024)
- 2) Council high level vision and goal setting and development of preliminary positions on the key issues (July – Sept 2024)
- 3) Community engagement on the initial research results and key issues after the research phase by;
 - Incorporating community comments as part of the statutory advertising of the draft scheme text
 - Set up community steering group (Terms or reference and membership to be determined by the Council)
 - Holding open community information sessions with public displays and survey, informal discussions
 - On line survey on key policy questions
 - Briefing of key community groups (Sept – Oct 2024)
- 4) Development of Council position on key components of the Local Planning Strategy following community engagement (Nov / Dec 2024)
- 5) Preparation of draft Local Planning Strategy in accordance with the WAPC guidelines (Jan / April 2025)
- 6) Adoption of draft Local Planning Strategy by Council and submission to WAPC for advertising consent (May 2025)
- 7) Statutory advertising of draft Local Planning Strategy (July / August 2025) – methodology for this phase of the project to be developed at that time.
- 8) Final adoption by Council (October 2025)
- 9) Final approval by the WA Planning Commission (Dec 2025)

Risks and uncertainties

The primary unknown factor which might influence the timeline above is the extent to which the Local Planning Strategy might include content that is inconsistent with the requirements of the WA Planning Commission or other state agencies. Should this occur, the suggested timelines for approval by state agencies (which are out of the Councils control in any event) can change considerably.

A preliminary list of planning issues to be addressed is shown below. This list is not definitive, and other issues may arise as a result of the community engagement or research phases of this project.

1. Housing affordability

- Whether the scheme should allow for tiny houses and transportable buildings and if so how and where?
- Whether higher density and infill development be permissible, and if so, in which locations and under what circumstances?
- Whether unserviced 'rural clusters' be permissible within rural areas?

2. Lifestyle rural lots

- Whether existing estates should expand, whether new estates should be permitted and whether agricultural land should be lost for this purpose?

3. Bridgetown Main Street

- Whether the commercial areas should grow or consolidate ?
- Whether sufficient parking and amenities exist ?

4. Greenbushes and North Greenbushes townsites

- Whether and how these town sites can expand?

5. Tourism

- Whether agricultural land should be lost for this purpose and how potential land use conflict with more 'traditional' uses might be managed.
- Regulation of short-term rental accommodation under the new state government requirements.

6. New mixed business / Light industrial zone

- Where this might be located and serviced, and the range of land uses that might be permissible there?
- Consideration of risk that this might undermine the primacy of the Town Centre

Statutory Environment

Regulation 11(2) of the Planning and Development (Local Planning Schemes Regulations 2015) requires sets out the requirements for the content of the Local Planning Strategy, namely that it must;

1. be prepared in a manner and form approved by the Commission;
2. set out the long-term planning directions for the local government
3. apply any State or regional planning policy that is relevant to the strategy

4. provide the rationale for any zoning or classification of land under the local planning scheme.

Integrated Planning

- Strategic Community Plan
 - Outcome 7 Responsible and attractive growth and development
 - Objective 7.1 Plan for a diverse range of land, housing, and development opportunities to meet current and future needs
- Corporate Business Plan
 - Action 7.1.1 Provide a Local Planning Strategy, in consultation with the community, to plan thoughtfully, creatively, and sustainably for population growth, affordable housing and protection of environmental values
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

The preparation and adoption of the Local Planning Strategy is a major policy development exercise by the Shire. The Strategy will provide a strategic plan for the future growth of the Shire over the next 10 years and will be used as the basis for the preparation of major amendments to the Scheme in accordance with the Council decision of July 2022.

Budget Implications

An amount of \$25,836 is included in the 2022-2023 budget for this project. This figure is based on an estimate from a few years ago that was carried forward into this year's budget. Once the scope of this project has been adopted by the Council, the anticipated consultant costs will be refined and an appropriate budget amendment report brought before Council, should this be necessary.

Whole of Life Accounting

Nil

Risk Management

A risk assessment has been undertaken in accordance with Council Policy RM 1 (Risk Management). Possible risks include external reputation and compliance. Both these risks have been assessed as Low / Moderate.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple majority

***Council Decision Moved Cr Boyle, Seconded Cr Lansdell
C.18/1223 Process and timing for the preparation of the Local Planning Strategy.***

That Council adopt the process and timing for the preparation of the Local Planning Strategy (Stage 2 of the Scheme review) as included in this report.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

Cr Fletcher

Question

I would hope that these processes take a long time and that we can actually have some form of updating people on our website as to what stage we are at through this process. So it's just like a monthly update to see where we're at, I believe, people like to know how much progress is being made.

CEO Response – We can do that.

ITEM NO.	C.19/1223	FILE REF.	280
SUBJECT	New Policy - Community Grants, Contributions and Donations		
OFFICER	Manager Community Services		
DATE OF REPORT	December 2023		

Attachment 18 Policy CS 6 - Service Agreements for Community Services Providers

Attachment 19 Policy FM 1 - Community Grants, Service Agreements, Donations and Contributions

Attachment 20 Proposed Policy CS 9 - Community Grants, Contributions and Donations

OFFICER RECOMMENDATION

That Council;

- 1. Repeal Policy CS 6 - Service Agreements for Community Services Providers.*
- 2. Repeal Policy FM 1 - Shire Community Grants, Service Agreements, Donations and Contributions.*
- 3. Adopt Policy CS 9 - Community Grants, Contributions and Donations.*
- 4. Adopt the amended delegation FM 4 to allow the CEO to waive fees and charges.*

Summary/Purpose

These recommendations seek to repeal two existing policies and combine into one policy. This will streamline the annual Community Grants, Contributions and Donations program including the introduction of funding limits to provide a framework for Council and offer potential community groups clarity regarding funding amounts available under the community grants program.

Background

Policy FM 1 was adopted in September 1999 to offer financial support to local community groups and not-for-profits to provide activities, events and services to the community. There have been several iterations over the many years since this policy has been first adopted, most notably to include service agreements (3-year grants), to change categories and to better meet the needs of the community.

Policy FM 1 was last reviewed in June 2022.

Policy CS 6 Service Agreements for Community Service Providers was adopted in November 2003. The objective of this policy is to provide Service Agreements (3 year grants) to community groups to cover the same operational costs over 3 consecutive

years to provide financial security for community groups, support their ability to plan for the future and continue to operate.

Policy CS 6 was last reviewed in November 2020.

During the Community Grants, Service Agreements, Contributions and Donations held in April 2023 attending Councilors expressed concern with the amounts being requested in the applications, which were often well above the amounts available. A maximum limit was suggested to provide guidance to community groups and enable to equitable provision of funds across a greater number of applicants.

In May 2023(C14/0523) Council agreed to allocated \$130,000 in the 2023-2024 budget for Community Grants, Service Agreements, Contributions and Donations:

- \$6,330 New service agreements
- \$15,852 Existing service agreements to be carried forward
- \$22,900 New community group grants
- \$2,835 New non-contestable annual community contributions
- \$25,580 Existing non-contestable annual community contributions
- \$1,500 Chief Executive Officer donations
- \$3,500 Chief Executive Officer hall hire donations
- \$680 Rubbish and recycling collection for community events
- \$200 Rubbish and recycling collection for Shire leased facilities
- \$45,508 Landcare Officer
- \$500 South West Academy of Sport Sponsorship
- \$250 Agricultural Society School Art Prize Sponsorship
- \$1,000 Manjimup Airfield Contribution
- \$2,000 Regional Airport Marketing (Busselton)
- \$1,000 Greenbushes' Australia Day Breakfast Event
- \$365 School Awards

The Community Grants and Service Agreements application process for 2023/24 was competitive with new applications received to the value of \$87,809, to be distributed from \$29,230 available funds, once the costs of ongoing funding including Non-Contestable funding, existing Service Agreements, Contributions and Donations were considered and taken into account.

Officer Comment

The main points of difference between Policy FM 1 Shire Community Grants, Service Agreements, Donations and Contributions, Policy CS 6 service agreements for Community Service Providers and proposed Policy CS 9 Community Grants Contributions and Donations include the following:

- Removal of CEO donations category (\$1,500)
- Changing the term Service Agreement to 3-year Community Grant
- Combining Contributions, Donations and Non-Contestable Funding into one category called Annual Contributions and Donations to be reviewed as part of the Community Grants approval process.
- Providing a \$5,000 maximum limit on 1- year grants

- Providing a \$5,000 per year maximum limit on 3-year grants (total \$15,000 over 3 years)
- That a request to the CEO to waive fees and charges or provide rubbish services will be made through an application process 12 weeks prior to the event or activity.
- The removal on businesses, commercial organisations from being eligible to apply for funding.

The ability for community to apply for 1- and 3-year grants and in-kind support from the shire will not change under the new policy. The ability for community to apply for in-kind support from the shire will also remain unchanged, however there will be a process by which this will happen.

Policy CS 9 will provide a way of streamlining and simplifying the process for community. The new Policy also provides transparency to Council and accountability and security for the CEO regarding CEO donations and in-kind support by instating a structured application process that will be reported to Council and removing the cash donation category from possible donations.

The inclusion of a structured process including time frame for venue hire fee waiving and rubbish collection will also provide officers that work in areas that are impacted by events, the time to plan for the preparation of shire facilities and the inclusion of extra officer time for cleaning or rubbish pickup. This will improve service provision to the community.

The removal of CEO cash donations protects the CEO from perceived nepotism, offering a transparent and Council determined grant funding structure. The removal of this category also supports CEO accountability in terms of spending public funds due to the lack of formal processes or reporting. If the recommendations in this report are supported the \$1,500 currently allocated to CEO donations can be included into the other categories in the Community Grants, Contributions and Donations allocations and provided to community within a framework with clear and established reporting requirements.

Statutory Environment - Nil

Integrated Planning

➤ Strategic Community Plan

Outcome 2 Good Health and community wellbeing

Objective 2.4 Building community capacity by supporting community organisations and volunteers

Outcome 13 Proactive, visionary leaders who respond to community needs

Objective 13.2 Embrace innovation and a 'can do' attitude

Outcome 14 Effective governance and financial management

Objective 14.1 Achieve excellence in organizational performance and service delivery.

➤ Corporate Business Plan

Action 2.4.1 Fund community grants, service agreements and donations.

Action 13.2.1 Provide a review of policies, systems and processes to introduce innovations to improve business efficiencies and the customer experience.

- Long Term Financial Plan-Nil
- Asset Management Plans -Nil
- Workforce Plan – Nil
- Other Integrated Planning -Nil

Policy/Strategic Implications

Council Policy FM 1 Community Grants/Donations, Donations and Contributions is recommended to be repealed.

Council Policy CS 6 Service Agreements for Community Services is recommended to be repealed.

Proposed Policy CS 9 Community Grants, Contributions and Donations is recommended to be adopted.

Budget Implications

Council allocates funding annually as part of the community grants and budgetary processes. If the recommendations are supported, Council may choose to include the \$1,500 no longer available under the CEO cash donations to another category within the Community Grants, Contributions and Donations program when the allocations are decided.

Whole of Life Accounting - Nil

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Compliance, Reputational (External).

Compliance – the compliance risk is high and relevant to recommendation 3 and 4 as both of these recommendations include the adoption of the delegations required to waive fees and charges or approve/reject variations in grant funds.

Compliance – the compliance risk is moderate and relevant to recommendation 2 given the potential lack of transparency and reporting requirements associated with the CEO donations category.

Reputational Risk (External)– the reputational risk is extreme and relevant to recommendation 2 given the potential of perceived nepotism by providing the CEO an allocation of cash funding to provide to individuals or groups without a clear procedure to guide the decision-making process or the inclusion of a formal reporting requirement to Council.

Reputations Risk (External) – the reputational risk is high and relevant to recommendation 2 given the lack of clarity associated with the amount of funding available to each applicant. The inclusion of a maximum limit of funding per category and per organisation provides community groups with an understanding of the potential value of their funding from Council allowing expectations to be managed and applicants to undertake financial planning.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

Moved Cr Pratico, Seconded Cr Fletcher
C.19/1223 New Policy - Community Grants, Contributions and Donations.

***Council Decision Moved Cr Christensen, Seconded Cr Lansdell
C.19/1223a New Policy - Community Grants, Contributions and Donations.***

That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.19/1223 – New Policy - Community Grants, Contributions and Donations be adjourned to a future ordinary meeting of Council to allow for further information to be obtained.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Cr Pratico - I think the service agreements really needs an overhaul. It's nearly got to the point now that community groups are hesitant in applying because they're so rarely approved.

Cr Fletcher - Yes. Looking at the new policy, I would like to agree with Cr Pratico in relation to the transparency of contestable and non-contestable grants. I for one are very unsure of who has the non-contestable grants in Bridgetown and how long they've had them for. I know the purpose, but I think we need to be very

public and transparent about making sure everyone knows who gets the grants, how much they're for on an annual basis, how long those groups have had them.

One of my concerns is that if we are giving grants to community organizations or groups or that somehow those organizations actual activities should become sustainable so that they can go on and what we're doing is helping them in the first place.

I know the contestable grants do that. With the new changes, with the \$5,000 limit for one year or up to three years. What I would seriously like to see is that made public that the organizations become sustainable. I know when you apply for a grant from Talison, they will not pay wages, whereas we as a Shire do, through the contestable and non-contestable grant stream, pay wages of employees in organisations which we fund.

CEO Response - We left in there that we pay the staff wages, but I was quite surprised myself to find that we do. I've never come across a grant anywhere that doesn't exclude staff wages. However, we didn't want to pull the rug out from underneath everyone for a long-standing arrangement until we really look a bit further into it.

We did leave that in there for that reason, because it is established. There are community groups that depend on it at the moment. I agree with you completely about the transparency. We're talking to Jen about how to do better in that space.

You will notice I took out the CEO discretion fund because I was very uncomfortable with that. It had no eligibility criteria, had three groups come in and ask me for money on my second day here, and I actually had no grounds to say no because there was no eligibility criteria and I don't necessarily support the applications, but I had no means of turning them down. So that's why we removed that CEO discretion fund.

Cr Christensen - I actually totally agree with both Cr Fletcher and Cr Pratico on this one because there are some quite large amounts in the non-contestable allocations and other contributions in allocation sections granted. \$8,000, \$12,000, \$45,000, which is salaries and wages. There are good reasons for that. This really worries me that if we've not included some kind of grants policy, that people will be, there will be a lot of confusion in the community.

What I'd really like to propose is actually to defer this item to a concept forum where the Council discuss this with the Officers and really go into this in a bit more detail and make those recommendations as to how we would like to see this whole grants process going forward. I am really uncomfortable with this item as it stands.

Cr Pratico - I think it's very difficult to support deferring it when we've already opened the round of applications. I'm all in favour of having a concept forum item, but it's just about impossible to do it in this year.

CEO Response - It's a very good point Cr Pratico. However, just reminding Councillors that the original policy stays in place. This is the amended policy, so you can defer the amended policy and we still keep operating under the old policy, which will support this year's round if you like.

Cr Lansdell – The feel in the room is that I actually just don't think that there's enough communication to the community about this. I've been on only two of these now, and I don't recall actually the conversation in the last one was that we were saying that there needs to be a limit to what they can actually apply for. The conversation was what needs to be put out to community is that this is the amount, this is the contestable. So that there were realistic expectations of if one grant is for \$30,000 and there's only \$24,000 contestable, then that community group understanding that they are actually asking for more than what's available. So it's more about the communication to the community about these.

Cr Fletcher - Yes, I agree with Cr Lansdell on that. Going under the current arrangements, there's only about 30% of that 130,000 that's a bit over. That's available for contestable grants, which really, the new policy is trying to put some top limits on it. For each group, it's about up to 5,000. That means four groups will get a grant under the contestable scheme and the non-contestable grant groups.

Receival of Minutes from Management Committees

Nil

Responses to Elected Member Questions Taken on Notice

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

Council Decision *Moved Cr Boyle, Seconded Cr Mahoney*
C.20/1223 *That Council go behind closed doors to consider Item C.20/1223*
at 7.23pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.20/1223	FILE REF.	244
SUBJECT	2024 Community Citizen of the Year Awards		
OFFICER	Executive Assistant		
DATE OF REPORT	30 November 2023		

Attachment 21 2024 Community Citizen of the Year Awards report (Confidential)

A confidential report will be circulated to Elected Members under separate cover.

OFFICER RECOMMENDATION

That Council consider all nominations received and select a successful candidate for the following award categories;

- *Community Citizen of the Year*
- *Senior Community Citizen of the Year*
- *Young Community Citizen of the Year*
- *Active Community Citizen Award*

Council Decision Moved Cr Pratico, Seconded Cr Lansdell

C.20/1223a That Council invoke clause 18.1 of the Standing Orders at 7.25pm to allow for informal discussion.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Pratico, Seconded Cr Lansdell

C.20/1223b That application of clause 18.1 of the Standing Orders cease at 7.31pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.20/1223c That Council come out from behind closed doors at 7.33pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.20/1223d That Council nominate;

- ***Lyn and Barry Perks - Community Citizen of the Year***
- ***Glen Norris - Senior Community Citizen of the Year***
- ***Adia Leary - Young Community Citizen of the Year***

- ***Irma Lachmund - Active Community Citizenship Award subject to the nominator accepting shifting them to Active Community Citizenship Award***

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Urgent Business Approved by Decision

**Council Decision Moved Cr Mahoney, Seconded Cr Pratico
That Item C.21/1223 be accepted as urgent business.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

ITEM NO.	C.21/1223	FILE REF.	208
SUBJECT	Annual Report & Annual Financial Report 2022/23		
OFFICER	Chief Executive Officer		
DATE OF REPORT	11 December 2023		

Attachment 21 Annual Report 2022/23

Reason for Urgent Business: Council's audit report was received 8 December 2023. In accordance with Section 5.54 of the *Local Government Act 1995* a local government is required to accept the Annual Report by 31 December with an exception being if the audit report is not available in time for that date to be met.

OFFICER RECOMMENDATION

That Item C.21/1223 be accepted as urgent business.

OFFICER RECOMMENDATION

That Council:

- 1. Accepts the Annual Report including the Annual Financial Report and Audit Report for the 2022/23 financial year and gives local public notice of its availability.***
- 2. Schedules the Annual General Meeting of Electors to be held on Thursday, 1 February 2024 in the Council Chambers, commencing at 5:30pm.***

Summary/Purpose

Following receipt of the Independent Audit Report from the Office of the Auditor General, the Annual Report including the Annual Financial Statements has been prepared in accordance with Section 5.53 of the *Local Government Act 1995* (the Act).

Council's Audit Committee has met with the Auditor and considered the annual financial statements.

Council is requested to receive the Annual Report for the 2022/23 financial year and set a date for the Annual General Meeting of Electors.

Background/Officer Comment

The Act requires a local government to prepare each financial year an Annual Report that includes the Annual Financial Statements.

Council's Audit Committee met with the Auditor and considered the 2022/23 Annual Financial Statements at its meeting held 7 December 2023. The final Audit Report was received on 8 December 2023. Section 5.54 of the Act requires a local government to accept the Auditor's report by 31 December with the exception being if the report is not available in time for that date to be met, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Once Council accepts the Auditor's Report and Annual Report it needs to determine a date for the Annual General Meeting of Electors. The CEO is required to provide sufficient public notice of the availability of the Auditor's Report and Annual Report, and the date of the Annual General Meeting of Electors.

Section 5.27 of the Act requires a general meeting to be held on a day selected by the local government not more than 56 days after the local government accepts the annual report for the previous financial year. Assuming Council accepts the annual report at its December meeting the latest date for the Annual General Meeting of Electors would be Thursday, 8 February 2024.

Considering the above it is recommended that the Annual General Meeting of Electors be held at 5:30pm on Thursday, 1 February 2024.

2022/23 Financial Statements

The audit of the Shire's 2022/23 Financial Statements has been conducted in accordance with Australian Auditing Standards and the Auditor has determined that:

"In my opinion, the financial report is:

- *based on proper accounts and records*
- *presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2023 and its financial position at the end of that period*
- *in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards."*

The audit report does not identify any matters or issues that are to be raised in relation to significant audit and accounting issues, audit adjustments or other key matters.

The Audit Committee, following discussions with Mr Louis De Robillard, Assistant Director, from the Office of the Auditor General WA, Mr Greg Godwin, Audit Partner from Moore Australia and Mr Rohan Nagaich, Senior Manager from Moore Australia passed the following recommendation:

“AC.02/1223 That the Audit Committee:

1. Note the Audit Concluding Memorandum and Draft Independent Auditor’s Report for the 2022/23 financial year.

2. Recommend that Council accept the 2022/23 Annual Financial Statements (that will include the Independent Audit Report).”

Statutory Environment

Section 5.27(2) for calling of Annual General Meeting of Electors

Section 5.53 for contents of Annual Report

Section 5.54 for acceptance of Annual Report

Section 5.55 and 5.55A for notice and publication of Annual Report

Integrated Planning

Strategic Community Plan

- Outcome 14 – Effective governance and financial management
Objective 14.1 – Achieve excellence in organisational performance and service delivery

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy

Council’s ‘Advertising of Annual General Meeting of Electors’ Policy sets out the advertising requirements for the Annual General Meeting of Electors.

Budget Implications

Funds are included in the current general advertising account for the purpose of advertising the Annual General Meeting of Electors.

Whole of Life Accounting – Not Applicable

Risk Management

It is a statutory requirement for Council to accept the Annual Report and set a date for the holding of the Annual General Meeting in accordance with the timelines outlined in the legislation. Should Council fail to adopt the annual report and hold the Annual General Meeting of Electors in accordance with the statutory timeframes the following risks areas have been identified in accordance with Policy RM 1 – Risk Management:

Compliance Risk – assessed as a moderate risk i.e. temporary non-compliance is almost certain.

Reputational Risk (external) – assessed as a moderate risk i.e. there is a possibility of local news and social media attention.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority to accept the Annual Report

**Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.21/1223a Annual Report & Annual Financial Report 2022/23**

That Council:

- 1. Accepts the Annual Report including the Annual Financial Report and Audit Report for the 2022/23 financial year and gives local public notice of its availability.**
- 2. Schedules the Annual General Meeting of Electors to be held on Thursday, 1 February 2024 in the Council Chambers, commencing at 5:30pm.**

Carried by Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.

Against: Nil

Shire President - I must commend staff because it was put together in a very short space of time, to come up with a terrific report like that.

CEO Response - Can I particularly thank Jen Birkhead, who put an annual report together in five days. She did an amazing job.

**Council Decision Moved Cr Mahoney, Seconded Cr Christensen
C.22/1223 That Council go behind closed doors to consider Item C.22/1223
at 7.36pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.22/1223 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.22/1223	FILE REF.	
SUBJECT	Committee Nomination – Access and Inclusion Advisory Committee		
OFFICER	Executive Assistant		
DATE OF REPORT	12 December 2023		

Attachment 22 Nomination form for Access and Inclusion Advisory Committee

Attachment 23 Access and Inclusion Advisory Committee - IoA

OFFICER RECOMMENDATION 1

That Council appoint Jillian Neave as community representative on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 23.

**Council Decision Moved Cr Mahoney, Seconded Cr Christensen
C.22/1223a That Council appoint Jillian Neave as community representative
on the Access and Inclusion Advisory Committee, in accordance
with the Instrument of Appointment presented in Attachment 23.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

OFFICER RECOMMENDATION 2

That Council appoint Martin Cable as community representative on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 23.

**Council Decision Moved Cr Mountford, Seconded Cr Christensen
C.22/1223b That Council appoint Martin Cable as community representative
on the Access and Inclusion Advisory Committee, in accordance
with the Instrument of Appointment presented in Attachment 23.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

**Council Decision Moved Cr Mahoney, Seconded Cr Lansdell
C.22/1223c That Council come out from behind closed doors at 7.38pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, Mountford, Pearce and Pratico.
Against: Nil

Responses to Elected Member Questions Taken on Notice

Cr Lansdell - Greenbushes depot - in Rolling Sheet – what happened with petition and outcome? Wasn't enough maintenance being done. What communication will now go out to the original person who put the petition forward - CEO will communicate this to the original petitioner.

Nicole has actioned and notified the petition accordingly.

Cr Lansdell - Acquisition of Dumpling Gully Precinct - Community concern of Talison pumping from Dumpling gully water – do we need to be more proactive? Greenbushes need to have that water not pumped out. Was a plan being developed?

CEO Response – I will take the question on notice because I have not spoken to Talison on this matter.

NOTE AFTER SPEAKING WITH TALISON: Talison is not pumping water out of Dumpling Gully Precinct for its own purposes, it is doing so at its own cost to water the golf course.

Closure

The Presiding Member closed the meeting at 7.42pm.

List of Attachments

Attachment	Item No.	Details
1	C.01/1223	Ordinary Council Meeting held 2 November 2023
2	C.02/1223	Ordinary Council Meeting held 30 November 2023

3	C.06/1223	Draft Fencing Local Law 2023
4	C.06/1223	Fencing Local Laws – Current 2023
5	C.07/1223	FM 4 - Draft Amended Purchasing Policy
6	C.07/1223	Current FM 4-Purchasing-Policy
7	C.07/1223	Supporting documents - Combined FM 3 - Regional Price Preference, FM 6 - Buy Local Purchasing and FM 13 - Budget Management Policy
8	C.08/1223	Bridgetown Shire Depot Draft Concept Plan
9	C.10/1223	G 12 – Well Wishes From Council Policy
10	C.12/1223	Rolling Action Sheet
11	C.13/1223	Tindale’s Map of the South West
12	C.13/1223	Tindale’s Map of Australia
13	C.14/1223	Position Description - Work Health and Safety Officer
14	C.16/1223	List of Accounts Paid in November 2023
15	C.17/1223	Copies of submissions received
16	C.17/1223	Map of Bridgetown townsite Commercial zoned land
17	C.18/1223	A Planning Commission Local Planning Strategy Guidelines (not including appendices)
18	C.19/1223	Policy CS 6 - Service Agreements for Community Service providers
19	C.19/1223	Policy FM 1 - Shire Community Grants Service Agreements Donations and Contributions
20	C.19/1223	Proposed Policy CS9 - Community Grants Policy

Minutes Papers prepared and recommended by L Taramoeroa, Executive Assistant

20 December 2023

Minutes Papers authorised by N Gibbs, CEO

20 December 2023

Council Minutes Index – 25 January 2024

Subject	Page No
Opening of Meeting.....	3
Acknowledgment of Country.....	3
Attendance, Apologies and Leave of Absence.....	3
Attendance of Gallery	3
Responses to Previous Questions Taken on Notice	3
Public Question Time.....	3
Petitions/Deputations/Presentations	5
Comments on Agenda Items by Parties with an Interest.....	5
Applications for Leave of Absence	5
Confirmation of Minutes	5
C.01/0124 Ordinary Council Meeting held 14 December 2023	5
Announcements by the Presiding Member Without Discussion	6
Notification of Disclosure of Interest.....	6
Questions on Agenda Items by Elected Members.....	6
Consideration of Motions of which Previous Notice has been Given.....	6
Reports of Officers	6
CEO's Office	6
C.03/0124 – Talison Partnering for the Future – Budget Amendment	8
C.04/0124 – Proposed New Local Law Relating to Fencing.....	11
C.05/0124 – Assignment of Lease – P Holroyd (Bridgetown Timber Sales)	18
C.06/0124 – Review of the <i>Cemeteries Act 1986</i> and <i>Cremation Act 1929</i> – Cocil.....	23
C.07/0124 – Repeal G 13 - Meetings of Council – Guest Speakers Policy	26
C.09/0124 – Repeal PES 2 – Private Works Plant and Equipment Accessed by	30
C.10/0124 – Repeal CP 6 – Vandalism Policy.....	33
C.12/0124 – Review of Policy IM 2 – Records Management.....	38
C.13/0124 – Adopt amended FM 7 Use of Corporate Credit Card Policy to FM 7 Corporate Credit Cards Policy.....	42

C.14/0124 – Adopt Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy (previously referred to as PR 1 – Events in or on Shire Property Policy).....	45
Corporate Services	47
C.15/0124 – November and December Financial Activity Statements and List of Accounts Paid in December 2023.....	47
Development, Community and Infrastructure	51
C.16/0124 – Budget Amendment – Grader Purchase	51
C.17/0124 – Capital Projects Update	55
C.18/0124 – Greenbushes Sportsground BBQ Facility – Unbudgeted Funding.....	57
C.19/0124 – Rolling Action Sheet	60
Receival of Minutes from Management Committees	61
Urgent Business Approved by Decision	62
C.22/0124 – Application for Reduced Setback – Wandillup Fire Station	62
Responses to Elected Member Questions Taken on Notice.....	74
Elected Members Questions With Notice.....	74
Notice of Motions for Consideration at the Next Meeting.....	74
Matters Behind Closed Doors (Confidential Items).....	74
C.20/0124 – Advisory Committees	74
C.21/0124 – Organisation Chart Restructure	76
Closure.....	77
List of Attachments.....	78

MINUTES

For an Ordinary Meeting of Council to be held in Council Chambers on Thursday 25 January 2024, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford
Councillors - J Boyle
- M Christensen
- M Fletcher
- T Lansdell
- L Pearce
- A Pratico
- R Redman

Officers - N Gibbs, Chief Executive Officer
- M Larkworthy, Director Corporate Services
- M Richards, Manager Community Services
- M Gillham – Principal Project Manager
- S Alexander – Manager Infrastructure and Works
- L Taramoeroa, Executive Assistant
- N Thompson, Infrastructure Services Administration Officer

Apologies S Mahoney (Deputy)

Attendance of Gallery

L Roberts, D Crozier, N Maxfield, T Dittrich, P Beach, P Mills, J Linto.

Responses to Previous Questions Taken on Notice

Responses are found in the December Ordinary Council Meeting Minutes found on our website.

Public Question Time

T Dittrich

- I'm the president of the Bridgetown Greenbushes Tourism Association. (BGTA). We were the BGBTA, but it is the same association.
 - Phil Beech – Vice President
 - Michelle Larkworthy – Treasurer
 - Pip Mills – Committee member
 - Mike Christensen – Shire Council representative

- Julie Boyle – Puzzletown, Jigsaw Puzzle, Subcommittee
- Our history is well documented in our proposal after looking after the Jigsaw Gallery for over 40 years.
- We sent two proposals earlier this week to Councillors.
- The first proposal was Puzzletown 6255 to expand along with Blues and Landcare into the soon to be vacated visitor centre area at 154 Hampton Street.
- The expansion includes blues history, display access and promotion to land care resources along with the spectator accessible puzzle manufacturing, interactive puzzling, and retail sales, making the centre a vibrant hub for tourists and locals.
- We have a sponsor who is willing to give us \$100,000 a year, for the next four years. – That is in writing in the proposal.
- BGTA also has an inheritance due in the next few months of \$20,000 from one of the descendants.
- The other proposal sent, which goes with it as well, is a long-term source of income - by establishing an electric vehicle charging station at 154 Hampton Street.
- There are current WA government grants available encouraging this, and Talison is very close to funding, so as in next month, Talison could fund us a \$40,000 grant for the discovery phase of this project, which just looks at the feasibility of the project.
- We are asking Council for a four-year lease on the visitor centre building and a letter of support to explore the charge up concept.
- Blues, Landcare and BGTA are asking the Shire for a four-year lease with a mutually agreed upon annual plan to work through the building's main fault with the potential to end up with an iconic attraction for the area and a source of ongoing income.
- The visitor centre is due to be vacated in April.

Cr Redman - *For someone who doesn't really get into jigsaws, why is it so important to Bridgetown and the heritage? And why is it so significant?*

- The history, the people, that are involved, the aspects of puzzling, the capturing of history. We have a puzzle in there that's over 80 years old that is an absolute snapshot of the world as of 1937.
- The family behind it, the families that have supported this town for over 60, 70 years.
- The gallery also embodies interactive puzzling, we have e-puzzling, and we hope to expand on that.

P Mills

- Mrs Briley gave the first tourism attraction to the town.
- The benefactor has vision for the gallery that has lasted 25 years.

N Maxfield

Question

Where are we at with the tree planting for Derek Duffet in Pioneer Park? Would there be any chance of accommodating notion of park bench near tree?

Presiding member – Question taken on notice.

P Mills

Question

The issue of street trees outside our heritage building that are egressing into the courtyard and into our old building. One of them has actually split the retaining wall that drops from the footpath down to our courtyard and is raising the paving in the courtyard. I'm going to put on notice that council need this to be looked at.

Morgan Gillham (Principal Project Manager) – This issue is already being addressed. The trees adjacent to your property do not allow for an accessible pathway. There is damage to the pavers and it's likely that we'll make a recommendation for removal.

P Beach

Question

There is access off Maranup Ford Rd at the bridge that goes down to the canoe launching point. The reserve and the picnic table were established by Councillors or the Shire some time ago.

The gravel road that comes off the bitumen and goes down to the Ford, which is about 50 metres long, is bad. The Shire previously said that when the grader goes around, to do Gates Road, they were going to just put the grater down that little 50 meters and add it to the job. This hasn't happened and it's continued to get worse. I'm just reminding Council that they need to add that to the job when they go around and do 5 Gates Road and make it so that drainage doesn't go right down the middle of the road.

CEO response – Question taken on notice.

Manager Infrastructure and Works Response – committed to actioning the request.

Petitions/Deputations/Presentations

Nil

Comments on Agenda Items by Parties with an Interest

Nil

Applications for Leave of Absence

Nil

Confirmation of Minutes

C.01/0124 Ordinary Council Meeting held 14 December 2023

That the Minutes of the Ordinary Meeting of Council held 14 December 2023 be confirmed as a true and correct record.

Council Decision *Moved Cr Lansdell, Seconded Cr Mahoney*
C.01/0124 *That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.01/0124 be adjourned to a future ordinary meeting of Council to allow for corrections to be made.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Announcements by the Presiding Member Without Discussion

The CEO advised that this item has been deferred until for further Officer research.

Item C.04/0124 **Proposed New Local Law Relating to Fencing**

The CEO advised that this item has been deferred until the February 2024 Ordinary Council Meeting

Item C.14/0124 **Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy**

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Nil

Consideration of Motions of which Previous Notice has been Given

Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.02/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future Update		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

Attachments 2 Dec 2023 Partnering for the Future 2023 Report

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the 'Dec 2023 Partnering for the Future 2023 Report'.

Summary/Purpose

For Council awareness to the status of the Partnering for the Future Project between Talison Mining Company (Talison) and the Shire of Bridgetown – Greenbushes (The Shire).

Background

In August 2023, a 'Partnering for the Future 2023' agreement was reached between the Shire and Talison, whereby Talison would fund several Community infrastructure improvement projects in Greenbushes and Bridgetown to the value of \$1,804,504.90 which were to be delivered within the 2023 calendar year period.

In addition, in November 2023, the Shire put forward a series of projects to Talison for the Partnering for the Future 2024 period to the value of \$6,152,500.00,000 to be delivered within the 2024 calendar year period. Officers are still awaiting the outcome from Talison, at which point, the Shire will be advised.

Officer Comment

Commentary of the status of all 2023 projects is included in the attachment.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Item 2 - Good health and community wellbeing.
- Corporate Business Plan
Item 2.2 Provide quality sport, leisure and recreation services.
- Long Term Financial Plan
Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications - No Impact

Whole of Life Accounting - No impact

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Christensen C.02/0124 That Council acknowledges receipt of the information contained in the 'Dec 2023 Partnering for the Future 2023 Report'.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Pearce declared a financial interest as he is an employee of Talison.
--

Cr Pearce left the meeting at 5.46pm

ITEM NO.	03/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future – Budget Amendment		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

OFFICER RECOMMENDATION

That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.

Summary/Purpose

To request a budget amendment to the Talison Partnering for the Future 2023 Grant Moneys.

Background

In 2023, the Shire was granted \$1,804,504.90 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

Each of these projects was allocated a budget amount based on assumed costs, however, during the procurement and delivery phase, the true costs of these works have now been realised.

In late 2023, Talison provided written approval for the Shire's Project Management Team to 'pool' these moneys and reallocate any project surplus to projects with a deficit.

As these budgets were formalised and set within Shire budget papers, Officers now require a Budget Amendment to allow for the transfer of funds between these Talison funded projects.

Officer Comment

Officers seek a Council budget amendment to transfer Talison Projects funds as below:

AMOUNT (incl GST)	TRANSFER FROM	TRANSFER TO
\$14,300.00	25IN Bridgetown Sports Ground	23IN Sports Ground Water Supply Dam Construction
\$57,750.00	23IN Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,140.70	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$38,500.00	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$48630.86	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$546.70	TF05 Aquatic Blanket	TF04 Aquatic Inflatable

This budget amendment will allow for the full construction, HDPE lining and hydraulic works to the new Bridgetown Sports Ground dam, providing irrigation water security to this facility.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Outcome 2 - Good health and community wellbeing
- Corporate Business Plan
Outcome 2.2 Provide quality sport, leisure and recreation services
- Long Term Financial Plan
The budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans

All new assets will be included in the Shire’s Asset Management Plans with provision for annual and long-term maintenance.

- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications

Transfer of funds between Talison funded projects will have no negative impact on the 2023/24 budget.

Whole of Life Accounting - No impact

Risk Management – No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Absolute Majority

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.03/0124 That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.**

Absolute Majority 7/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pratico and Redman.
Against: Nil

Cr Lansdell

Questioned whether this would reduce the scope of existing Greenbushes projects, particularly the sports oval.

Principal Project Manager Response – Responded in the negative. The Greenbushes sports ground project had not been reduced in scope.

CEO Response – The Shire has been given permission to move genuine underspend, in a part or wholly funded Talison project, to supplement another Talison approved projects.

Cr Pearce entered the room at 5.49pm

The CEO advised that this item has been deferred for further Officer research.

ITEM NO.	C.04/0124	FILE REF.	LOCAL LAW 11
SUBJECT	Proposed New Local Law Relating to Fencing		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 3 Draft Fencing Local Law 2024

Attachment 4 Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Section 3.12(3)(a) of the Local Government Act 1995, give local public notice of its intent to:
 - (a) *repeal the existing Shire of Bridgetown-Greenbushes Fencing Local Laws Relating to Fencing; and*
 - (b) *adopt the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 as presented in Attachment 3.*
2. *The purpose of the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 is to prescribe a sufficient fence and the standard for the construction of fences throughout the district and the effect is to establish the minimum requirements for fencing within the district.*
3. Pursuant to Section 3.12(3)(b) of the Local Government Act 1995, give a copy of the proposed new local law and a copy of the notice to the Minister.

Summary/Purpose

At its meeting on 29 June 2023 Council supported in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing Local Law based on WALGA's model.

This report presents a draft Fencing Local Law for Council's consideration.

Background

Council, at its meeting on 29 July 2021 meeting resolved in part (C.02/0721):

“That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:

- (i) Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law*
- (ii) Cats Local Law*
- (iii) Fencing Local Law*
- (iv) Health Local Law*
- (iv) Standing Orders Local Law”*

Council, at its meeting on 31 March 2022 meeting resolved (C.10/0322a):

“That Council amends its Fencing Local Law to introduce a requirement for electrification of fencing along road reserves being inside of the fence line.”

Council, at its meeting on 27 October 2022 meeting resolved (C.02/1022):

“That Council give local public notice of its intention to make a Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 as contained in Attachment 1 and also give notice of this intention to the Minister responsible for Local Government. The purpose of the Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 is to introduce new requirements for licensing of an electrified fence on a commercial or industrial lot and the effect is that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.”

Council, at its meeting on 25 January 2023 resolved (C.06/0123):

“That Council approve the replacement of the previously endorsed Draft Amendment Local Law Relating to Fencing with the new Draft Amendment Local Law Relating to Fencing as per Attachment 4.”

Council, at its meeting on 25 May 2023 resolved (C.07/0523a):

“A report be presented to the June ordinary meeting proposing the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and consideration of a new local law relating to fencing based on the current WALGA model.”

Council, at its meeting on 29 June 2023 resolved (C.11/0623):

“That Council:

- 1. Support in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing local Law based on the WALGA model.*
- 2. Note a further report be presented to Council providing a new draft Fencing Local Law for consideration.”*

Officer Comment

Resulting from Council's previous resolution to provide a new draft Fencing Local Law for consideration, a draft has been developed and is attached to this report.

The proposed new local law is considerably different to the existing local law due to its contemporary nature and as such a tracked changed version has not been prepared. However, both versions have been provided for comparative purposes.

The major differences between the existing and the proposed local law (not including terminology and grammar) are detailed as follows with the clause references referring to the proposed local law:

Clause 1.2 - Commencement

Existing - No such provisions exist.

Proposed - The local law stipulates that it comes into operation 14 days after the date of its publication in the Government Gazette.

Clause 1.3 – Purpose and Effect

Existing - No such provisions exist.

Proposed – The purpose and effect are required to be included in the minutes of the meeting at which the local law is proposed. Contemporary practice now includes this in the local law itself as well as in the minutes of the meeting at which it is proposed.

Clause 1.6 - Definitions

This has been revised to reflect new terminology and requirements.

Clause 2.1(1) – Sufficient fences

Existing – The clause states - “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”

Proposed – The clause states – “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.”

Clauses 2.3 – Gates in fences, 2.4 – Depositing fencing material on public place, 2.5 – Fences on a rural lot, 2.7 – Fences across rights-of-way, public access ways or thoroughfares and 2.8 – General discretion of the local government

Existing – No such provisions exist.

Proposed – These clauses impose greater controls and enforcement provisions for the erection and maintenance of gates and fences.

Clause 2.11 – Electrified and razor wire fences

Proposed - Includes the amendment requested by Council in October 2022 to ensure that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.

Clauses 3.1 – Application for approval, 3.2 – Decision on application for approval, 3.3 – Compliance with approval, and 3.4 – Duration of approval

Existing – Various clauses within the local law refer to seeking approval.

Proposed – Approval clauses in the existing local law have been consolidated into this clause and strengthened to provide greater requirements when seeking approval.

Clause 4.1 – False or misleading statement

Existing – No such provisions exist.

Proposed - New clause that places the onus on a person not to make a false or misleading statement.

Clause 5.1(4) – Notice of breach

Existing – Requires any breaches to be remedied within 28 days of the giving of a notice.

Proposed – Deleted the 28-day time frame and included a requirement that it be remedied within the time given in the notice.

Clause 6.2 (2)(3) – Modified penalties

Existing – The current local law provides that all breaches incur a penalty of \$125.

Proposed – Rather than a single penalty rate for all breaches, a schedule of fines is proposed, which introduces higher penalties of between \$200 and \$250.

Clause 6.3(b) – Form of notices

Existing – Only stipulates the form of an infringement notice.

Proposed –The clause also stipulates the form for withdrawing and infringement notice.

Clause 7.1 – Objections and review

Existing - No such provisions exist.

Proposed – Part 9, Division 1 of the Local Government Act provides that whenever a local government makes a decision under a local law made under the Act, a person has a right of objection or review if they consider the decision to be unfavourable. This clause states that requirement.

Schedule 1 – Offences and modified penalties

Existing – No schedule of penalties applies as all breaches have been set at \$125.

Proposed – Includes a table that specifies each breach of the local law with a corresponding penalty. The penalties have increased from \$125 to a range of between \$200 and \$250.

Schedule 2 – Specifications for a sufficient fence on a residential lot

Proposed - Most of the dimensions are different. All categories of fence are the same except that the section on colour bond or zincalume sheeting has been deleted and incorporated in the corrugated fence section.

Schedule 3 – Specifications for a sufficient fence on a commercial lot or an industrial lot

Proposed – Includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Schedule 4 – Specifications for a sufficient fence on a rural lot or special rural lot

Proposed – There are some variations in dimensions. This also includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Making the local law

The Shire must carefully comply with s3.12 of the *Local Government Act 1995* (Act) in order to repeal the existing local law and adopt a new local law. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance.

Once the Shire has resolved to give local public notice (not less than six (6) weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it. This process allows the Department to provide feedback to the Shire, and any requested amendments can be incorporated into the new Local Law.

Following the last day for submissions, the Shire is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed. This means if the Department has requested any simple grammatical amendments or the like, this would not be substantially different.

The Shire could also make substantial amendments following consideration of any submissions however in the event there are any substantial amendments, the process must be commenced again.

After making the local law, the Shire is required to publish the new Local Law in the Government Gazette and give a copy of it to the Minister. Local public notice is again required.

The Shire is to provide the new Local Law and relevant explanatory memorandum, with supporting documents to the Joint Standing Committee on Delegated Legislation (JSCDL). At this stage the JSCDL could:

- request amendments, requiring the Shire to make an undertaking; or
- disallow the local law should it not be supported, or the Shire has not substantially followed the prescribed process for making a local law under s.3.12 of the Act.

The process for making/amending a local law is a lengthy process and should everything progress smoothly will take approximately six (6) months, so if council were to endorse the attached draft local law now then it would be approximately mid 2024 before it would become operational.

Statutory Environment

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
- (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
- (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 - Effective governance and financial management
 - Objective 14.1 - Achieve excellence in organisational performance and service delivery

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

Council's 2023/24 budget contains an allocation for local law review advertising.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

If council did not adopt the draft local law it runs the risk of having legislation that is outdated and doesn't reflect contemporary practices, given that the existing local law has been in operation since 2004 and has had very little changed to it in that time.

The overall risk has been assessed as LOW (Minor/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.05/0124	FILE REF.	LEGALD136
SUBJECT	Assignment of Lease – P Holroyd (Bridgetown Timber Sales)		
PROPONENT	Mr Phillip Holroyd		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	30 November 2023		

Attachment 5 Existing Lease – Lot 55 Rose Street, Bridgetown

Attachment 6 Location plan of leased area.

OFFICER RECOMMENDATION

That Council:

- 1. Approve the assignment of the lease for Lot 55 Rose Street, Bridgetown from Phillip John Holroyd to Arteulius Enterprises Pty Ltd trading as Bridgetown Timber & Hardware under the same terms and conditions of the original lease.*
- 2. Agree that should there be any costs associated with the assignment of the lease they are to be the responsibility of the Lessee.*
- 3. Authorise the CEO to exercise any rights and fulfill any obligations of the Shire of Bridgetown-Greenbushes under the lease for Lot 55 Rose Street, Bridgetown.*

Summary/Purpose

The Shire currently leases Lot 55 Rose St, Bridgetown to Mr Phillip Holroyd for the purpose of storage for his business Bridgetown Timber Sales which is located on the adjacent land.

Mr Holroyd as owner of the business has advised of a new ownership structure to take effect from 1 December 2023. As a result of this restructure Mr Holroyd has requested that the lease be assigned to reflect this new arrangement.

Background

Council at its meeting on 25 February 2021 resolved (C.04/0221):

- 1. Note there were no submissions received on the proposed disposition (lease) of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd.*
- 2. Determine that the use of Lot 55 Rose Street, Bridgetown as a storage yard for the adjacent business of 'Bridgetown Timber Sales' is appropriate for the land and therefore supports the leasing of the land for that purpose.*
- 3. Enter into a lease of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd in accordance with the terms of the draft lease (Attachment 3) with the new lease to commence on 1 April 2021 and run to 30 June 2026.*

4. *Authorise the CEO to endorse the draft lease upon its endorsement by Mr Phillip John Holroyd.*

Officer Comment

The Lessee has advised that he is transferring the ownership of Bridgetown Timber Sales over to his son to take effect from 1 December 2023, however he will remain as one of the Directors of the business.

In so doing the Lessee has requested that the lease be transferred to the new business entity Arteulius Enterprises Pty Ltd, trading as Bridgetown Timber & Hardware.

The lease commenced 1 March 2021 and is due to expire 30 June 2026.

The current lease allows for several options to address this scenario, and these are now presented below.

Option 1 – Leave the lease in Mr Holroyd's name.

The current Lessee has been the sole owner of the business and responsibilities of the lease fell directly on him, which presented no issues. However, under the new structure he will not be the sole owner and as such he wishes that the responsibilities contained within the lease be placed in the business name.

The land is being utilised strictly for storage purposes only in association with the carrying out of the business on the adjacent land known as Bridgetown Timber Sales. Given that the business name has technically changed, and other legal documentation has been completed, there are some technical legal implications that may impact on the business should the lease remain in Mr Holroyd's name.

This option is not preferred.

Option 2 – Terminate the lease altogether.

Clause 3 of the lease states:

“This lease can be extinguished prior to its expiry date by either party subject to a minimum three months written notice being provided to the other party.”

At this point in time the Shire has no use for the land for the remaining two years of the lease and given the initial intent of Council was to support a 5-year lease it does not seem appropriate to terminate the lease. In addition, the Shire would forego the rental income of approx. \$3,500 per annum.

This is not preferred.

Option 3 – Terminate the lease and enter into a new lease.

As in option 2 there is the ability to terminate the lease prior to expiry which could be applied with the intent to enter into a new lease. Consultation would need to occur between relevant stakeholders to determine if the Shire had any use of the land prior to any new expiry date set. Should this be acceptable then section 3.58 of the *Local Government Act 1995* will need to be applied.

Section 3.58 states in part:

“(2) Except as stated in this section, a local government can only dispose of property to —

- (a) *the highest bidder at public auction; or*
- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.”*

Section 3.58(3) also states:

“A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.:*

This option will involve costs for advertising and obtaining a valuation, although these would be passed onto the Lessee. To ensure everything is done correctly proper legal documents would need to be prepared. This will prolong the process and would take approximately 3 - 4 months.

The Lessee has expressed his opinion that he did not wish to take up this option.

This is not preferred.

Option 4 – Assign the lease.

Clause 14 of the lease allows an assignment with the prior written consent of the Lessor which consent shall not be unreasonably or capriciously withheld.

This is by far the simplest resolution as it does not involve any cost other than employee time, and the documentation can be completed in house and is by far the most expeditious method.

Other advantages are that the shire does not have to undertake the processes as outlined under s.3.58 of the Local Government Act due to the fact that these were carried out as part of the decision-making process when the lease was first approved.

Given that there have been no complaints regarding this lease and the Lessee has complied with all requirements of the lease, it is considered appropriate that approval be given to assign the lease.

This is the preferred option and one which the Lessee has requested.

Statutory Environment

Local Government Act 1995

s.3.58 – Disposing of Property

- (1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) The names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to -
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996

r.30 – Dispositions of property excluded from Act

r.31 – Anti-avoidance provision for Act

Integrated Planning

- Strategic Community Plan
- Outcome 10 - A strong diverse and resilient economy

Objective 10.3 -Support local business to thrive

- Corporate Business Plan – Nil
- Long Term Financial Plan - Lease income is reflected in the LTFP
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance, Reputational (External) and Environment.

The Shire will retain access to the site for any maintenance or management of the adjoining creek or the culvert that is situated within the confines of Lot 55 and therefore retains oversight of this land.

The overall risk has been measured as Low.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Lansdell , Seconded Cr Pratico
C.05/0124 That Council:**

- 1. Approve the assignment of the lease for Lot 55 Rose Street, Bridgetown from Phillip John Holroyd to Arteulius Enterprises Pty Ltd trading as Bridgetown Timber & Hardware under the same terms and conditions of the original lease.**
- 2. Agree that should there be any costs associated with the assignment of the lease they are to be the responsibility of the Lessee.**
- 3. Authorise the CEO to exercise any rights and fulfill any obligations of the Shire of Bridgetown-Greenbushes under the lease for Lot 55 Rose Street, Bridgetown.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.06/0124	FILE REF.	197.1
SUBJECT	Review of the <i>Cemeteries Act 1986</i> and <i>Cremation Act 1929</i> – Council Submission		
PROPONENT	Department of Local Government, Sport and Cultural Industries		
OFFICER	Manager Governance and Risk		
DATE OF REPORT	29 November 2023		

Attachment 7 Response to Discussion Paper on the Review of the Cemeteries Act 1986 and the Cremation Act 1929

Attachment 8 Department of Local Government, Sport and Cultural Industries Discussion Paper – Review of the Cemeteries Act 1986 and the Cremations Act 1929

OFFICER RECOMMENDATION

That Council adopt Attachment 7 as its submission to the Discussion Paper prepared by the Department of Local Government Sport and Cultural Industries into the review of the Cemeteries Act 1986 and the Cremations Act 1929.

Summary/Purpose

The Department of Local Government, Sport and Cultural Industries (DLGSC) is undertaking public consultation as part of a review of the *Cremation Act 1929* and the *Cemeteries Act 1986*.

The aim of the review is to consider the adequacy and effectiveness of both Acts and relevant subsidiary legislation, and obtain feedback from the public, community groups, local government and stakeholders to inform potential legislative reforms that aim to strengthen regulatory oversight of the funeral industry and reflect contemporary needs and expectations of both the community and industry.

The discussion paper identifies topics regarding the effectiveness of the current legislation and seeks responses to a number of questions.

This report presents responses to the Discussion Paper for Council's consideration.

Background

The then Minister for Health and the then Minister for Local Government announced the review of the two Acts in Parliament on 10 September 2020. The review is being undertaken by the DLGSC on behalf of the Minister for Local Government, in consultation with the community, the Department of Health, the MCB, regional cemetery Boards, local government and industry stakeholders.

Given the substantially unchanged legislation governing cemeteries and crematoria in Western Australia, it was identified by the then Minister for Local Government that the following topics should be addressed through the review process:

- adequacy and effectiveness of both Acts;
- relationship between crematoria and cemeteries in WA;
- powers of the Chief Health Officer, the Minister for Health and the Minister for Local Government in administering both Acts;
- current regulatory and occupational licensing regime of the broader cemetery, crematoria and funeral industry;
- governance structure of the industry including the effectiveness of Boards;
- management of burial grounds in Aboriginal communities;
- approach to the renewal of cemeteries; and
- relevant industry models in other jurisdictions.

To adequately address the breadth and complexity of these key issues, the DLGSC was informed by consultation with industry focus groups, relevant sector stakeholders, and the interagency Cemeteries and Cremation Act Review Working Group in the production of the Discussion Paper.

Extensive targeted stakeholder consultation was undertaken by the DLGSC to refine and guide the issues now presented for broader public consultation.

Stakeholders engaged with included members of the Western Australian funeral and monumental mason industries; medical referees; regional and metropolitan cemetery Boards; Aboriginal Community Controlled Organisations; Native Title Prescribed Body Corporates; the Western Australian Local Government Association; Local Government Professionals WA; and the AFDA.

This public consultation is being undertaken with the aim of obtaining feedback from the public and stakeholders to inform potential legislative reforms.

Officer Comment

The Shire currently operates two cemeteries (Bridgetown and Greenbushes), the operations of which are governed by the Cemeteries Act. Therefore, any changes to this legislation will impact on the Shire (to what extent is unknown at this stage).

The Cremations Act has little impact on the Shire as this relates to those authorities that operate crematoriums.

It is important that Council provide a submission in response to the Discussion Paper given that questions raised have a direct impact on the Shire and as such the attached is provided for Council's consideration.

Submissions close 5pm on Friday 16 February 2024.

Statutory Environment

Cemeteries Act 1986

Cremations Act 1929

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Depending on the outcomes of any changes to the legislation there may be a minor implication to the budget as income from licences may be reduced.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Financial, Compliance and Reputational (external).

With this being a submission in response to a discussion paper that does not contain any specific detail it is difficult to make an assessment.

However, on the basis that the legislation will be amended at the end of the process the overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Boyle
C.06/0124 That Council adopt Attachment 7 as its submission to the Discussion Paper prepared by the Department of Local Government Sport and Cultural Industries into the review of the Cemeteries Act 1986 and the Cremations Act 1929.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.07/0124	FILE REF.	
SUBJECT	Repeal G13 - Meetings of Council – Guest Speakers Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 9 G13 – Meetings of Council – Guest Speakers

OFFICER RECOMMENDATION

That Council repeal the G13 – Meetings of Council – Guest Speakers Policy.

Summary/Purpose

Council currently has a policy entitled G13 - Meetings of Council - Guest Speakers, which directs the scheduling of guest speakers at Council Meetings. This paper proposes that Council repeal the policy on the basis that the content is not a policy document, the policy position is not necessary and Elected Members are capable of scheduling in the timing of a guest speaker according to local government regulations, meeting procedures, priority, purpose, importance, and availability.

Background

The G13 - Meetings of Council - Guest Speakers policy, is not a policy document as such. It is simply a few sentences directing the scheduling of guests at Council meetings. Elected Members can determine when it is appropriate to include guest speakers in meetings. Their expertise and understanding of the agenda items allow for a more responsive approach to scheduling guest speakers, based on established meeting procedures, content, priority, and availability.

The preferences for having guest speakers may vary based on the nature of the agenda items, emerging priorities, or the availability of relevant speakers. Repealing

the policy would allow Elected Members the flexibility to adapt to changing circumstances without being bound by a rigid framework.

The current policy contributes to a cumbersome policy development, review, and amendment process. By repealing this specific policy, we can simplify the decision-making process, reduce administrative burden, and enable more agile responses to the evolving needs of the Council.

Officer Comment

Elected Members have been chosen by the community to represent their interests, and are well-equipped to make informed decisions regarding the inclusion of guest speakers in Council meetings.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Performance
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications Nil

Budget Implications Nil

Whole of Life Accounting Nil

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Redman
C.07/0124 That Council repeal the G13 – Meetings of Council – Guest Speakers Policy.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.08/0124	FILE REF.	
SUBJECT	Repeal G 18 – Taking of Photographs in the Council Chambers		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 10 G 18 – Taking of Photographs in the Council Chambers

OFFICER RECOMMENDATION

That Council repeal the G 18 – Taking of Photographs in the Council Chambers Policy.

Summary/Purpose

The G 18 – Taking of Photographs in the Council Chambers Policy is unnecessary to prohibit people from taking photographs or filming in Council Chambers. Simple signage will suffice.

Background

The G 18 – Taking of Photographs in the Council Chambers Policy, as it currently stands, prohibits individuals from taking photographs or filming inside the Council Chambers without prior permission. While we understand the need for decorum and order during Council meetings, we believe that this policy is unnecessarily restrictive and outdated.

In place of this policy, we propose a more inclusive and visitor-friendly approach. We have already taken steps to address the concerns that led to the creation of this policy by purchasing appropriate signage to inform visitors of the regulations regarding photography and filming within the Council Chambers. These signs will clearly communicate the rules and regulations in a manner that is easily understandable to all visitors.

Our rationale for this proposal is based on several key considerations:

- There is no legal requirement for the policy.
- Photographs and filming can be prohibited without the need for a policy.
- In an era where transparency and public engagement are vital components of effective governance, it is important to encourage citizens to participate in the democratic process. Allowing photographs and filming in the Council Chambers can help to foster a sense of transparency and inclusivity, as it allows citizens to document and share their interactions with their elected representatives.
- The advent of smartphones and digital cameras has made it easier than ever for individuals to capture important moments and events. Restricting the use of these devices inside the Council Chambers may be seen as out of touch with current technological norms.
- By using signage to inform visitors about the existing rules and regulations regarding photography and filming, we can strike a balance between maintaining decorum during Council meetings and allowing citizens to exercise their rights to capture and share the proceedings.

Officer Comment

We understand the need to maintain order and respect for the proceedings in the Council Chambers. However, we believe that the proposed signage, coupled with the goodwill and understanding of the public, can effectively address these concerns without the need for a restrictive policy.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil

- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Redman, Seconded Cr Boyle
C.08/0124 That Council repeal the G 18 – Taking of Photographs in the Council Chambers Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.09/0124	FILE REF.	
SUBJECT	Repeal PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy		
OFFICER	Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 11 PES 2 – Private Works Plant and Equipment Accessed by Shire Staff

OFFICER RECOMMENDATION

That Council repeal the PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy.

Summary/Purpose

The Private Works and Equipment Accessed by Shire Staff Policy has been in place for over 20 years. This policy was initially created to address concerns related to the use of private works and equipment by our Shire staff. However, since its implementation, our organisation has made significant progress in enhancing our governance and policy framework.

Background

Officers consider the Private Works and Equipment Accessed by Shire Staff Policy is no longer necessary for the following reasons:

1. **Redundancy:** Council currently has several policies in place that govern employee conduct, including the Code of Conduct, Misconduct and Termination Policy, Grievance Resolution Policy, and Complaints Policy. These policies collectively address a wide range of employee behaviours, including issues related to the use of private works and equipment. Employees are well aware that taking or using Shire equipment for personal gain is illegal. This type of theft could occur anywhere across the organisation and is not limited to the depot. Disciplinary action would always be the consequence.
2. **Overkill:** The Private Works and Equipment Accessed by Shire Staff Policy is duplicative in nature and adds unnecessary complexity to our existing policy framework. It places an additional administrative burden on our staff without providing any substantial benefits in return.
3. **Trust and Confidence:** The existence of the Private Works and Equipment Accessed by Shire Staff Policy may inadvertently convey mistrust towards our outside employees. Officers believe that our employees should be trusted to adhere to our existing policies and guidelines without the need for an additional policy specifically targeting this issue.
4. **Police Clearances:** It is important to note that all our staff are subject to police clearances, which ensures that we maintain a high level of trust and confidence in our workforce.
5. **Asset Management Plan:** The Shire will now be operating under an Asset Management Plan, 'Roads Hierarchy' tool, and 'Roads Schedule.' This shift in focus towards asset management may leave very little time for private works by staff, further reducing the relevance of the Private Works and Equipment Accessed by Shire Staff Policy.

Officer Comment

Officers propose that the Council consider repealing the Private Works and Equipment Accessed by Shire Staff Policy to streamline our policy framework,

eliminate redundancy, and foster a culture of trust and confidence among our employees. With the added assurance of police clearances and the organisation's focus on an Asset Management Plan, the need for this policy is diminished.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government’s policies

s.6.16(2)(b) - Imposition of fees and charges

Integrated Planning

- Strategic Community Plan
 - Outcome 14 - Effective governance and financial management.
 - Objective 14.1 - Achieve excellence in organisational performance and service delivery.
 - Outcome 16 - An engaged and effective workforce
 - Objective 16.1 - Attract, train, develop and retain an effective workforce.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

PES 3 – Private Works by Council

PES 2 – Private Works Plan and Equipment Accessed by Shire Staff be repealed.
Council currently has several policies in place that govern employee conduct.

Budget Implications Not applicable

Whole of Life Accounting Not applicable

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Boyle
C.09/0124 That Council repeal the PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.10/0124	FILE REF.	
SUBJECT	Repeal CP 6 – Vandalism Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

Attachment 12 CP 6 - Vandalism Policy

OFFICER RECOMMENDATION

That Council repeal the CP 6 - Vandalism Policy and focus on contemporary graffiti (and other vandalism) prevention strategies.

Summary/Purpose

The Shire of Bridgetown-Greenbushes currently maintains a CP 6 - Vandalism Policy, offering a \$500 reward for information leading to the successful conviction of any person involved in vandalism of Shire property. This agenda paper proposes repealing this reward policy and redirecting focus on innovative and contemporary graffiti prevention strategies. The current reward system may not effectively address the root causes of graffiti, and we believe that investing in prevention and enhancement measures can create a more sustainable solution to this issue.

The current policy indirectly encourages the community to report criminal matters to the Shire rather than to the WA Police and compels staff to decide on whether a report might be vexatious or not. Vandalism falls under the remit of the WA Police.

Background

Council adopted the Vandalism Policy (CP 6) in 1998. While the Policy was obviously considered necessary 15 years ago, our society has become more litigious since that time. There are liability issues attached to Shire Officers becoming involved in criminal matters. Offering a \$500 reward for reports of vandalism that lead to prosecution:

- Holds negative connotations with regard to our approach to educating the community on asset pride and intentional asset damage.
- May appear to be now outdated in terms of approach.
- May not address (or attempt to address) the causes of the poor behaviour.
- Is lacking in prevention and enhancement strategies.

It is essential to implement sustainable solutions that go beyond mere incentives for reporting incidents. An example may be:

Introduction of Vinyl Wrapping: Vinyl wrapping offers several advantages in combating graffiti effectively:

- a) **Surface Protection:** Vinyl wrapping acts as a protective barrier against graffiti, making it a less attractive target for vandals and simplifying graffiti removal.
- b) **Aesthetic Improvement:** Vinyl wrapping enhances the visual appeal of public spaces, making them less likely to attract vandals. It contributes to the beautification of our community.
- c) **Customizable Designs:** Vinyl wrapping allows for community engagement through artwork and designs, fostering a sense of ownership among residents.
- d) **Ease of Maintenance:** Graffiti on vinyl-wrapped surfaces is easier to clean, reducing maintenance costs and efforts.
- e) **Environmental Considerations:** Using eco-friendly vinyl materials minimizes the environmental impact while providing long-lasting protection.

In addition to vinyl wrapping, officers propose the following contemporary approaches to combat graffiti:

- a) **Smart Surveillance Systems:** Implement high-tech surveillance cameras with artificial intelligence to monitor public spaces in real-time, detect suspicious behaviour, and alert authorities. Despite the Vandalism Policy being active at the time of the graffiti incident before the Blues Festival, no-one was reported nor claimed the \$500 because there was no CCTV directed towards Shire buildings.
- b) **Community Murals and Art Projects:** Engage the community in creating murals and art installations, fostering a sense of pride and ownership.
- c) **Educational Programs:** Support or facilitate the development of anti-graffiti education programs in schools and community centers to raise awareness about the negative impacts of vandalism.
- d) **Green Spaces and Urban Design:** Invest in urban renewal projects that prioritize green spaces and aesthetically pleasing public areas.

Officer Comment

Benefits of the proposed approach:

- **Long-Term Sustainability:** Shifting our focus from punitive measures to innovative and preventive strategies creates lasting solutions that deter vandalism.
- **Community Engagement:** Strategies like vinyl wrapping, community murals, and educational programs actively engage residents in preserving public spaces.

- **Cost-Efficiency:** Innovative prevention methods like vinyl wrapping and smart surveillance systems reduce maintenance costs over time.
- **Environmental Responsibility:** Using eco-friendly materials for vinyl wrapping aligns with our commitment to sustainability.
- **Cultural Enrichment:** Community-driven art projects and thoughtful urban design enhance the cultural richness of public spaces.

Statutory Environment

s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government’s policies Local Government Property Local Law

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
 - Outcome 3 – A safe community for people and animals
 - Outcome 3.1 – Maintain high levels of community safety.
 - Outcome 3.1.3 – Provide a reserve fund to implement the CCTV Plan.
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - CP 2 – Closed Circuit Television

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision *Moved Cr Lansdell, Seconded Cr Fletcher*
C.10/0124 That Council repeal the CP 6 - Vandalism Policy and focus on contemporary graffiti (and other vandalism) prevention strategies.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.11/0124	FILE REF.	
SUBJECT	Repeal CR 7 – Australia Day Events Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	11 January 2024		

Attachment 13 CR 7 – Australia Day Events Policy

OFFICER RECOMMENDATION

That Council repeal the CR 7 - Australia Day Events Policy.

Summary/Purpose

The purpose of this agenda paper is to propose the repeal of the Australia Day Events Policy. The policy is not required to maintain the current format or arrangements. The repeal of the policy will mean the arrangements can be modified or made more flexible at the community’s request or Council’s initiative. For instance, Council may decide to alternate attending breakfast celebrations between Bridgetown and Greenbushes each year, or the community may decide that they would like a completely different event to celebrate Australia Day. The current policy is restrictive in this sense.

Background

The Australia Day Events Policy, currently in place, outlines arrangements for Australia Day events. However, the policy only includes minimal provisions such as hosting a breakfast function in Bridgetown, determining an annual budget for a breakfast in Bridgetown and Greenbushes and discontinuing the bus service from Greenbushes to Bridgetown on Australia Day. Council and officers do not require a policy to determine or provide for these provisions. It is simple core business.

Officer Comment

The benefits of repealing the policy are:

1. Provide for more flexible arrangements for the community and Council regarding the format and funding of the Australia Day event hosted by the Shire. The community will continue to grow and evolve and, as it does, may suggest contemporary and valuable modifications to the event.
2. Remove the onerous administrative burden of maintaining a policy that is not useful and is not required.

The consequence of not repealing the policy may be:

1. Lack of community engagement in the planning and decision-making processes for Australia Day events (assuming that everyone is comfortable with the status quo).
2. Potential missed opportunities to celebrate our diverse culture, heritage, and achievements.
3. Failure to determine a means in which to bring the entirety of the Shire together on Australia Day.
4. A lack of cultural and educational elements in Australia Day events, missing an opportunity for reflection and education on Indigenous culture.
5. The onerous burden of maintaining the policy detracting officers from meaningful work.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Redman, Seconded Cr Boyle
C.11/0124 That Council repeal the CR 7 - Australia Day Events Policy.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Fletcher

What is going to be in its place?

CEO Response – The proposal is to not have a day; policy is not needed to do that. We are making it more flexible to change if needed. Rather than have the big event in Bridgetown perhaps we have both events but council focuses on one, one year and one, another year. Current policy is restrictive. All Council need to do is advise Officers of what to do and fund it in the annual budget.

ITEM NO.	C.12/0124	FILE REF.	203
SUBJECT	Review of Policy IM 2 – Records Management		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	4 January 2024		

Attachment 14 Draft amended Policy IM 2 – Records Management

Attachment 15 Current Policy IM 2 – Records Management.

OFFICER RECOMMENDATION

That Council adopt amended Policy IM 2 Records Management, as shown in Attachment 14.

Summary/Purpose

A review of Policy IM 2 Records Management has been undertaken as part of the ongoing review of all policies.

The amended policy is presented to Council for consideration.

Background

All Council policies have previously been reviewed on an annual basis with the review in 2021/22 being carried out section by section rather than undertaking a singular annual review of the whole of the policy manual contents.

In September of 2023 a report was presented to Council seeking to amend Policy G 1 Policy Manual to provide that policies be reviewed every 3 years after the date of adoption, or more frequently when determined by the CEO or Council, or as legislatively required.

The policy IM 2 Records Management was last reviewed in April 2022 and is now due for review.

Officer Comment

Under the section 19 of the *State Records Act 2020* every government organisation is to have a Record Keeping Plan (RKP).

The RKP must provide comprehensive responses to indicate whether the organisation is compliant to Standard 2 Principles 1 to 6.

The *State Records Standard 2 Recordkeeping Plans: Principle 2 -Policies and Procedures* requires that:

- Record keeping policies and procedures have been established;
- The roles and responsibilities for all employees are defined;
- The organisational scope of the policies and procedures has been addressed e.g. their applicability to regional branches or outsourced contractors; and
- The policies and procedures have been authorised at an appropriate senior level and are available to all employees.

To meet the minimum compliance requirements of Principle 2, the amended record keeping policy should include references to:

- Custodianship of Records;
- Access to Records;
- Creation of Records;
- Capture and Control of Records;
- Security and Protection of Records;
- Appraisal, Retention and Disposal of Records; and
- Awareness of record keeping responsibilities including those of Elected Members.

Upon review the policy has been substantially amended to:

- (a) Provide a better structure;
- (b) Better reflect current practices; and
- (c) Ensure that it meets the requirements under Principle 2.

As such a 'track changed' version has not been prepared, as this may cause some confusion.

To assist in understanding the differences between the existing and proposed policy, details of the major changes are as follows. Clauses mentioned refer to the draft amended policy.

Objectives (Clause 1)

Removed unnecessary content which is already encapsulated in legislation.

Definitions (Clause 3)

- Added in a new definition for:
 - Worker.
 - Electronic Records
 - Personal Records
- Removed the definition of Government Records (or Public Records)
- Amended the following definitions to reflect more contemporary practices:
 - Significant Records
 - Vital Records
 - Records Disposal

Statement (Clause 4.1)

Deleted reference to the records being a corporate asset as it is covered under clause 4.3 Custodianship.

Roles and Responsibilities (Clause 4.2)

- Added in Councillor roles and responsibilities
- Changed position titles
- Amended Staff responsibilities to better reflect modern practice
- Added in responsibilities for Records Staff

Creation of Records (Clause 4.4)

New requirement to meet the Principle 2 requirements.

Capture and Control (Clause 4.5)

New requirement to meet the Principle 2 requirements.

Security and Protection of Records (Clause 4.6)

New requirement to meet the Principle 2 requirements.

Appraisal, Retention and Disposal of Records

New requirement to meet the Principle 2 requirements.

Statutory Environment

Local Government Act 1995

s 2.7(2)(b)

“Without limiting subsection (1), the council is to —

(b) determine the local government's policies.”

s 5.41(h)

“The CEO's functions are to ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law.”

Integrated Planning

- Strategic Community Plan
 - Outcome 13 – Proactive, visionary leaders who respond to community needs
 - Objective 13.2 – Embrace innovation and a 'can do' culture
 - Outcome 14 – Effective governance and financial management
 - Objective 14.1 – Achieve excellence in organisational performance and service delivery
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance and Reputational.

It is Council's role under the Local Government Act to determine the policies of the local government and is obligated under policy G 1 – Policy Manual, to review policies.

Careful consideration is to be given by Council in potentially not agreeing to certain amendments as the risk of doing so may impact on the effectiveness and efficiency of undertaking various operational tasks or being in contravention of legislative requirements.

The overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring

Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Lansdell
C.12/0124 That Council adopt amended Policy IM 2 Records Management, as shown in Attachment 14.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Cr Pratico

Is it not in legislation that elected members have to keep records. What does this change?

CEO Response – Yes. The organisation is legally required to keep a record keeping policy. The auditors use the policy to confirm that we are complying with the standards that we've set for our organisation.

ITEM NO.	C.13/0124	FILE REF.	
SUBJECT	Adopt amended FM 7 - Use of Corporate Credit Card Policy to FM 7 - Corporate Credit Cards Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	5 January 2024		

Attachment 16 FM 7 – Use of Corporate Credit Cards Policy (Old)

Attachment 17 FM 7 – Corporate Credit Cards Policy (New)

OFFICER RECOMMENDATION

That Council adopt amended FM 7 – Use of Corporate Credit Cards Policy to FM 7 – Corporate Credit Cards Policy.

Summary/Purpose

The purpose of this agenda item is to seek Council's approval for the adoption of the revised Credit Card Policy. The primary modification to the existing policy pertains to the inclusion of modern purchasing methods (e.g. online transactions with both national and international companies).

Background

The current Credit Card Policy in place has served the Council effectively, ensuring fiscal responsibility and accountability in the use of credit cards for official business purposes. However, with the ever-evolving landscape of financial transactions and the increasing prevalence of online purchasing, it has become essential to modernise our policy to align with these contemporary methods.

The primary change proposed in the reviewed policy is the allowance for the use of credit cards for online purchases from national and international vendors. This adjustment recognises the evolving nature of commerce and the convenience and efficiency that online transactions offer. By permitting such transactions, Council aims to streamline procurement processes, increase flexibility, and facilitate the acquisition of goods and services from a broader range of suppliers.

The reviewed Credit Card Policy retains its commitment to fiscal responsibility and accountability by outlining clear guidelines and restrictions regarding credit card usage, spending limits, documentation requirements, and reporting procedures. The policy also reinforces the necessity for thorough record-keeping and compliance with all relevant regulations and laws.

Officer Comment

Adopting this updated Credit Card Policy will enable Council to adapt to the changing business landscape while maintaining the highest standards of financial stewardship and transparency. It will empower our staff to make timely and efficient purchases while ensuring that proper controls and safeguards remain in place to protect the organisation's financial interests.

Statutory Environment

Local Government Act

s.2.7(2)(b) – The council is to determine the local government's policies

Local Government (Financial Management) Regulations 1996

r.11 – Payments, procedures for making etc.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 – Effective governance and financial management
 - Objective 14.1 – Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil

- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

FM 7 – Use of Corporate Credit Cards Policy to be amended and renamed to
FM 7 – Corporate Credit Cards Policy (New)
FM 4 – Purchasing Policy

Budget Implications – Not applicable

Whole of Life Accounting – Not applicable

Risk Management – Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

Council Decision Moved Cr Boyle, Seconded Cr Fletcher

C.13/0124 That Council adopt amended FM 7 – Use of Corporate Credit Cards Policy to FM 7 – Corporate Credit Cards Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Cr Pearce

I have a question on 2.6 of Policy – is that a monthly limit or per transaction?

CEO Response – Per transaction.

Does that allow for, is there a mechanism where we can reset that if they need to conduct further purchases.

Director Corporate Services - Council or administration could at any time during the month make a payment to that credit card.

Cr Fletcher

When there is a declared emergency, can circumstances be made for this to occur?

Director Corporate Services – We can't increase a credit limit overnight; we have access for electronic funds transfer with two authorized signatories to make this happen.

CEO Response – The credit card is used in accordance with the Purchasing Policy which provides for purchasing limitations (including amounts).

The CEO advised that this item has been deferred until the February 2024 Ordinary Council Meeting.

ITEM NO.	C.14/0124	FILE REF.	
SUBJECT	Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy (previously referred to as PR 1 – Events in or on Shire Property Policy)		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

Attachment 18 PR 1 – Functions in Shire Reserves or Parks Policy (Old)

Attachment 19 PR 1 – Events in or on Shire Property (New)

OFFICER RECOMMENDATION

That Council adopt the amended Events in or on Shire Property Policy.

Summary/Purpose

Officers propose amendments to the existing policy governing the usage of non-enclosed reserves within our community - Functions in Shire Reserves or Parks Policy (PR1). The policy is due for review and the timing of the review is aligned with the timing of significant asset improvements across the Shire. This policy proposes that officers become more proactive in their approach to advertise and rent out Shire venues for the dual purpose of:

- Generating significantly more revenue for venues from non-local people; and
- Providing more cost-effective venues for local people.

If Council adopts this new version of the Policy, the Schedule of Fees and Charges can be altered in time for the new budget cycle (and the opening of the Town Hall).

Background

The proposed amendments to the (now titled) Events in or on Shire Property seek to address the need for flexibility in fee structure, particularly concerning non-local individuals or groups that wish to use these public spaces for private events, such as weddings. This amendment aims to strike a balance between revenue generation and accommodating non-local residents, as well as ensuring local residents are not disadvantaged.

The existing policy governing the usage of non-enclosed reserves has proven effective in promoting responsible and inclusive use of public spaces. However, a recent issue has arisen where the current fee structure does not allow for the Council to adjust fees for non-local individuals or groups, even when they may be prepared to pay a higher rate for our public spaces for their events.

The Council may, at its discretion, charge a different fee for non-local residents or groups that wish to use these public spaces for events such as weddings, ceremonies, or other private functions.

The advantages of adopting the amended Policy are relatively simple. It will provide for:

- Revenue to reinvest back into the maintenance of the buildings and open spaces. Currently, the hire fees do not even cover staff wages.
- Flexibility in fee structure whereby non-local individuals or groups subsidise the local use of the venues by paying more.
- More effective use of marketing, encouraging non-local residents to utilise our venues for events.
- Enhances the attractiveness of our community as a venue for various events because there is more income to generate back into the venues.

The disadvantages in not adopting the reviewed Policy are (potentially):

- No obvious revenue source for maintaining some significant infrastructure across the Shire.
- Venue hire will continue to cost the Shire more to maintain and operate than the income paid by the people using the resource

To illustrate this issue, the City of Fremantle, charges up to \$150 per hour or up to \$1,200 per day for the use of its Town Hall for private events, including weddings. In contrast, our current policy charges a flat fee of \$287.15 per day, regardless of the event type, size, or whether the organisers are local or non-local residents.

Officer Comment

Officers propose a fee structure for the use of Shire buildings and non-enclosed reserves, taking into consideration whether the event is organised by local or non-local residents or groups.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government's policies

Local Government Property Local Law

Integrated Planning

➤ Strategic Community Plan

Outcome 2 – Good health and community wellbeing.

Outcome 2.3 – Become a hub of excellence in art, culture and community events.

Outcome 12 – Bridgetown-Greenbushes is regarded to be a major tourist destination.

Outcome 12.3 – Develop and promote festivals, events and trails that showcase the area's natural assets and core competencies.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning
 - PH 3 – Blues Festival Trading
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

Corporate Services

ITEM NO.	C.15/0124	FILE REF.	131
SUBJECT	November and December Financial Activity Statements and List of Accounts Paid in December 2023		
OFFICER	Manager Finance		

DATE OF REPORT	10 January 2024
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Attachment 20 November 2023 Financial Activity Statements

Attachment 21 December 2023 Financial Activity Statements

Attachment 22 List of Accounts Paid in December 2023

OFFICER RECOMMENDATION

That council receive the:

- 1. That Council receives the November 2023 Financial Activity Statements as presented in Attachment 20.*
- 2. That Council receives the December 2023 Financial Activity Statements as presented in Attachment 21.*
- 3. That Council receives the List of Accounts Paid in December 2023 as presented in Attachment 22.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Officer Comment

At the time of agenda preparation for the December 2023 Council meeting, month end finance processes were ongoing, as such the monthly statement of Financial Activity for November 2023 will be presented to the January 2024 Council meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

“C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.”

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan – Nil

- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in December 2023 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Lansdell

C.15/0124 That council receives:

1. the November 2023 Financial Activity Statements as presented in Attachment 20.

2. the December 2023 Financial Activity Statements as presented in Attachment 21.

3. the List of Accounts Paid in December 2023 as presented in Attachment 22.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Development, Community and Infrastructure

ITEM NO.	C.16/0124	FILE REF.	
SUBJECT	Budget Amendment – Grader Purchase		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	15 th January 2024		

OFFICER RECOMMENDATION

That Council:

1. *Amends the 2023/24 budget by allocating funds of \$450,000 for the changeover cost to purchase a new grader.*
2. *Funds the purchase by:*
 - (i) *\$125,000 transfer from the Plant Reserve.*
 - (ii) *\$220,000 by deferring replacement of the Bomag Waste Compactor.*
 - (iii) *\$105,000 by deferring replacement of the Skid-steer Loader.*
 - (iv) *Sale of the Shires 2013 Volvo G930 grader.*

Summary/Purpose

Changes to the plant program in the 2023/24 budget are required to enable the procurement process for replacement of the Shires 2013 Volvo G930 grader to begin as a priority.

Background

An internal review has identified that replacement of the Shire's 2013 Volvo G930 grader is a high priority and that due to potentially long lead times, the procurement process for a new grader should begin in the current financial year. Replacement was scheduled in the Plant Replacement Program for the 2025/26 year so changes to the program will be required.

The estimated changeover cost for a new grader, after sale of the current machine, is \$450,000. The 2023/24 budget includes funding for replacement of the 2000 JCB Skid Steer Loader and replacement of the 2009 Bomag Waste Compactor. The combined budgeted changeover cost for these machines is \$325,000, funded from the Plant Reserve. The shortfall of \$125,000 is proposed to be funded by additional transfer from the Plant Reserve. Funding for the grader purchase is therefore proposed as follows:

- \$220,00 by deferring replacement of the Bomag Waste Compactor.
- \$105,00 by deferring replacement of the Skid-steer Loader.
- \$125,00 unbudgeted transfer from the Plant Reserve.
- Sale of the Shires 2013 Volvo G930 grader.

The transfer of an additional \$125,000 from the Plant Reserve will result in an estimated reserve closing balance of \$29,333 at 30 June 2024.

Officer Comment

In order to continue provision of service levels to the community, replacement of the Volvo grader is the current highest priority in the program. Uncertainty with supply chains means that the procurement process could be very lengthy. Beginning the process as a matter of urgency will ensure the best outcome for management of the Shires road network and level of service to the community. Considering the likelihood of a long lead-time it is expected that the purchase will not be finalised in the 2023/24 year.

In recent months, the Skid-Steer loader and Waste Compactor have both required unplanned repairs that have resulted in a modest extension of their operation lives. The risk in deferring the replacement of these machines is therefore considered acceptable.

Statutory Environment - Not applicable

Integrated Planning

- Strategic Community Plan
 - Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
 - Objective 9.1 Improve road safety and connectivity..
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications - Not applicable

Budget Implications

The shortfall of \$125,000 is proposed to be funded from the plant reserve and will not impact the 2023/24 budget.

Whole of Life Accounting - Not applicable

Risk Management

Risk areas identified according to the Shires risk management policy, should replacement of the existing 2013 Volvo G930 grader not be brought forward in the Plant Replacement Program, are Financial Impact, Service Interruption, and Reputational Internal.

Financial Impact:

Due to the increased maintenance costs to operate the existing machine, the financial impact is considered Moderate (\$5001 - \$50,000) with a likelihood measure being likely, giving an overall risk rating of High.

Service Interruption:

Due to downtime of the existing machine, service interruption is considered Major (Prolonged interruption of services – additional resources; performance affected < 1 Month) with a likelihood measure being likely, giving an overall risk rating of High.

Reputational Internal:

Due to the decline in suitability of the existing machine for its intended purpose and related growing frustration amongst staff, Reputational Internal is considered Moderate (Decline in staff confidence/morale, or unauthorised absences) with a likelihood measure being Almost Certain, giving an overall risk rating of High.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Absolute Majority

Council Decision Moved Cr Christensen, Seconded Cr Fletcher

C.16/0124 That Council:

- 1. Amends the 2023/24 budget by allocating funds of \$450,000 for the changeover cost to purchase a new grader.***

- 2. Funds the purchase by:***
 - (i) \$125,000 transfer from the Plant Reserve.***

- (ii) **\$220,000 by deferring replacement of the Bomag Waste Compactor.**
- (iii) **\$105,000 by deferring replacement of the Skid-steer Loader.**
- (iv) **Sale of the Shires 2013 Volvo G930 grader.**

Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Pearce

How many hours on current grader?

Manager Infrastructure and Works – No, around the 9000 - 10000 mark – shire purchased this second-hand 2003 model in 2015 – we need to move it on quite urgently it's got some issues.

Cr Pratico

Typo with a few zeros, a few zeros on all of those missing.

Cr Redman

Bomag and Skid Steer – by deferring replacement, they've had some repairs to extend useful life, do we anticipate that the life of the machinery carried forward, is allocating the funds going to affect the ability of carrying works out down the line?

Manager Infrastructure and Works – its about weighing up risk, they both need replacing. The greater need and urgency is for the grader. It's a matter of reprioritizing things.

Cr Pearce

Recognise a greater need for the grader, replacement for skid steer loader. The MAF program has an ability to, a substantial part of that – really like to see that push forward – it can pay for the entire purchase. Not put off much more.

Manager Infrastructure and Works – Lots of work done recently definitely look into bringing that forward.

Cr Pratico

Plant replacement reserve is down to \$29,000. Have we got a plan that will beef up that reserve?

CEO response – We need a plan. Steele's been working on asset management plan, the asset management strategy, and then we've got to link that into the long-term financial plan. It's a huge body of work, but we also need to look at potentially sourcing external funds as well.

Going into partnerships with our neighboring local governments for mutual exchange of machinery, we're looking at potential external funding sources, although they are pretty challenging to get for machinery.

We're also talking to DFES about more contractor money. Do we buy our own machinery, or do we use bushfire mitigation funds to lease machinery? We're aware that this is a significant issue and that we don't have the funds to just roll over.

We're trying every problem that we can think of at the moment and I think that should include looking at how we feed funds into the reserve fund through a stage process.

ITEM NO.	C.17/0124	FILE REF.	
SUBJECT	Capital Projects Update		
OFFICER	Project Officer		
DATE OF REPORT	18 January 2024		

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in this report.

Summary/Purpose

This report is to update the Councillors on the progress and activity relating to the following capital projects:-

1. Bridgetown Town Hall Conservation and Adaption
2. Relocation and Renewal of the Greenbushes Railway Station
3. Replacement of Shire Depot Facilities
4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Background

1. Bridgetown Town Hall Conservation and Adaption

Council approved the tender award to BRC Construction for the Town Hall project in November 2022, with the contract signed in February 2023. The Contractor commenced work in site in March 2023, making good progress. Due to several unavoidable structural issues, and unexpected A/C and maintenance factors, the progress was delayed, with first-fix services completed though the latter part of 2023.

2. Relocation and Renewal of the Greenbushes Railway Station

Council approved the tender to relocate and renew the Greenbushes Railway station from Nyland House Transporters at the Ordinary Council Meeting held in June 2023.

The preparation works for the relocation of the existing heritage station was completed during December 2023.

3. Replacement of Shire Depot Facilities.

At its meeting held on 14 December 2023 Council approved the draft Concept Plan for the Bridgetown Shire Depot subject to any further minor changes and accepted the quote from Willcox and Associates for Detailed Design and Documentation for the Shire Depot Facilities Rebuild.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project.

The recently completed restoration of the Bridgetown Train Station building is a significant project for the Shire and will accommodate the Bridgetown Visitor

Centre upon completion of the building fit-out. Due to insufficient funds in the project budget, the fit out of the building was not included as part of the initial contract for restoration of the building itself. Additional funds were allocated in the Shire's 2023-24 Budget and Stephen Carrick Architects was engaged to prepare a technical specification for the fit out.

Officer Comment

1. Bridgetown Town Hall Conservation and Adaption

Construction work has re-commenced with specialist carpentry work on site. The upgraded structural steel trusses for the AV equipment will be installed by end January 2024.

Construction completion is anticipated at end-July 2024.

2. Relocation and Renewal of the Greenbushes Railway Station

Talison have engaged an earthworks contractor to prepare the site. The relocation of the heritage station is programmed in the last week of February 2024. Building works will be affected immediately thereafter. Shire involvement should be complete by mid-May 2024.

3. Replacement of Shire Depot Facilities.

Work has commenced on the Detailed Design and Documentation, scheduled for completion by mid-April 2024. A further report will be presented to the Council with funding and staging options at that stage.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Following a Request for Quotation process, a contractor has been appointed and work has commenced. The works are scheduled for completion by end-March 2024, followed by the relocation of the Visitor Centre staff.

The anticipated official opening date and commencement of operation of the Visitor Centre in the restored building is mid-April 2024.

Statutory Environment - N/A

Integrated Planning - N/A

Budget Implications - N/A

Whole of Life Accounting - N/A

Risk Management -N/A

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision ***Moved Cr Redman, Seconded Cr Boyle***
C.17/0124 That Council acknowledges receipt of information contained in this report.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.18/0124	FILE REF.	123
SUBJECT	Greenbushes Sportsground BBQ Facility – Unbudgeted Funding		
OFFICER	Manager Community Services		
DATE OF REPORT	January 2024		

Attachment 23 Greenbushes Sportsground Precinct Map

OFFICER RECOMMENDATION

That Council accepts the unbudgeted grant income of \$66,093.50 from the Department of Jobs Science Tourism and Innovation (JSTI) through the Native Forest Transitions Small Grants funding round, and associated expenditure to construct a BBQ, shelter, picnic tables and bench seating at the Greenbushes Sportsground.

Summary/Purpose

This recommendation seeks formal receipt of unbudgeted income from JSTI and endorsement of related expenditure to cover the costs associated with the

constructing a BBQ, shelter, picnic table and bench chairs at the Greenbushes Sportsground.

Background

When the Native Forest Transitions Small Grant round became available and was going to cover 100% of a project cost up to the value of \$100,000, the BBQ facility at the Greenbushes Sportsground and Recreation Precinct was identified as a project to include in Councils applications. The project was chosen because it fulfilled the grant guidelines criteria and was a self-contained project under the maximum funding limit. The completion of this project will encourage social and community connectedness, improved facilities for sporting competitions, increase the number of spectators and improve tourism.

Officer Comment

The BBQ area, in the form of a shelter, BBQ and picnic tables and benches, will add value to the Greenbushes Sportsground and Recreation Precinct redevelopment, identified as a potential Talison funded project to be completed in year 2 including installing irrigation and resurfacing both ovals, resurfacing hardcourts and line marking tennis and basketball. This facility will offer local residents a chance to enjoy the BBQ facility whilst watching sport or picnicking and offer campers the option to cook their food and sit in the undercover area.

Greenbushes is now a RV friendly town. Becoming a RV friendly town attracts tourists due to the increase in marketing through the Camper and Caravan association. Having the facilities to provide for the campers will encourage return visits, improve camping ground ratings and provide another reason to stay and spend in the town, benefiting the local economy.

The proposed location of the BBQ facility is opposite the ablution block and adjacent to the Soccer Pitch back oval. This location ensures the versatility of the facility to meet the needs of campers, local residents, sporting groups and tourist in a nature-based environment.

If council support the officer recommendation the construction cost of the BBQ facility should be covered entirely by the grant funding and require little or no contribution from Council.

Statutory Environment

The Caravan Parks and Camping Grounds Regulations 1997.

Integrated Planning

- Strategic Community Plan
 - Outcome 2 – Good Health and community wellbeing.
 - Objective 2.2 – Provide quality sport, leisure and recreation services.
- Corporate Business Plan
 - Strategy 2.2.3 – Provide the implementation of the Greenbushes Sportsground and Recreation Precinct Redevelopment Project.
- Long Term Financial Plan - Nil
- Asset Management Plans

New and upgraded infrastructure will be included as Shire assets in Council's Property Infrastructure Asset Management Plan once the development is complete.

- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Should Council endorse the officer recommendation the 2023/24 budget will reflect the income of \$66,093.50 and the expenditure associated with the construction of the Greenbushes Sportsground BBQ facility.

Whole of Life Accounting

Whole of life accounting principles are met by completing detailed planning processes for infrastructure developments including the consideration of capital outlay and ongoing maintenance costs that should be identified during planning and factored into the choice of infrastructure and the organisations ongoing operational costs. The Grillex infrastructure was chosen with whole of life accounting principles considered.

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk, if Council do not support the recommendation is Moderate given the likelihood that community become aware of the loss of funds or the absence of a facility that does not currently exist is Possible and the damage to External Reputational associated with that awareness would likely be Minor.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.18/0124 That Council accepts the unbudgeted grant income of \$66,093.50 from the Department of Jobs Science Tourism and Innovation (JSTI) through the Native Forest Transitions Small Grants funding round, and associated expenditure to construct a BBQ, shelter, picnic tables and bench seating at the Greenbushes Sportsground.

Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.19/0124	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Attachment 24 Rolling Action Sheet

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the Rolling Action Sheet as shown in Attachment 24.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the status of previous resolutions/decisions that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an attachment to this agenda.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans- Not applicable

- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

There are no risk areas identified in accordance with Council Policy RM 1 – Risk Management as the report is for Council’s information only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Pratico, Seconded Cr Fletcher
C.19/0124 That Council acknowledges receipt of information contained in the Rolling Action Sheet as shown in Attachment 24.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Receipt of Minutes from Management Committees

Audit Committee Meeting Minutes – Received December 2023

Urgent Business Approved by Decision

ITEM NO.	C.22/0124	FILE REF.	A25577
SUBJECT	Application for Reduced Setback – Wandillup Fire Station		
PROPONENT	Shire of Bridgetown – Greenbushes		
OFFICER	Manager Development and Regulatory Services		
DATE OF REPORT	23 January 2024		

Reason for Urgent Business: That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 31.

Attachment 30 Location Plan

Attachment 31 Site Plan

OFFICER RECOMMENDATION

That item C.22/0124 - Application for Reduced Setback – Wandillup Fire Station, be accepted as urgent business.

OFFICER RECOMMENDATION

That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 29.

Summary/Purpose

The Shire proposes to construct the Wandillup Volunteer Bushfire Brigade Fire Station with a proposed reduction in setbacks at 6, Lot 500 (Reserve 53524) Mokerdillup Road. As the relaxation request exceeds 75% of the nominated front setback, staff do not have delegated authority to approve the application in accordance with Delegation No 27 and a resolution of Council is required to approve the proposed reduced setbacks for the Fire Station.

Background

The Shire has received funding from the Department of Fire and Emergency Services (DFES) via the Local Government Grants Scheme (LGGS) to construct the new Wandillup Volunteer Bushfire Brigade Fire Station at 6 Mokerdillup Road. Council has accepted a tender from a local builder for the construction of the building.

Officer Comment

The Site is a reserve that the Shire has a management order for the purposes of 'Bush Fire Station' and is zoned 'Rural 3' in accordance with the Shire of Bridgetown Greenbushes Town Planning Scheme No 4 (TPS4).

The following table details the nominated setbacks as per Section 4.6 of the TPS4 and the proposed setbacks for the new fire station.

TPS 4 – Minimum Setback	Metres	Wandillup Fire Station - Proposed Setback	Metres
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From the frontage to Major Roads	30	Brockman Highway	26 (scaled)
From the frontage to other Roads	20	Mokerdillup Road	2.9
From all other boundaries	20	Southern Boundary Western Boundary	7.82 8.80

As the site is 1460m² and is a relatively small parcel of land for a rural zoned property, a reduction in setbacks is required to fit the new fire station and associated infrastructure. The TPS4 enables Council to relax the above standards where special circumstances exist and this can be done via a resolution of Council.

There are no foreseen negative impacts for the reduction in the setbacks as the closest neighbour is 100 metres away buffered by Brockman Highway and remnant vegetation. The proposed Fire Station will not detrimentally impact on the amenity of the area and the reserve is approved for this purpose through the management order on the land (Bush Fire Station) and therefore can be approved.

Statutory Environment

Section 4.6 of the Shire's Town Planning Scheme No 4 provides Council with the power to relax prescribed setbacks in the rural zone when special circumstances exist. The lesser setback is not expected to have an adverse effect upon the amenity of the locality.

Integrated Planning

- Strategic Community Plan
 - Outcome 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans
 - The new Fire Station will be constructed on Shire managed land and therefore be included in the Shires Asset Management and Building Maintenance Plans.
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications- Nil

Budget Implications- Nil

Whole of Life Accounting- Nil

Risk Management

No risks are identified with the proposed setback reduction for the proposed Wandillup Fire Station.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Pratico C.22/0124 That item C.22/0124 - Application for Reduced Setback – Wandillup Fire Station, be accepted as urgent business.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Christensen C.22/0124a That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 29.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Fletcher

Setback on Wandillup Rd shows about 3m or so, is that going to be a danger for vehicles going in and out of the station?

Principal Project Manager – This is just the background and it's around the bushfire fire zone. Keeping the entire building out of fire zone after the valve assessment we've done. It's just over 12 meters from the road edge, which will be the setback. We've spoken to the local fire fighter members and the locals as well, they're very comfortable with that line of

sight, both from intersection on Wandillup and down the hill from Wandillup as well.

We would have ideally taken it back into the bush a bit more, but we would have been right into the fire zone. We'd already taken out a couple of trees, but we can't push into the crown land area to take more trees out. That's the reason for that. We have about a 12.9 setback that gives us about 12.9 meters from the right edge.

Cr Christensen

With the arial photo it would appear a lot of bush needed to be cleared to do that. Is that going to require that we do offsets or anything, or what is the situation?

Principal Project Manager – That parcel of land was cleared under permit over 2 years ago. The only thing that was there was regrowth that's now being leveled by our own staff. I think it was four trees right on the very edge that weren't removed through that clearing permit and they were removed just recently as well. Then through the Crown Land area around it, the Bushfire Brigade will be committed to ongoing significant fire mitigation commitments.

ITEM NO.	C.23/0124	FILE REF.	
SUBJECT	Update on Works & Services Programme		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	18/01/2024		

Reason for Urgent Business: Update of works and services items from Rolling Action Sheet.

OFFICER RECOMMENDATION

That item C.23/0124 - Update on Works & Services Programme, be accepted as urgent business.

OFFICER RECOMMENDATION

That Council note the current status of the Works & Services programme for the month of January 2024.

Summary/Purpose

To provide a monthly Infrastructure & Works project status report to Council.

PROJECT UPDATES

Construction:

Winnejump Road – Winnejump Road construction works have been substantially completed for the year. A second-coat seal of previous years works is still required and is scheduled with the contractor for March. Final project cost will be reported when available however projections indicate a full acquittal of funding.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
RR17	Winnejump Road 2023-24	\$375,000.00	\$337,457.36	\$54.55	\$337,511.91	\$37,488.09

RR21	Winnejump Road 2022-23	\$174,697.00	\$135,120.19	\$0	\$135,120.19	\$39,576.81
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Gravel Resheeting – Contractor gravel resheeting works on Walter Willis Rd, Klause Rd, and Crowd Wheatley Rd were completed in December. The project outcomes of improved safety and asset management have been achieved.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
GS73	Crowd Wheatley Road	\$135,207.00	\$114,334.91	\$17,018.18	\$131,353.09	\$3,853.91
GS74	Klause Road	\$113,144.00	\$104,002.64	\$13,472.73	\$117,475.37	-\$4,331.37
GS75	Walter Willis Road	\$64,229.00	\$58,765.00	\$4,963.64	\$63,728.64	\$500.36



Collins Street – Collins St experienced extensive pavement failure in November due to heavy rains overloading the piped drainage system. Collins St is scheduled for new asphalt in January, so drainage improvement and road repairs needed to be undertaken prior to this. Fortunately, a contractor was able to mobilise at short notice and complete the work before Christmas. The road now has a temporary seal and is ready for the asphalt to be applied as scheduled. The cost of the repair works will be met by projected savings in the overall Greenbushes roadworks project funded by Talison Lithium.



Dairy Lane – Works to improve drainage on Dairy Lane were completed in October. This included upgrading the existing gravel pavement to asphalt and installation of kerbing to direct stormwater. This project was completed under budget.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
DR38	Dairy Lane Drainage	\$46,307.00	\$36,303.83	\$0	\$36,303.83	\$10,003.17



Liquid Waste – The infrastructure project to address the performance problems with the Liquid Waste Facility is progressing. An asphalt hardstand and 250kl holding tank has been installed with the next step being installation of concrete bunding for spill containment. Securing a concreting contractor has proven challenging however we are confident this can be achieved and the infrastructure commissioned before winter. The site has capacity for expansion with the hardstand size designed to allow an additional 250kl tank if required.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
WA01	Bridgetown Landfill Liquid Waste Facility	\$69,953.00	\$39,875.53	\$0	\$39,875.53	\$30,077.47



Maintenance:

Grading – The amount of road grading completed over the last month is quite minimal as is typical at this time of year. This is due to the Christmas/New Year break, and one grader being tied-up with road construction projects. The following roads were graded: Rifle Range Road, Naylor Yates Road, Tillman Road, Tillman Young Road, Elphick Fleeton Road, Lowe Road, Huitson Road, Hay Road.

Parks & Gardens – In addition to the usual ongoing works such as mowing, weeding, and watering, the team have been busy auditing reticulation at all sites. Repairs and improvements have been made and in particular, moving towards standardising components.

Trees – Extensive powerline tree pruning works have been budgeted for the 2023/24 year with some high-priority works already completed. The bulk of the programmed works will be commencing in January.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZB09	Powerline Pruning	\$123,440.00	\$31,810.00	\$91,485.00	\$123,295.00	\$145.00

Verge Works - Other pruning works have been undertaken throughout the year under the various applicable verge maintenance programs. A skeleton crew continued to work over the Christmas/New Year break and used the time to complete many of the outstanding low-priority jobs. This included a significant cleanup of piles of branches and other vegetation left on verges from previous works.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZB06	Verge Maintenance Built Up Areas	\$98,930.00	\$16,425.44	\$2,399.80	\$18,825.24	\$80,104.76
ZB07	Verge Maintenance Outside Sealed	\$90,495.00	\$6,956.51	\$491.40	\$7,447.91	\$83,047.09
ZB08	Verge Maintenance Outside Unsealed	\$48,689.00	\$7,324.29	\$748.80	\$8,073.09	\$40,615.91

Storms – The recent thunderstorm to resulted in numerous trees across roads, particularly in the south east region of the Shire. Cleanup works occupied much of the workforce for approximately a week.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZA09	Storm Damage Roads Built Up Areas	\$51,779.00	\$48,658.14	\$0	\$48,658.14	\$3,120.86
ZA10	Storm Damage Roads Outside Sealed	\$64,384.00	\$17,734.45	\$0	\$17,734.45	\$46,649.55
ZA11	Storm Damage Roads Outside Unsealed	\$66,395.00	\$13,193.67	\$0	\$13,193.67	\$53,201.33



Bridges – Repairs to the guard rail on bridge 3316 on Winnejup Road have been completed by a contractor. Minor substructure repairs (pile banding) to bridge 3705 McKelvie Rd and scheduled preventative maintenance works on bridge 3318A Maranup Ford Rd are scheduled with contractor for April.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
BR06	Maranup Ford Road Bridge (3318A)	\$87,420.00	\$0	\$87,420.00	\$87,420.00	\$0
BM01	General Bridge Maintenance	\$106,757.00	\$75,180.61	\$1,250.00	\$76,430.61	\$30,326.39

Plant:

Sweeper – The Shire has taken delivery of a new Hako Citymaster 1650 sweeper as a replacement for the Tenant S20 footpath sweeper. The new machine is not yet in use pending operator training due to be undertaken in January. However, staff are impressed with features and capabilities and are keen to put it into action.



Light Vehicles – The purchase of 4 new utilities has been completed as scheduled. The light fleet budget actuals show overexpenditure, however this should be resolved once the sale of some surplus vehicles is completed.

Tracked Loader – A replacement tracked loader for the waste facility has been ordered and is due for delivery in May.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
PL06	Footpath Sweeper	\$140,900.00	\$140,900.00	\$0	\$140,900.00	\$0
40504	Plant works & services fleet vehicles	\$146,903.00	\$154,583.19	\$0	\$154,583.19	-\$7,680.19
PL14	Tracked Loader Waste Site	\$412,280.00	\$0	\$412,280.00	\$412,280.00	\$0

Statutory Environment
Local Government Act 1995

Integrated Planning

➤ Strategic Community Plan

Outcome 6 A sustainable, low-waste. circular economy.

Objective 6.1 Provide sustainable, cost effective waste management infrastructure and services

Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
Objective 9.1 Improve road safety and connectivity.

- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications – not applicable

Budget Implications – none

Whole of Life Accounting – not applicable

Risk Management – not applicable

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements

Simple Majority

***Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.23/0124 That item C.23/0124 - Update on Works & Services Programme, be
accepted as urgent business.***

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.23/0124a That Council note the current status of the Works & Services
programme for the month of January 2024.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Shire President

Is this report going to happen on a monthly basis?

CEO Response – Yes, it is important that both Council and the wider community understand the important work that is performed by the Infrastructure team.

Shire President

This will actually be great, by appearing in the Council meeting every month, it means the community can look at the outline of what's been done each month.

CEO Response - It's also going out on Facebook every month as well. We know there's a lot to do, but we think sometimes what has been done gets missed.

Cr Redman

The report states that the operator training is happening in January, any update?

Manager Infrastructure – Yes, next Tuesday.

Responses to Elected Member Questions Taken on Notice

Nil

Elected Members Questions With Notice

Nil

Notice of Motions for Consideration at the Next Meeting

Nil

Matters Behind Closed Doors (Confidential Items)

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.20/0124 and C.21/0124 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.20/0124	FILE REF.	
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SUBJECT	Advisory Committees
OFFICER	Executive Assistant
DATE OF REPORT	09 January 2024

Council Decision *Moved Cr Pratico, Seconded Cr Lansdell*
C.20/0124 *That Council go behind closed doors to consider Item C.20/0124*
at 6.19pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision *Moved Cr Lansdell, Seconded Cr Fletcher*
C.20/0124a *That Council invoke clause 18.1 of the Standing Orders at 6.20pm*
to allow for informal discussion.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision *Moved Cr Lansdell, Seconded Cr Pratico*
C.20/0124b *That application of clause 18.1 of the Standing Orders cease at*
6.23pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Moved Cr Christensen, Seconded Cr Pratico
C.20/0124c That Council;

1. Amends the Instrument of Appointment for the Access and Inclusion Advisory Committee by changing the membership structure of the Committee to increase the maximum number of community representatives from 9, to a maximum number of 10 community representatives.
2. Appoint Kaye McLennan, Margaret Morton, Rachael Tannahill and Roberta Waterman as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28.
3. Appoint David Morton as community representative on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 29.

Amendment Moved Cr Christensen, Seconded Cr Pratico
C.20/0124d That Council

4. Appoint Mike Fletcher as a representative on the CEO Performance Review Committee.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

The amendment was incorporated into the substantive motion and was put.

Council Decision Moved Cr Christensen, Seconded Cr Pratico

C.20/0124e That Council;

- 1. Amends the Instrument of Appointment for the Access and Inclusion Advisory Committee by changing the membership structure of the Committee to increase the maximum number of community representatives from 9, to a maximum number of 10 community representatives.**
- 2. Appoint Kaye McLennan, Margaret Morton, Rachael Tannahill and Roberta Waterman as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28.**
- 3. Appoint David Morton as community representative on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 29.**
- 4. Appoint Mike Fletcher as a representative on the CEO Performance Review Committee.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.21/0124	FILE REF.	
SUBJECT	Proposed Organisational Restructure		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Council Decision Moved Cr Pratico, Seconded Cr Christensen

C.21/0124a That Council invoke clause 18.1 of the Standing Orders at 6.25pm to allow for informal discussion.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Christensen

C.21/0124b That application of clause 18.1 of the Standing Orders cease at 7.10pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Council Decision Moved Cr Christensen, Seconded Cr Fletcher

C.21/0124c That Council adopts the new proposed organisational restructure, as per Attachment 27.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Council Decision Moved Cr Lansdell, Seconded Cr Christensen
C.21/0124d That Council come out from behind closed doors at 7.11pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Closure
The Presiding Member to close the meeting.7.13pm.**

List of Attachments

Attachment	Item No.	Details
1	C.01/0124	Ordinary Council Minutes 14 December 2023
2	C.02/0124	Dec 2023 Talison Grant Report
3	C.04/0124	Draft Fencing Local Law 2024
4	C.04/0124	Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing
5	C.05/0124	Existing Lease – Lot 55 Rose Street, Bridgetown
6	C.05/0124	Location plan of leased area
7	C.06/0124	Response to Discussion Paper on the Review of Cemeteries Act 1986 and the Cremation Act 1929
8	C.06/0124	Department of Local Government, Sport and Cultural Industries Discussion Paper - Review of the Cemeteries Act 1986 and the Cremation Act 1929
9	C.07/0124	G 13 - Meetings of Council - Guest Speakers
10	C.08/0124	G 18 - Taking of Photographs in the Council Chambers
11	C.09/0124	PES 2 - Private Works Plant & Equipment Accessed by Shire Staff Policy
12	C.10/0124	CP 6 - Vandalism Policy
13	C.11/0124	CR 7 - Australia Day Events
14	C.12/0124	Draft amended Policy IM 2 - Records Management
15	C.12/0124	Current Policy IM 2 - Records Management
16	C.13/0124	FM 7 - Use of Corporate Credit Cards (Old)
17	C.13/0124	FM 7 - Corporate Credit Cards (New)
18	C.14/0124	PR 1 - Functions in Shire Reserves or Parks Policy (Old)
19	C.14/0124	PR 1 - Events in or on Shire Property (New)
20	C.15/0124	November 2023 Financial Activity Statements
21	C.15/0124	December 2023 Financial Activity Statements
22	C.15/0124	List of Accounts Paid in December 2023
23	C.18/0124	Greenbushes Sportsground BBQ Shelter Site Plan
24	C.19/0124	Rolling Action Sheet

Agenda Papers prepared and
recommended by **Name, Position**

Date

Agenda Papers authorised by
N Gibbs, CEO

Date

G 1 - Policy Manual

1 Policy

- 11 It is the policy of the Council to maintain a manual recording the various policies of the Council.
- 12 Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
- 13 The objectives of the Council's Policy Manual are:
- (a) to provide Council with a formal written record of all policy decisions;
 - (b) to provide the staff with precise guidelines in which to act in
 - (c) accordance with Council's wishes;
 - (d) to enable the staff to act promptly in accordance with Council's
 - (e) requirements, but without continual reference to Council;
 - (f) to enable Councillors to adequately handle enquiries from electors
 - (g) without undue reference to the staff or the Council;
 - (h) to enable Council to maintain a continual review of Council policy
 - (i) decisions and to ensure they are in keeping with community
 - (j) expectations, current trends and circumstances;
 - (k) to enable ratepayers to obtain immediate advice on matters of Council
 - (l) Policy.
- 14 Policies are to be reviewed at least every three (3) years from their date of adoption, or as deemed necessary or as legislatively required.
- 15 A copy of the Policy Manual, together with details of variations as they occur, shall be distributed to all Councillors and appropriate Staff. The manuals are to remain the property of the Council. The manuals will be supplied in an electronic format.
- 16 Changes to Council Policy shall be made as part of the review process or:
- (a) Notice of Motion, or
 - (b) an Agenda Item clearly setting out details of the amended Policy.
- 17 All changes, additions or deletions to any policy shall be cited as Variations and recorded in the Shire's Policy Manual with the date on which that Variation became operational.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies
Regulation	N/A
Local Law	N/A
Shire Policies	All

Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Variation Date	28 September 2023 (C.06/0923)
Last Reviewed	28 September 2023 (C.06/0923)
Scheduled Reviewed Date	28 November 2026

G 4 – Meetings of Council

1 Policy

It is Council's policy that Ordinary Meetings of the Council will be held on the last Thursday of each month (excepting the month of December), commencing at 5.30pm.

If Australia Day or Anzac Day falls on a normal Council Meeting Thursday, then the meeting be held on the Wednesday beforehand.

All Agendas for Ordinary Meetings of Council will be available for collection by members no later than 5.00pm on the Friday preceding the meeting date.

2 Applicable Legislation and Documents

Act	Local Government Act 1995 s.2.7(2)(b) – The council is to determine the local government's policies Part 5, Division 2 – Council meetings, committees and their meetings and electors' meeting
Regulation	Part 2 <i>Local Government (Administration) Regulations 1996</i> – Council and committee meetings
Local Law	Part 2 Standing Orders Local Law – Notice of Meetings
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 5 – Elected Members – Presentations on Retirement

1 Policy

It is Council policy to present all retiring Elected Members with a Certificate of Appreciation and the Members desk name plate.

Council will hold a dinner for retiring councillors and their partners within 6 months of the Election Day.

2 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.5.100A – Gifts to council members
Regulation	r.34AC <i>Local Government (Administration) Regulations 1996</i> – Gifts to council members, when permitted etc.
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 9 – Public Attendance at Meetings - Agendas

1 Policy

It is Council policy that:

- 1 Three (3) copies of Council Meeting Agendas with one (1) copy of the Attachments are to be provided in the Council Chamber for distribution to members of the public that attend Council/Committee meetings.
- 2 Members of the public may view or receive Council/Committee meeting Agendas from the Administration Offices prior to a Council/Committee meeting. Copies will be made available at the office or by post upon payment of the appropriate photocopy charge.
- 3 Items that the Chief Executive Officer considers confidential or that are to be considered by Council/Committee behind closed doors are to be withdrawn from copies of the Agenda that are made available to the public.
- 4 One copy of the Agenda will be placed in the Library and one copy at the Customer Service area for public inspection.

2 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government’s policies</p> <p>s.5.5 – Convening council meetings</p> <p>s.5.23 – Meetings generally open to public</p> <p>s.5.25 – Regulations about council and committee meetings and committees</p> <p>s.5.94 – Public can inspect certain local government information</p>
Regulation	<p><i>Local Government (Administration) Regulations 1996</i></p> <p>r.14 – Notice papers, agendas etc.</p>
Local Law	Clause 3.3 Standing Orders Local Law – Public Question Time
Shire Policies	N/A
Related Documents	N/a
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022

Scheduled Reviewed Date	27 April 2023
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G 15 – Provision of Information for Councillors

1 Objectives

The objectives of this Policy are to –

- Provide a documented process on how Councillors can access Council records.
- Ensure Councillors have access to all documents necessary for them to exercise their statutory role as a member of the governing body of the Council.
- Provide direction on Councillors' rights of access to Council building

2 Purpose

This Policy will –

- Provide clear communication channels to ensure the timely provision of accurate information
- Recognise the particular circumstances of the Council and intent of the Act
- Require adequate training of staff and Councillors on the need for the Policy and its requirements

3 Policy

3.1 Inappropriate Interactions - Information

Council's Policy is that the following interactions are inappropriate:

- Councillors approaching members of staff other than at Executive Manager level for information on sensitive, confidential or controversial matters.
- Members of staff approaching Councillors directly during working hours (rather than via the executive, staff representative or union delegate) on staffing or political issues.
- Councillors approaching staff outside the Council premises or outside hours of work to discuss Council business.
- Staff refusing to give appropriate information available to other Councillors to a particular Councillor.
- Councillors who have a Building Application or Planning Application before Council discussing the matter with staff outside appropriate forums.
- Staff being asked to complete tasks, answer questions or provide documents to Councillors who are overbearing or threatening.
- Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.
- Staff providing advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- Councillors or staff making any adverse comments about another member of the organisation (including Councillors) outside an appropriate forum.

3.2 Confidential or Sensitive Information

At times confidential or sensitive information will be provided to Councillors. The use of such information is regulated by Council Policies and the Local Government Act Section 5.93 which reads:

“A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law —

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

Penalty: \$10 000 or imprisonment for 2 years.”

Confidential or sensitive information shall wherever possible be tabled at Council and Committee Meetings and be collected at the same meeting. Copies of confidential or sensitive information shall not be made without the express permission of the CEO.

3.3 Access to Council Records by Councillors

The Local Government Act provides that the Council must provide access to the current version of certain Council documents free of charge to all members of the public. These documents are listed in Section 5.94 of the Local Government Act (noting that access is limited by virtue of Section 5.95 of the Local Government Act).

Official Council documents will always remain the property of the Council.

In addition to these documents/information, the Local Government Act also allows a person performing the function of a member of the Council (or Committee as the case may be) (refer Section 2.7 of the Local Government Act), access to other documents via Section 5.92 which reads:

- “(1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.*
- (2) Without limiting subsection (1), a council member can have access to —*
 - (a) all written contracts entered into by the local government; and*
 - (b) all documents relating to written contracts proposed to be entered into by the local government.”*

Functions of Local Government’s are described in Part 3 of the Local Government Act;

Division 2 deals with the legislative functions (ie; Local Laws) and Division 3 deals with the Executive Functions (ie; providing services and facilities).

Access to a Council file, record or other document can only be provided according to this Policy to ensure that access is obtained in ways that are legal and appropriate.

This Policy does not limit or restrict statutory or common-law rights of access.

Councillors can request the CEO or a person nominated by the CEO to provide access to a particular Council record.

Members of the Council who have a personal (as distinct from civic) interest in a document of Council have the same rights of access as any other person.

Councillors are entitled to access to all Council files, records, or other documents where that document is identified in Section 5.94 and 5.92 of the Local Government Act or to a matter currently before the Council.

Councillors can request access to other documents of the Council whether by a Notice of Motion or a Freedom of Information application.

3.4 Access to Council Premises

- As elected members of the Council, Councillors shall have access to the Council Chamber and Committee Rooms for the performance of their duty.
- Councillors who are not in pursuit of their authorised/statutory duties have the same rights of access to Council buildings and premises as any other member of the public.

4 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government’s policies</p> <p>s.2.10 – Role of councillors</p> <p>s.5.92 – Access to information by council, committee members</p> <p>s.5.93 – Improper use of information</p> <p>s.5.94 – Public can inspect certain local government information</p> <p>s.5.95 – limits on right to inspect local government information</p>
Regulation	<p>Local Government (Administration) Regulations 1996</p> <p>r.29 – Information to be available for public inspection</p> <p>r.29A – Limits on right to inspect local government information</p>
Local Law	N/A
Shire Policies	Code of Conduct for council Members, Committee Members and Candidates
Related Documents	N/a
Related Procedure	N/A

5 Administration

Original Adoption Date	29 June 2000
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 19 – Council Photographs

1 Policy

A Council photograph consisting of Councillors and Senior Staff, and individual photographs if deemed appropriate, be taken upon the election of a new Council biannually:

- Council photographs are to be taken at the first meeting of every new Council biannually where all elected members are in attendance.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	26 November 2009
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 20 – Audio Recording of Meetings

1 Objectives

To provide for:

- Electronic audio recording of Council meetings to ensure that a true and accurate account of decision-making is available.
- Procedures to access the recorded proceedings of the Council meetings.

2 Policy

- 1 All ordinary Council and Special Council meetings are to be audio recorded except where a meeting is held at an alternative (to the Council Chambers) venue where audio recording equipment is not able to be set up.
- 2 No other meetings, workshops, etc are required to be audio recorded.
- 3 Members of the public may purchase a copy of the audio recording at a cost stipulated in Council's annual Schedule of Fees and Charges.
- 4 Councillors may obtain a copy of the audio recording, upon request to the Chief Executive Officer, free of charge.
- 5 All recordings are to be retained as part of the Shire's records in accordance with its record keeping plan/policy and record keeping legislation.
- 6 Where confidential items are considered behind closed doors all relevant audio is to be removed from any public copy of the audio recording.

3 Applicable Legislation and Documents

Act	s.2.7 <i>Local Government Act 1995</i> – Role of council
Regulation	N/A
Local Law	<i>Standing Orders Local Law</i> Clause 7.4 – Audio Recording Clause 8.5 – Recording of Proceedings
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	29 September 2011
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 21 – Advertising of Annual General Meeting of Electors

1 Objectives

To raise community awareness of the scheduling of the Annual General Meeting of Electors.

2 Policy

When setting the date of the Annual General Meeting of Electors Council is to have regard to the time required to implement the advertising stipulated in this Policy.

- The CEO is to give at least 14 days public notice of the meeting date, time and place with the advert appearing in the Manjimup Bridgetown Times newspapers.
- Notice of the Annual General Meeting of Electors is to be posted on the Shire website and social media (Facebook) page.
- Notices in other publications are also to occur, subject to the dates corresponding with publication of those newsletters.

3 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.5.27 – Elector’s general meetings s.5.29 – Convening elector’s meetings
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	28 March 2013
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

CM 1 – Decision Making

1 Policy

During decision-making processes, workshops, meetings, discussions or carrying out work based on delegated authority, all Councillors and staff are to consider the following to ensure that any decisions made, and/or direction pursued, are in the best interest of the whole community from a balanced and sustainable perspective.

Decisions should be founded on the Shire's Strategic Community Plan and its associated integrated planning framework. Decisions should also comply with Council Policies and Statutory law.

In the interest of good corporate governance, equity and accountability, Council and Council Staff are to consider the following in their determinations:

- Summary/Purpose
- Background
- Officer Comment
- Statutory Environment
- Integrated Planning
 - Strategic Community Plan
 - Corporate Business Plan
 - Long Term Financial Plan
 - Asset Management Plans
 - Workforce Plan
 - Other Integrated Planning
- Budget Implications
- Policy
- Whole of Life Accounting
- Risk Management

Decisions should aim for best practice and target continual improvement while being achievable. At the same time, these decisions need to be agreed in consultation with relevant and interested parties.

The interpretation of the different decision categories includes but is not limited to:

Whole of Life Accounting

That whole of life accounting is applied including capital costs, operating costs and replacement costs in determining impacts on the Shire's financial position.

Risk Management

That the whole of community risk, including insurance, statutory and legislative compliance, Australian Standards and other guidelines and standards are considered.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	Strategic Community Plan 2021-2031 Corporate Business Plan 2021-2025 Long Term Financial Plan Asset Management Plans Workforce Plan
Related Procedure	N/A

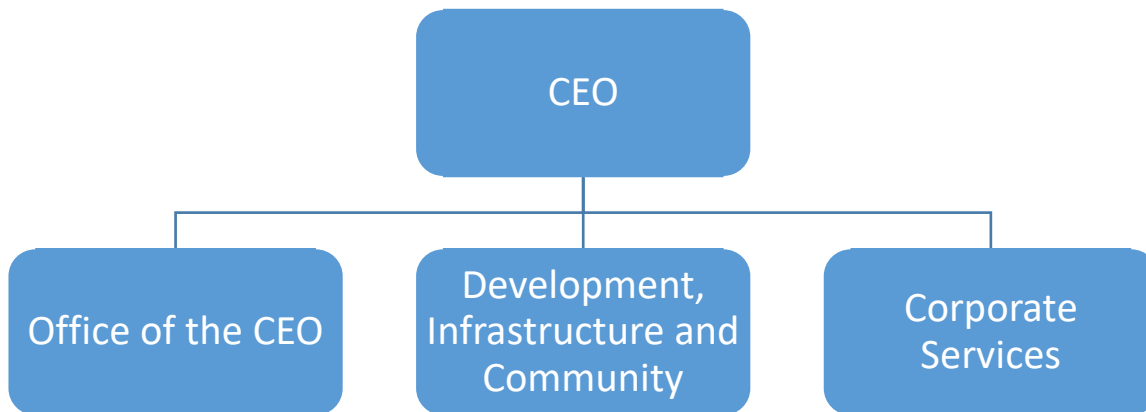
3 Administration

Original Adoption Date	25 September 2008
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

G 11 – Organisation Structure

1 Policy

The Organisation Structure for the administration of the Shire of Bridgetown- Greenbushes is as follows:



2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/a
Shire Policies	N/a
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	30 June 2022
Scheduled Reviewed Date	27 April 2023

R 2 – Timber Royalties

1 Policy

Timber removed from road reserves be used at the discretion of the CEO, this includes sale of timber or retention of timber for Shire or community projects.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	PR 2 – Street Trees R 3 – Road Verge Development Criteria
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	26 November 2020
Scheduled Reviewed Date	27 April 2023

G 7 – Civic Receptions – Approvals/Rejections of Requests

1 Policy

Any request for a civic reception is to be referred to the Shire President who may approve or reject the request provided that a specific or general budget allocation exists.

Where no budget allocation exists, Council may approve or reject a request for a civic reception. If Council approves the application, a specific budget limit is to be set by Council.

Arrangements for civic receptions (format, invitation list, etc) are to be made by the Shire President and Chief Executive Officer without referral to Council.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	G 5 – Elected Members – Presentation on Retirement
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

RC 1 – Art Acquisitions

1 Objectives

To ensure that when art is purchased, it is based upon development of culture significance to the community and/or as determined by Council.

2 Policy

When a piece of art is purchased by the Shire the following shall be adhered to:

- Priority shall be given to locally designed and/or produced pieces
- The selection of art to be at the discretion of the Shire President
- A piece of art purchased or acquired is described and becomes part of the Council's Curatorial Register.

3 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

CS 8 – Swimming Pool Entry Age

1 Policy

Children entering the Swimming Pool facility must be accompanied by an adult if under the age of 10 years as per the Royal Life Saving Standards.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	Local Government Property Local Law
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	19 December 2002
Last Reviewed	26 November 2020
Scheduled Reviewed Date	27 April 2023

G 8 – Meetings of Council – Distribution and Release of Minutes

1 Policy

- 1 A copy of the Minutes of all Council meetings, stamped with the wording – “Unconfirmed Minutes”, are to be made available for perusal by members of the public at the Council Library as soon as possible following each meeting but within the time limits prescribed by Local Government (Administration) Regulation No. 13.
- 2 Any person may be provided with a photocopy or electronic format of any page or pages of any Council meeting or Committee meeting Minutes, on payment of the current photocopying charges that apply. Such copies issued that have not been confirmed are to be stamped with the wording – “Unconfirmed Minutes”.
- 3 Upon request, a copy of the Minutes of all or any Council meeting may be posted or e-mailed to local Members of State or Federal Parliament, free of charge. If unconfirmed, the Minutes are to include the words “Unconfirmed Minutes”.
- 4 A copy of all Ordinary Council and Special Council Agendas (including attachments) and Minutes are to be loaded on the Shire website. Note when an attachment is too large to uplift to the website (where not able to be broken down into a series of logical small sections) a note is to be placed in the relevant area of the website advising that a hard copy can be viewed in the Shire Library.

2 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government’s policies</p> <p>s.5.22 – Minutes of council and committee meetings</p> <p>s. 5.25 – Regulations about council and committee meetings and committees</p> <p>s.5.94 – Public can inspect certain local government information</p> <p>s.5.96A – Information published on official website</p>
Regulation	<p><i>Local Government (Administration) Regulations 1996</i></p> <p>r.11 – Minutes, content of</p> <p>r. 13 – Publication of unconfirmed minutes of meetings</p>
Local Law	<p>Standing Orders Local Law</p> <p>Part 2 – Notice of Meetings</p> <p>Part 4 – Public Access to Agenda Material</p> <p>Part 7 – Keeping of Minutes</p>

Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

CR 5 – Bereavement Notices

1 Objectives

To recognise deceased persons who have been closely associated with the Shire and its history, by acknowledging the contribution they have made to the district as a mark of respect on behalf of the community of the Shire of Bridgetown-Greenbushes.

2 Scope

Those to be recognised on their passing are to be limited to:

- (a) Current and former councillors and Chief Executive Officers;
- (b) Current employees; and
- (c) Identities of the Shire of Bridgetown-Greenbushes as agreed by the Shire President and the Chief Executive Officer.

3 Policy

3.1 Application

When informed of the death of a person entitled to bereavement recognition the Shire Administration is to ensure one or all of the following tasks are completed to reflect this policy:

- Councillors and employees are notified;
- A notice is placed in the Bereavement Notices section of the West Australian newspaper or Manjimup Bridgetown Times newspaper.

4 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

5 Administration

Original Adoption Date	25 June 2020
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

P 11 – Staff Housing

1 Policy

Council recognises it has a limited stock of housing available for subsidised rental by Shire employees. This stock consists of the two former police quarters in Hampton Street and the dwelling adjacent to the recreation centre in Gifford Road.

These dwellings may be offered to staff on a fixed term lease of duration and conditions to be determined by the CEO. Leases will take the form of a standard residential tenancy agreement including arrangements for utilities, bond, pets, etc.

Nothing in this Policy prevents an eligible employee's ability to direct remuneration benefits towards housing to capitalise on the discounted FBT applicable to remote area housing. The eligibility of an employee is to be determined by the CEO with eligibility predicated on whether the position occupied by the relevant employee is one that has specific technical skills, experience, etc that is not common to most employees and therefore is a position most likely to be filled by a person residing outside the district.

In addition to permitting eligible staff to salary sacrifice remuneration benefits towards housing the Shire can also take out lease agreements for dwellings and sub-lease to the employee. In these situations the Shire's only involvement will be to facilitate the lease in its name; all negotiations on occupancy conditions, rent, etc are to be between the employee and the property owners.

Eligible employees considering issues such as salary sacrificing and eligibility for remote area housing tax benefits are to seek their own professional advice. The contents of this policy are not to be construed by the employee as tax advice.

2 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government's policies s.3.58 – Disposing of property <i>Residential Tenancies Act 1987</i>
Regulation	r.30(2)(d) <i>Local Government (Functions and General) Regulations 1996</i> – Dispositions of property excluded from Act <i>Residential Tenancies Regulations 1989</i>
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	24 November 2011
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

P 10 – Private Telephones

1 Objectives

To ensure appropriate officers can be contacted out of hours.

2 Policy

Upon presentation of documented evidence, telephone expenses incurred due to carrying out Shire business shall be reimbursed.

3 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies Part 6 – Financial management
Regulation	Part 2 <i>Local Government (Financial Management) Regulations 1996</i> – General financial management
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	24 February 2000
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

PR 1 – Functions in Shire Reserves or Parks

1 Policy

Council will allow Administration, at its discretion with/without conditions on written application, approval on non-enclosed reserves (eg. Memorial Park, Thomson Park, Blackwood River Park) to be utilised for the following types of functions:

- Fund raising functions such as fetes, bazaars, fun days, by local groups or organisations.
- Wedding ceremonies, garden parties.
- Arts and craft displays.
- Commercial displays
- Trade demonstrations
- Sales or Auctions of goods or wares
- Outdoor Screening of Films (Stand Alone or Film Festivals)
- Festivals
- Any other event not covered by guidelines

1.1 Guidelines for Functions

- 1.1.1 All events to be managed in compliance with the Shire's events procedure.
- 1.1.2 No function shall preclude the normal usage or enjoyment of the facility by any member of the public unless all or a subject portion of the park/reserve has been exclusively hired (and hire fee paid) in accordance with Council's Property Local Law and Schedule of Fees & Charges.
- 1.1.3 No action should be taken to enclose the entire reserve or to prevent public entry to a non-hire portion of the park.
- 1.1.4 The convenors shall, prior to permission being granted to use the facility, nominate a person or persons to assume control and responsibility for the event.
- 1.1.5 No liquor shall be sold or consumed in the Reserve/Park unless authorised by the Council and appropriate licences approved under the Liquor & Gaming Act (liquor/drinks must be served in cans or unbreakable cups).
- 1.1.6 After the event all litter shall be properly disposed of and all other property brought into the reserve shall be removed. Any minor damage such as holes made in lawns or other surface should be repaired.
- 1.1.7 The Convenor should notify the Council Administration as early as possible of any damage to the facility and of any incident likely to affect the Council.
- 1.1.8 Competitive Sport not allowed in Memorial Park/Blackwood River Park and admission charge not permitted without Council permission.

2 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government’s policies Local Government Property Local Law
Shire Policies	CR 7 – Australia Day Events PH 3 – Blues Festival Trading
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	17 December 1998
Last Reviewed	24 November 2022
Scheduled Reviewed Date	27 April 2023

CM 2 – Electoral Caretaker Period

1 Objectives

This Policy establishes protocols for the purpose of preventing actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Bridgetown-Greenbushes (The Shire) during the period immediately prior to an election.

2 Scope

This policy applies to Council Members and Workers during a 'Caretaker Period' relevant to:

- (a) Decisions made by the Council;
- (b) Decisions made under delegated authority;
- (c) Decisions made administratively;
- (d) Promotional materials published by the Shire;
- (e) Discretionary community consultation;
- (f) Events and functions, held by the Shire or other organisations;
- (g) Use of the Shire's resources; and
- (h) Access to information held by the Shire.

3 Definitions

3.1 Caretaker Period

Means the period of time prior to an Election Day, specifically being the period from the close of nominations (44 days prior to the Election Day in accordance with s.4.49(a) of the *Local Government Act 1995*) until:

- (a) the day after the day on which the returning officer declares the result of the relevant election under section 4.77; or
- (b) if section 4.57(1) applies to the relevant election — the day after the day on which the close of nominations falls; or
- (c) if section 4.58(1) applies to the relevant election — the day after the day on which the candidate dies.

3.2 CEO

Means the Chief Executive Officer of the Shire.

3.3 Election Day

Means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

3.4 Electoral Material

Includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting (s.4.87 (3) of the *Local Government Act 1995*); or
- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*; or
- (c) Any materials produced by the Shire relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

3.5 Events and Functions

Including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Shire and/or its stakeholders and may take the form of workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the Shire or an external entity.

3.6 Significant Act

Means any of the following:

- (a) making a local law (including making a local law to amend or repeal a local law);
- (b) entering into, or renewing or terminating, the contract of employment of the CEO or of a senior employee;
- (c) entering into a major land transaction;
- (d) entering into a land transaction that is preparatory to entry into a major land transaction;
- (e) commencing a major trading undertaking;
- (f) entering into a contract, or other agreement or arrangement, in prescribed circumstances;
- (g) inviting tenders in prescribed circumstances;
- (h) deciding to do anything referred to in paragraphs (a) to (g);
- (i) an act done under a written law or otherwise that is a prescribed act.

3.7 Caretaker Protocol

Means the practices or procedures prescribed in this Policy.

3.8 Worker

A part-time or full-time employee, casual employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.

4 Policy

4.1 Caretaker Period Protocols – Decision Making

The CEO will ensure that:

- (a) At least 30 days prior to a Caretaker Period, the CEO will advise Council Members and Workers in writing of the dates that the Caretaker Period commences and concludes.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

4.1.1 Scheduling Major Significant Acts

- 1 During a Caretaker Period, unless legislation provides otherwise, the CEO will reasonably ensure that:
 - (a) Council or Committee Agendas, do not include reports and/or recommendations that constitute a Significant Act; and
 - (b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to a Significant Act.
- 2 The CEO shall reasonably ensure that, unless legislation provides otherwise, a Significant Act is either:
 - (a) Considered by the Council prior to the Caretaker Period; or
 - (b) Scheduled for determination by the incoming Council.
- 3 The CEO shall reasonably ensure that, unless legislation provides otherwise, Delegated Authority from the Council to the CEO or a Committee is not exercised where the exercise of that delegated authority relates to a Significant Act or an election campaign issue.

4.1.2 Council Reports Electoral Caretaker Period Policy Statement

1 Council Reports

Where, during a Caretaker Period, a Significant Act is permitted, the CEO may submit a report on a Significant Act for Council's consideration, subject to the report including:

- (a) Details, if applicable, of options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.
- (b) An Electoral Caretaker Period Policy Statement, which details why the Significant Act is permitted.

2 Council forums, Workshops or Briefings

Where, during a Caretaker Period, a Significant Act is permitted, the CEO, the CEO may include matters relating to a Significant Act for Council Member discussion at Council Forums, Workshops or Briefings.

The CEO is required to provide Council with advice as to why a Significant Act is permitted. Details of this advice is to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.

4.1.3 Managing CEO Employment

This Policy, prohibits decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

- 1 The Council may consider and determine:
 - (a) CEO's leave applications;
 - (b) appoint an Acting CEO, where necessary;
 - (c) suspend the current CEO, where appropriate and in accordance with the terms of their contract)

- 2 The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period.

4.1.4 Delegated Authority Decision Making

During a Caretaker Period, Workers who have Delegated Authority are required to consider if a proposed delegated authority decision relates, or be subsidiary, to a Significant Act or an election campaign issue and if so, refer the matter to the CEO for review in consideration in accordance with clause 4.1.1(3) above.

4.2 Caretaker Period Protocols – Candidates

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the Shire's public information in accordance with s.5.94 of the *Local Government Act 1995*.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the Shire's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire (refer s.5.92 of the *Local Government Act 1995*).

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

4.2.1 Candidate Requests on behalf of Electors, Residents or Ratepayers

Where a Candidate, including Council Members who have nominated for re-election, requires the assistance of the Administration to respond to a request by an Elector, Resident or Ratepayer, then the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and will also advise the candidate of the outcome.

4.2.2 Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, should note that the Shire's official crest or logo may not be used in campaign Electoral Materials without the express permission of the Shire.

4.2.3 Candidate attendance at Meetings

To ensure equitable access to information about Council's decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Council Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period; providing each Candidate with a copy of the meeting agenda at the time it is distributed to Council Members.

For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

4.3 Council Member Caretaker Period Protocols

4.3.1 Access to Information and Advice

During a Caretaker Period all Council Members will scrupulously avoid using or accessing Shire information, resources or Worker resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy (refer s.5.93 of the *Local Government Act 1995*).

During a Caretaker Period, all Council Member requests for information and advice from the Shire will be reviewed by the CEO and where the subject of the information or advice is considered as being related to an election campaign issue, the CEO will either make a determination, or refer the request for Council's determination if that information or advice is/is not provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

4.3.2 Media and Publicity

During a Caretaker period all Council Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Shire's objectives or operations and is not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

4.3.3 Council Member Business Cards, Shire Printed Materials

Council Members must ensure that Shire business cards and Local Government printed materials are only used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the *Local Government Act 1995*.

Council Members are prohibited from using Shire business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

4.3.4 Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

4.3.5 Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

4.3.6 Council Member Addresses/Speeches

Excluding the Shire President and Deputy Shire President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire, unless expressly authorised by the CEO.

In any case, the Shire President, Deputy Shire President and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

4.3.7 Council Member Misuse of Local Government Resources

A Council Member who uses Shire resources for the purpose of persuading electors to vote in a particular way is in breach of regulation 17, Schedule 1 of the *Local Government (Rules of Conduct) Regulations 2021*, adopted as the Shire Code of Conduct for Council Members, committee Members and Candidates.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: Worker time or expertise, Shire provided equipment, information and communication technologies, stationery, hospitality, images, communication, services, reimbursements and allowances provided by the Shire.

4.4 Shire Publicity, Promotional and Civic Activities

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting Shire services and activities, where such promotion does not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and
- (b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of Shire initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of decisions relating to Significant Acts, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Significant Acts apply and if a Major Policy Decision announcement is necessary during a Caretaker Period.

4.4.1 Civic Events and Functions

The Shire will avoid the scheduling of Civic Events and Functions during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.

Where the Shire is required to schedule a Civic Event or Function during a Caretaker Period at which Council Members would usually be invited, then all Candidates will be invited to attend and will be acknowledged as candidates immediately following any acknowledgement provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

4.4.2 Shire of Bridgetown-Greenbushes Publications and Communications

All Shire publications and communications distributed during a Caretaker Period must not include content that:

- (a) May actually, or be perceived to, persuade voting in an election; or
- (b) Is specific to a candidate or candidates, to the exclusion of other candidates;
- (c) Draws focus to or promotes a matter which is a Significant Act or which is an electoral campaign issue.

All Shire publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

4.4.3 Shire Website and Social Media Content

- 1 During the Caretaker Period, this Policy applies to content proposed for publication on the Shire’s website and social media channels.
Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Shire Delegates on external committees and organisations however, all other biographical information related to a sitting Council Member who is also a candidate will be removed from public access for the duration of the Caretaker Period.
The Candidate Election Profiles prescribed in s.4.49(b) of the *Local Government Act 1995*, may also be published on the Shire’s website and social media.
- 2 Website and social media content, published prior to a Caretaker Period, will not be subject to this policy.
- 3 New website or social media content which relates to a Significant Act or election campaign issues will not be published during a Caretaker Period, unless legislation provides otherwise.
- 4 Content posted by the public, candidates or Council Members on the Shire’s social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

4.4.4 Community Consultation

The Shire will undertake planned community consultation (discretionary and legislative) during a Caretaker Period unless the consultation relates to a Significant Act or potentially contentious election campaign issue.

5 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.1.4A – Caretaker period s.2.7(2)(b) – The council is to determine the local government’s policies s.4.87 - Printing and publication of electoral material s.5.93 - Improper use of information s.5.103 - Model code of conduct for council members, committee members and candidates <i>Local Government (Model Code of Conduct) Regulations 2021</i> r.17 – Misuse of local government resources
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

6 Administration

Original Adoption Date	30 August 2018
Last Variation Date	
Last Reviewed	28 April 2022

Scheduled Reviewed Date	27 April 2022
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CM 2 – Election Caretaker Period

1 Objectives

This Policy establishes protocols for the purpose of preventing actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Bridgetown-Greenbushes during the period immediately prior to an election.

2 Scope

This policy applies to Council Members and Employees and specifically applies during a 'Caretaker Period' to:

- (a) Decisions made by the Council;
- (b) Decisions made under delegated authority;
- (c) Decisions made administratively;
- (d) Promotional materials published by the Shire of Bridgetown-Greenbushes;
- (e) Discretionary community consultation;
- (f) Events and functions, held by the Shire of Bridgetown-Greenbushes or other organisations;
- (g) Use of the Shire of Bridgetown-Greenbushes' resources;
- (h) Access to information held by the Shire of Bridgetown-Greenbushes.

3 Definitions

3.1 Caretaker Period

means the period of time prior to an Election Day, specifically being the period from the close of nominations (37 days prior to the Election Day in accordance with s.4.49(a) of the *Local Government Act 1995*) until 6.00pm on Election Day.

3.2 CEO

means the Chief Executive Officer of the Shire of Bridgetown-Greenbushes.

3.3 Election Day

means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

3.4 Electoral Material

means any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting (s.4.87 (3) of the *Local Government Act 1995*); or
- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*; or
- (c) Any materials produced by the Shire relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

3.5 Events and Functions

means gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Shire of Bridgetown-Greenbushes and/or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the Shire or an external entity.

3.6 Extraordinary Circumstances

means a circumstance that requires the Council to make or announce a Major Policy Decision during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

- (a) incur or increase legal, financial and/or reputational risk; or
- (b) cause detriment to the strategic objectives of the Shire of Bridgetown- Greenbushes.

3.7 Major Policy Decision

- (a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [s.5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;
- (b) Relating to the Shire of Bridgetown-Greenbushes entering into a sponsorship arrangement with a total Shire contribution that would constitute Significant Expenditure, unless the Council resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
- (c) Relating to the Shire of Bridgetown-Greenbushes entering into a commercial enterprise as defined by Section 3.59 of the *Local Government Act 1995*;
- (d) That would commit the Shire of Bridgetown-Greenbushes to Significant Expenditure or actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives and/or will have significant impact on the community,
- (e) To prepare a report, initiated by the Administration, a Council Member, candidate or member of the public that, in the CEO's opinion, may be perceived as or is actually an election campaign issue;
- (f) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above.
- (g) That adopts a new policy, service or service level or significantly amends an existing policy, service or service level, unless the decision is necessary to comply with legislation.
- (h) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.
- (i) Major Policy Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Shire President in accordance with s.6.8(1)(c) of the *Local Government Act 1995*.

3.8 Caretaker Protocol

means the practices or procedures prescribed in this Policy.

3.9 Public Consultation

means a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral/campaign issue, but does not include statutory consultation/submission periods prescribed in a written law.

3.10 Significant Expenditure

means expenditure that exceeds 0.1% of the City's annual budgeted revenue (inclusive of GST) in the relevant financial year.

4 Policy

4.1 Caretaker Period Protocols – Decision Making

The CEO will ensure that:

- (a) Council Members and employees are advised in writing of the impending Caretaker Period and Policy requirements at least 30-days prior to the commencement of a Caretaker Period.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

4.1.1 Scheduling Major Policy Decisions

- 1 During a Caretaker Period, unless Extraordinary Circumstances apply, the CEO will reasonably ensure that:
 - (a) Council or Committee Agenda, do not include reports and/or recommendations that constitute Major Policy Decisions; and
 - (b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to Major Policy Decisions.
- 2 The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Major Policy Decisions are either:
 - (a) Considered by the Council prior to the Caretaker Period; or
 - (b) Scheduled for determination by the incoming Council.
- 3 The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated Authority from the Council to the CEO or a Committee is not exercised where the exercise of that delegated authority relates to a Major Policy Decision or an election campaign issue.

4.1.2 Council Reports Electoral Caretaker Period Policy Statement

Each report included in an Agenda for Council's consideration during a Caretaker Period, will include a statement that demonstrates due consideration of the requirements of this Policy.

If the matter is not a Major Policy Decision, the following statement must appear in the Report:

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

4.1.3 Extraordinary Circumstances

1 Council Reports

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may submit a report on a Major Policy Decision for Council's consideration, subject to the report including:

- (a) Details, if applicable, of:
 - (i) Options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.
 - (ii) How potential electoral impacts will be managed or mitigated.
- (b) An Electoral Caretaker Period Policy Statement, which details why Extraordinary Circumstances apply.
- (c) An Officer Recommendation, for Council's to accept Exceptional Circumstances apply and receive the report for consideration. This Recommendation is to be considered and resolved by Council, prior to debate of the substantive recommendation relating to the Major Policy Decision:

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been determined as a Major Policy Decision within the context of the Shire's Electoral Caretaker Period Policy for the following reasons:

- [list reasons]

In accordance with the Shire's Electoral Caretaker Period Policy, the CEO seeks a Council Resolution to enable Council's consideration of the matter due to the following Exceptional Circumstances:

- [list reasons]

Officer Recommendation

That Council, in accordance with the Electoral Caretaker Period Policy, determines in regard to the Report titled "*insert report title*" to:

Accept that Exceptional Circumstances exist and therefore receives the Report for Council's consideration.

2 Council forums, Workshops or Briefings

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may include matters relating to a Major Policy Decision for Council Member discussion at Council Forums, Workshops or Briefings.

The CEO is required to provide Council with advice as to why Exceptional Circumstance apply and how potential electoral impacts will be managed or mitigated. Details of this advice is to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.

4.1.4 Managing CEO Employment

This Policy, prohibits Major Policy Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

- 1 The Council may consider and determine:
 - (a) CEO's leave applications;
 - (b) appoint an Acting CEO, where necessary;
 - (c) suspend the current CEO, where appropriate and in accordance with the terms of their contract)
- 2 The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period.

4.1.5 Delegated Authority Decision Making in Extraordinary Circumstances

During a Caretaker Period, Employees who have Delegated Authority shall not exercise that delegated authority where the matter relates to a Major Policy Decision or an election campaign issue. All such decisions under delegated authority must be referred to the CEO for review in consideration of clause 2.1(3) above.

4.2 Caretaker Period Protocols – Candidates

Part 3 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

Candidates, including Council Members who have nominated for re-election, shall be provided with equitable access to the Shire's public information.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the Shire's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire.

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

4.2.1 Candidate Requests on behalf of Electors, Residents or Ratepayers

Candidates, including Council Members who have nominated for re-election, may advise the CEO where they have received elector, resident or ratepayer requests for advice, information or responses to matters relevant to the Shire of Bridgetown-Greenbushes.

Responses will not be provided to the candidate on the basis that the provision of responses to enquiries from electors, residents or ratepayers regarding the operations of the Local Government is an administrative function (refer Regulation 9 of the *Local Government (Rules of Conduct) Regulations 2007*). Therefore, candidates requests made on behalf of an elector, resident or ratepayer, will be responded to by the Shire's Administration directly to the requesting elector, resident or ratepayer.

4.2.2 Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, are prohibited from using the Shire's official crest or logo in any campaign Electoral Materials.

4.2.3 Candidate attendance at Meetings

To ensure equitable access to information about Council's decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Council

Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period.

For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

4.3 Council Member Caretaker Period Protocols

Part 4 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

4.3.1 Access to Information and Advice

All Council Members will scrupulously avoid using or accessing Shire information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy.

All Council Member requests for information and advice from the Shire will be reviewed by the CEO and where the subject of the information or advice is considered as being related to an election campaign issue, the CEO will have absolute discretion to determine if the information or advice is / is not provided, including where information is provided to one candidate, if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

4.3.2 Media and Publicity

All Council Member requests for media advice or assistance during a Caretaker Period, including Council Members who have nominated for reelection, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Shire of Bridgetown-Greenbushes' objectives or operations and is not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

4.3.3 Council Member Business Cards, Shire Printed Materials

Council Members must ensure that Shire business cards and printed materials are only used for purposes associated with their role of a Councillor, in accordance with section 3.10 of the *Local Government Act 1995*.

Council Members are prohibited from using Shire business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

4.3.4 Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

4.3.5 Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an

election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

4.3.6 Council Member Addresses/Speeches

Excluding the Shire President and Deputy President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire of Bridgetown- Greenbushes, unless expressly authorised by the CEO.

In any case, the President, Deputy President and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

4.3.7 Council Member Misuse of Local Government Resources

A Council Member who uses Shire resources for the purpose of persuading electors to vote in a particular way is a “misuse of Local Government resources” breach in accordance with Regulation 8 of the *Local Government (Rules of Conduct) Regulations 2007*.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Shire provided equipment, stationery, hospitality, images, communications, services, or reimbursements and allowances provided by the Shire of Bridgetown- Greenbushes.

4.4 Shire of Bridgetown-Greenbushes Publicity, Promotional and Civic Activities

Part 5 of this Policy, inclusive of its sub-clauses, applies to a Caretaker Period relevant to Election Days and Extraordinary Election Days.

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting Shire services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,
- (b) Conducting the Election and promoting Elector participation in the Election All other, publicity and promotional activities of Shire initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Major Policy Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Exceptional Circumstances apply and if a Major Policy Decision announcement is necessary during a Caretaker Period.

4.4.1 Civic Events and Functions

The Shire will avoid the scheduling of Civic Events and Functions during a Caretaker Period, so as to avoid any actual or perceived electoral advantage that may be provided to Council Members who have nominated for reelection.

Where the Shire is required to schedule a Civic Event or Function during a Caretaker Period, all Candidates will be invited to attend and will be provided with the similar

prominence and protocol courtesies as provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

4.4.2 Shire of Bridgetown-Greenbushes Publications and Communications

All Shire publications and communications distributed during a Caretaker Period must not include content that:

- (a) may actually, or be perceived to, persuade voting in an election; or
- (b) is specific to a candidate or candidates, to the exclusion of other candidates;
- (c) draws focus to or promotes a matter which is a Major Policy Decision or which is an electoral campaign issue.

All Shire publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

4.4.3 Shire of Bridgetown-Greenbushes Website and Social Media Content

- 1 During the Caretaker Period, the Shire’s website and social media will not contain any material which does not accord with the requirements of this Policy. For example, Council Member profiles will be removed from the website during a Caretaker Period.
- 2 Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Shire Delegates on external committees and organisations.
- 3 Historical website and social media content, published prior to a Caretaker Period, and which does not comply with this policy will not be removed.
- 4 New website or social media content which relates to Major Policy Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.
- 5 Content posted by the public, candidates or Council Members on the Shire’s social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

4.4.4 Community Consultation

Unless consultation is mandated under a written law or Exceptional Circumstances apply, community consultation relevant to Major Policy Decisions or potentially contentious election campaign issues, will not be initiated so that the consultation period is conducted immediately prior to, throughout or concluding during, a Caretaker Period.

5 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government’s policies</p> <p>s.4.87 - Printing and publication of electoral material</p> <p>s.5.93 - Improper use of information</p>
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	s.5.103 - Model code of conduct for council members, committee members and candidates
Regulation	<i>r.17 Local Government (model Code of Conduct) Regulations 2021</i> - Misuse of local government resources
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

6 Administration

Original Adoption Date	30 August 2018
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2022

RISK MANAGEMENT FRAMEWORK

2024



Shire of
Bridgetown-Greenbushes

... simply beautiful

Table of Contents

1	INTRODUCTION	4
2	PURPOSE AND OBJECTIVES	4
3	BACKGROUND	5
4	SCOPE	5
5	SUPPORTING DOCUMENTATION	5
6	OVERVIEW	8
7	RISK MANAGEMENT GOVERNANCE	8
7.1	Risk Management Guidelines	9
7.2	Risk Appetite	9
7.3	Operating Model	9
7.4	Operating Structure	10
7.5	Continual Improvement	11
8	ROLES AND RESPONSIBILITIES	11
8.1	Responsibilities	11
8.1.1	Council	11
8.1.2	Audit Committee (AC)	12
8.1.3	Chief Executive Officer (CEO)	12
8.1.4	Management	13
8.1.5	Executive Manager Corporate Services	13
8.1.6	Risk and Compliance Officer	13
8.1.7	Employees	13
8.1.8	Contractors and Visitors	13
8.1.9	Internal and External Auditors	13
8.2	Risk Roles	14
8.2.1	Risk Owner	14
8.2.2	Control Owner	14
8.2.3	Treatment Owner	14
9	RISK MANAGEMENT PRINCIPLES	14
10	INTEGRATED APPROACH TO RISK MANAGEMENT	14
11	RISK AND CONTROL MANAGEMENT	15
11.1	Establish the Context	16
11.1.1	Organisational Context	16
11.1.2	Specific Risk Assessment Context	16
11.2	Identification, Analysis and Evaluation of Risks	17

11.2.1	Risk Identification	17
11.2.2	Risk Analysis	17
11.2.3	Risk Evaluation	17
11.3	Risk Treatment	18
11.4	Monitoring and Review	18
11.5	Key Risk Indicators	19
11.6	Reporting	19
11.6.1	Audit	20
11.7	Review	21
11.8	Communication and Consultation	21
12	ANNUAL ASSURANCE PLAN	22
	GLOSSARY	23
	APPENDIX A – RISK ASSESSMENT AND ACCEPTANCE CRITERIA	24
	APPENDIX B – RISK THEME DEFINITIONS	26

1 Introduction

The Shire's vision is for a beautiful place to live and working together with the community to achieve our shared objectives.

This framework sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks.

The management of risk is the responsibility of everyone and should be an integral part of the Shire's organisational culture. It should be reflected in the various policies, protocols, systems and processes used to ensure efficient and effective service delivery.

It is essential that all areas of the Shire adopt this framework to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

The Shire's governance ensures that responsibilities and accountability for overseeing the sound implementation and maintenance of the risk management framework is appropriately allocated and understood.

To ensure that risk management activities support the intent of the policy, the framework is aligned to and benchmarked against the risk management standard, AS/NZS ISO 31000:2018 (ISO 31000). This also ensures that the Shire can meet its regulatory obligations.

2 Purpose and Objectives

The purpose of the Risk Management Framework is to define how the Shire of Bridgetown-Greenbushes (the Shire) will meet its commitment to risk management as defined in the Risk Management Policy and aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

The objectives of this framework are to:

- optimise the achievement of the Shire's vision, strategies and objectives;
- provide transparent and formal oversight of the risk and control environment to enable effective decision making;
- enhance risk versus return within the Shire's appetite;
- embed appropriate and effective controls to mitigate risk;
- achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations;
- enhance organisational resilience;
- identify and provide for the continuity of critical operations;
- provide a structured and systematic approach to the process of managing risk within the Shire;
- ensure clear accountabilities for risk management;
- provide the tools to identify the inherent, residual and acceptable risk levels, assessing the effectiveness of their control measures and what actions are to be taken;

- encourage a “risk aware” culture that ensures responsible and informed risk-taking while ensuring appropriate measures are taken to protect the Council and maintain stakeholder confidence; and
- ensure that risk management is a living and dynamic process, appropriately embedded in business functions, internal operations and services to the wider community of the Shire.

3 Background

Risk is inherent in all Council services and activities. Inadequate attention to managing risks can result in unwanted exposure to the community, Council assets, and the environment in which the organisation operates.

Council wishes to manage all the risks to which it is exposed to and this requires the development of a risk culture and supporting risk framework directed towards the effective management of risks and potential opportunities to ensure the interests of the community, staff, contractors, volunteers, services and assets are managed and developed through the application of appropriate risk management principles and practices.

The management of risks in conjunction with management direction is integral to achieving the objectives of the Corporate Business Plan. Risk management is part of the way we do our work – it is not a ‘stand-alone’ activity. The management of risk becomes the responsibility of all employees and should be integrated into business processes.

The risk management process sits within a framework designed to provide the means to systematically identify, analyse and control risk at all levels and functions of the organisation.

4 Scope

The Risk Management Framework sets out Council’s methodology for managing risk. This will ensure that risk management functions will be maintained, managed and governed on an ongoing basis to achieve effective organisational risk management.

Effective risk management is based upon sound judgement and the best information available and enhances the organisational capability to identify, manage and obtain maximum benefits from new challenges and opportunities.

The framework:

- applies to all staff, volunteers and contractors;
- establishes the guidelines for Council to implement effective risk management;
- outlines various roles and responsibilities required to manage risk; and
- outlines governance requirements to ensure the framework, procedures, and tools remain compliant and effective.

5 Supporting Documentation

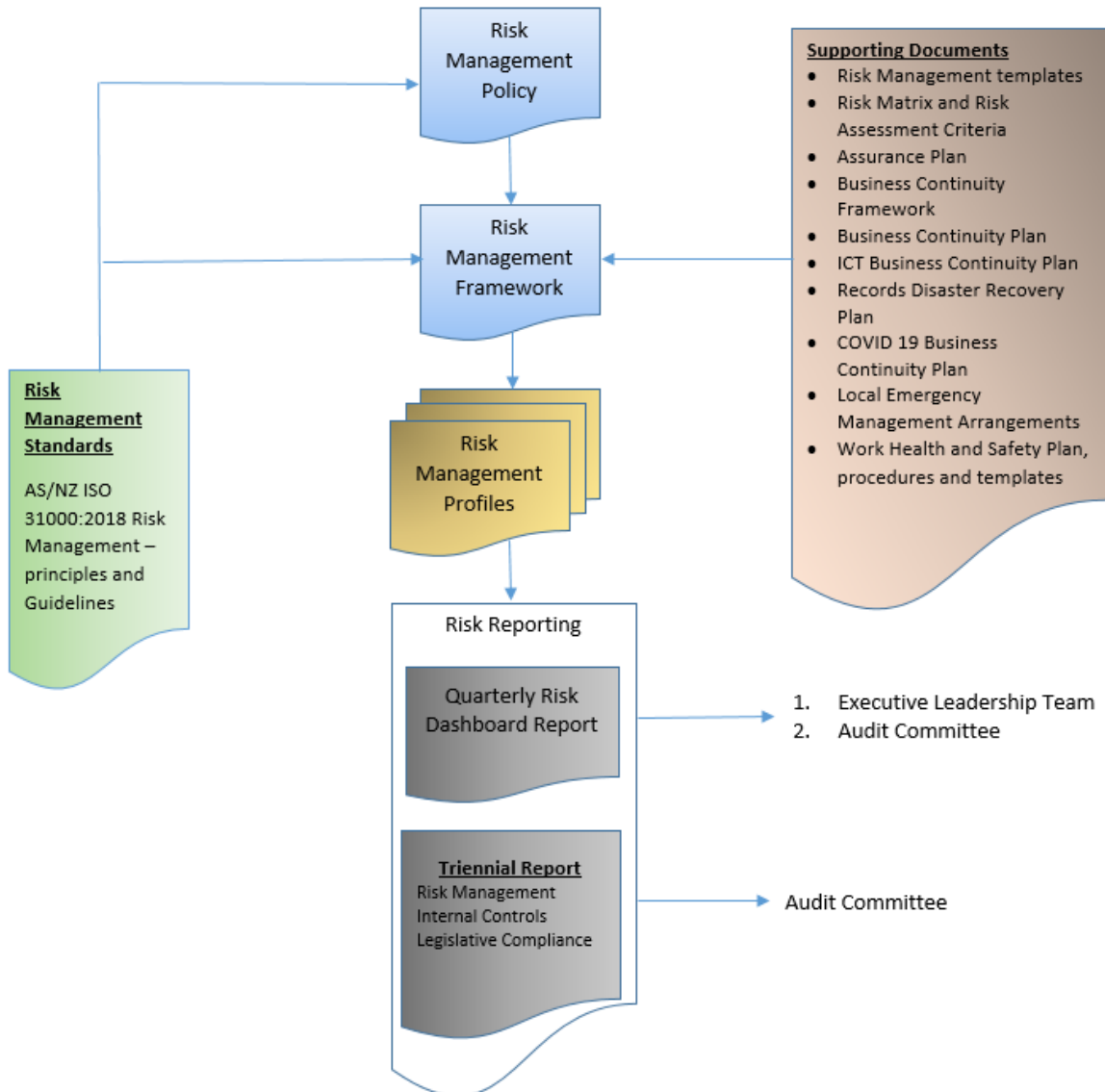
This framework is supported by the following documentation:

- The Risk Management Policy;
- AS/NZ ISO 31000:2018 - Risk Management;

- Risk Management procedures and templates;
- Operational and Strategic Risk Registers;
- Risk Matrix and the Risk Assessment Criteria;
- Reporting and communication of risk data to the Executive Leadership Team (ELT) and Audit Committee;
- Business Continuity Policy;
- Business Continuity Framework;
- Business Continuity Plan;
- ICT Business Continuity Plan;
- Records Disaster Recovery Plan;
- COVID-19 Business Continuity Plan;
- Annual Assurance Plan;
- Local Emergency Management Arrangements; and
- Work Health and Safety Plan, procedures and templates.

Document Structure

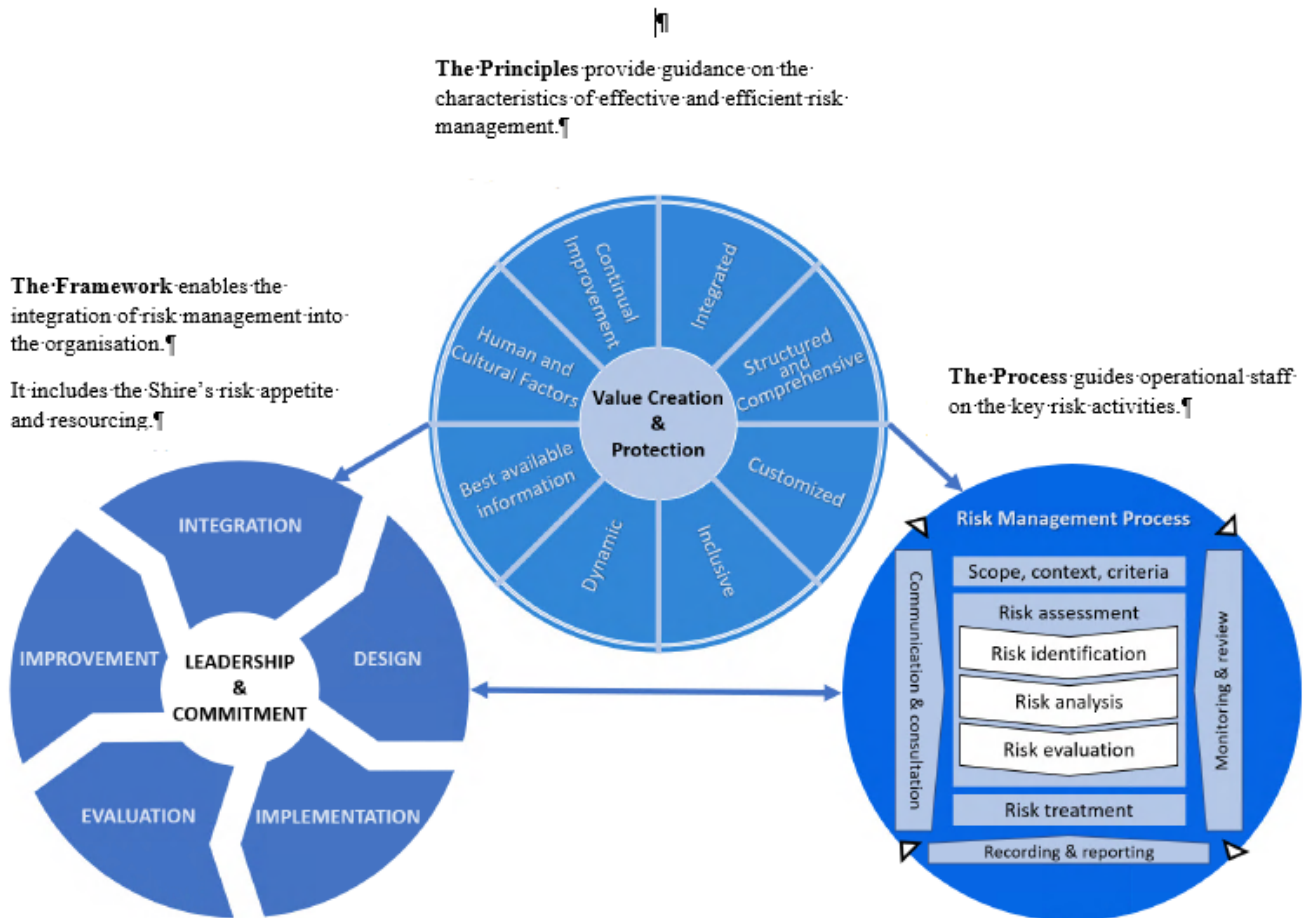
The following diagram depicts the relationship between the Risk Management Policy and supporting documentation and reporting.



6 Overview

An overview of the risk management framework is depicted below.

Risk Management Framework Overview



7 Risk Management Governance

A demonstrable commitment to sound risk management is one of the hallmarks of good governance and defensible integrity. The governance of the Shire ensures that the Council and the Executive are responsible and accountable for overseeing the sound implementation and maintenance of the risk management framework. The Council and the Executive are committed to the development, implementation, monitoring, review, and continuous improvement of this Risk Management Framework to ensure its ongoing effectiveness.

This framework mandates the clear allocation of responsibility and accountability for managing risk and compliance obligations and considers Council's governance responsibility, executive and line management responsibility, as well as monitoring, reporting and communicating responsibilities.

7.1 Risk Management Guidelines

The Council has finite resources, time and budget to manage all aspects of its activities. It is therefore vital that Council apportion resources into the areas of most need, or that will have the greatest impact. Council will therefore take a risk based approach to managing operational risks as follows:

- Risks are initially identified and assessed on an Inherent basis - the risk that an activity would pose if **no controls** or other mitigating factors were in place. Determining the Likelihood and Impact of the risk occurring allows Council to understand which risks are of greater concern and must therefore be mitigated accordingly.
- The Residual Risk - the risk that remains **after the effectiveness of controls** are taken into account (the risk after controls) - can then be determined by assessing the effectiveness of controls in place to mitigate the Likelihood and Impact of the risk occurring.
- All risks will be captured in a Strategic Risk Register and Operational Risk Register with the Strategic Risk Register reported quarterly to the Audit Committee.

7.2 Risk Appetite

Risk appetite is the amount of risk exposure, or potential adverse impact from an event, that the Shire of Bridgetown-Greenbushes is willing to accept in pursuit of its objectives ([Refer Appendix A](#)). Once the risk appetite threshold has been breached, risk management controls and actions are required to bring the exposure level back within the accepted range by considering:

- Emerging risks,
- Risks that might be outside Council's control (i.e. political change);
- Where best to allocate scarce resources; and
- Where Council might want to take on additional risk to pursue a strategic objective or expectation of above average returns.

7.3 Operating Model

The Shire has adopted "Three Lines of Defence" model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

First Line of Defence

All operational areas of the Shire are considered '1st Line'. They are responsible for ensuring that risks (within their scope of operations) are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with this Framework).
- Undertaking adequate analysis (data capture) to support the decisioning of risk matters.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

Second Line of Defence

The Executive Manager Corporate Services acts as the primary '2nd Line' of defence. This position owns and manages the framework for risk management. The person in this position drafts and implements the governance procedures and provides the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1st & 3rd lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1st Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on new and emerging risks.
- Co-ordinating the Shire's risk reporting for ELT and the Audit Committee.

Third Line of Defence

Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO.

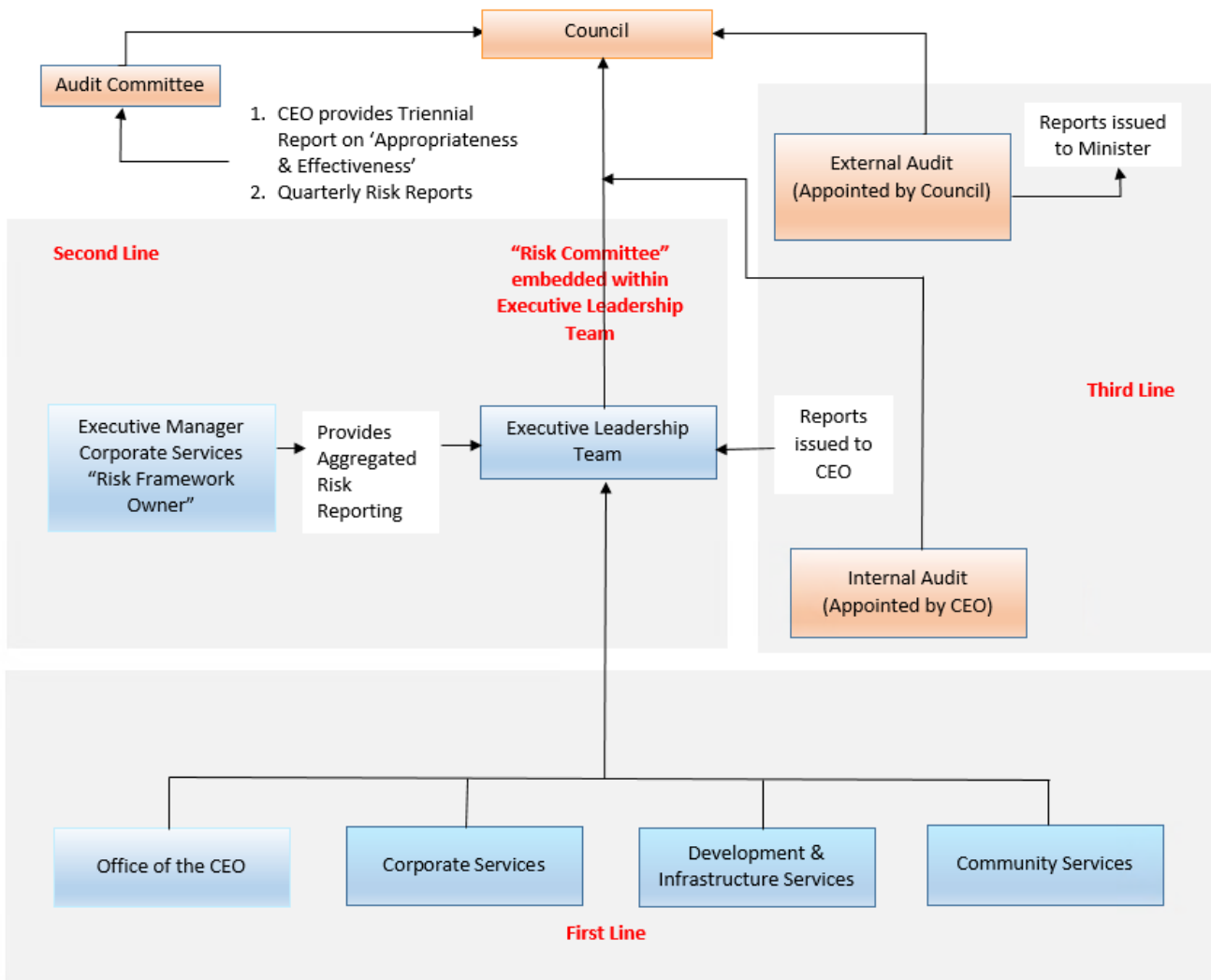
External Audit – Appointed by the Auditor General who has been given the mandate to:

- audit the annual financial reports;
- conduct performance audits;
- perform supplementary audits requested by the Minister for Local Government; and
- report to Parliament on the results of financial and performance audits.

The results of financial audits are reported to the President and CEO and are required to be published on the website. If the Auditor General has reported any significant matters, then the Shire is required to report the action it has taken about the matters to the Minister for Local Government and publish a copy of that report on its website.

7.4 Operating Structure

The following diagram depicts the current operating structure for risk management within the Shire.



7.5 Continual Improvement

The Risk Management Framework incorporates a continual improvement model through the defined reporting requirements to ELT and the Audit Committee.

Risk assessment is a feature of every internal audit and conversely internal audit itself will assess the strength of the Shire's risk management systems.

Through these processes the Shire will be able to evaluate and improve its approach to risk management and add value to Shire services.

8 Roles and Responsibilities

8.1 Responsibilities

8.1.1 Council

Section 2.7 of the *Local Government Act 1995*, provides that the role of the Council is to govern the Local Government's affairs. Further, section 3.18 provides that in performing its executive functions, the Council has an obligation to satisfy itself that the Shire's services and facilities are managed efficiently and effectively. In fulfilling its governance and oversight responsibilities in relation to risk management systems, the Council:

- Review and approve the Shire's Risk Management Policy, Risk Assessment & Acceptance Criteria and Risk Management Framework;

- Approve major decisions affecting the Shire risk profile or exposure;
- Monitor critical risks; and
- Establish and maintain an Audit Committee in terms of the *Local Government Act 1995*.

8.1.2 Audit Committee (AC)

The purpose of the AC is to support the Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structures, risk management, internal and external audit functions and ethical accountability.

The primary objective of the AC, in accordance with Regulation 16 of the *Local Government (Audit) Regulations 1996*, is to provide assistance and guidance to Council on the discharge of its duties under Part 6 and 7 of the *Local Government Act 1995*.

In relation to risk management, the committee facilitates:

- Effective management of enterprise risks and the protection of Council assets; and
- Compliance with laws, regulations as well as best practice guidelines relative to audit, risk management, internal control and legislative compliance.

This committee fulfils this responsibility by:

- Reviewing whether the Shire has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Assessing the internal processes for determining and managing material operating risks in accordance with the Shire's identified risk appetite and tolerances;
- Obtaining regular risk reports, which identify risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported;
- Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance.

8.1.3 Chief Executive Officer (CEO)

The CEO ensures appropriate implementation and resourcing of the Risk Management Policy and Framework. In addition, the CEO:

- Sets the tone and promotes a strong risk management culture by providing firm and visible support for proactively managing risk and compliance;
- Allocates roles, responsibilities and accountability;
- Ensures Executive Managers have implemented risk management within their Directorates;
- Monitors the management of critical and extreme risks, and the effectiveness of associated controls;
- Provides a review report to Council every three years on the effectiveness of the Shire's systems and procedures in regard to risk management, internal controls and legislative compliance; and
- Provides a quarterly risk report to the Audit Committee and Council on the Shire's risks and their treatment.

8.1.4 Management

The Management are responsible for the effective implementation, ongoing use of and continual improvement of the Shire's Risk Management Framework. In addition, the Managers:

- Identify and assess all potential risks in their area of responsibility;
- Review the appropriateness and effectiveness of the Risk Management Framework;
- Drive consistent embedding of a risk management culture;
- Collate, assess, treat and report to the risk management committee (ELT) of all areas and tasks under their responsibility;
- Own and manage the Risk Profiles at Shire Level;
- Identify, analyse and discuss new and emerging risks, issues and trends; and
- Include risk identification, assessment and management of risk in planning processes;

8.1.5 Executive Manager Corporate Services

- Oversee and facilitate the Risk Management Framework (Risk Framework Owner);
- Review the appropriateness and effectiveness of the organisation's financial management systems and procedures; and
- Support reporting requirements for Risk matters.

8.1.6 Manager Governance & Risk

- Monitor risk activity across the organisation to ensure that leading practice and consistent risk management and administrative practices occur;
- Coordinate and implement the Risk Management Framework;
- Develop and maintain risk registers;
- Undertake quarterly reviews of the organisation's Risk Report; and
- Undertake the triennial statutory review of risk management, internal controls and legislative compliance.

8.1.7 Employees

All Employees are required to consider risk, specifically:

- Be aware of and comply with the Risk Management Policy and Framework;
- Undertake training to ensure they are appropriately skilled to carry out their risk management responsibilities;
- Identify and manage risks (current and emerging) within day to day operations;
- Escalate risks to management that are unable to be managed within their authority;
- Actively participate in the City's continuous improvement program; and
- Understand their responsibilities for workplace health and safety.

8.1.8 Contractors and Visitors

Contractors and visitors, where appropriate, identify and escalate risks to management.

8.1.9 Internal and External Auditors

Report to Management and the AC to provide independent advice on the design and effectiveness of the risk management control environment, keeping informed of relevant, emerging risk and compliance trends and issues.

8.2 Risk Roles

Each risk requires allocation of ownership for the risk, its controls and any required treatments. These roles can all be allocated to the same person, or to separate individuals, as deemed appropriate. The responsibilities of each role is detailed below.

8.2.1 Risk Owner

Is responsible for managing the risk, as well as reviewing it as determined by the severity, likelihood and level of risk. The Risk Owner also identifies where current control weaknesses exist and updates risk information in the relevant register.

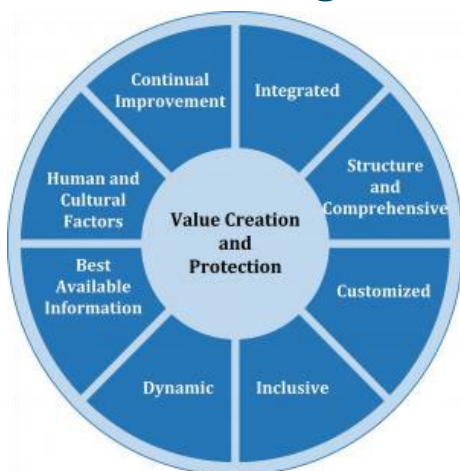
8.2.2 Control Owner

Is responsible for the design and operation of the control which is mitigating the risk, this person may not be the Risk Owner. When assessing the effectiveness of a control mitigating a risk, the Risk Owner should consult the Control Owner.

8.2.3 Treatment Owner

Risks outside the Shire's acceptable risk tolerance level will have a risk treatment(s) identified and a responsible person allocated to implement treatment(s) of the risk within the agreed timeframe. The Treatment Owner also provides updates to the Risk Owner including implementation progress and assists with the reassessment of the risk once the treatment is executed and becomes a control.

9 Risk Management Principles



The process of risk management is about defining future uncertainties, which usually involves subjective processes, assessments and decisions. To ensure these subjective processes, assessments and decisions align to both the organisation's core values and good risk practices, the Council, CEO and the Executive have identified (as depicted in the diagram) the risk management principles, which are aligned to ISO 31000:2018 Standard.

10 Integrated Approach to Risk Management

No entity operates in a risk-free environment. Risk management does not create such an environment, rather it enables management to operate more effectively in an environment where risk exists.

Sound corporate governance requires integrated risk management processes and strategic planning, reporting and performance measurement. The key to successful integration is streamlining the approach to managing risk by ensuring that everyone uses common language and documents to their risks using a consistent approach. To effectively embed risk management throughout the Shire, all employees need to be aware of their responsibilities in relation to assessing, managing, communicating and elevating risk.

At the strategic and business planning stage, risks to outcomes will be identified, assessed, and accountabilities allocated and registered.

Assessed risks will have treatment plans developed consistent with the organisation's risk appetite. Ownership for risks, controls and treatments will be allocated and an agreed cycle of evaluation will be established.

Reporting needs will be identified, in line with the organisation's Risk Actions Table ([Refer Appendix A](#)) and inform regular review processes to ensure a consistent standard of risk management is maintained by the organisation.

Improvements to risk treatments and controls will be programmed, executed, monitored and reported as part of the normal management processes.



11 Risk and Control Management

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis.

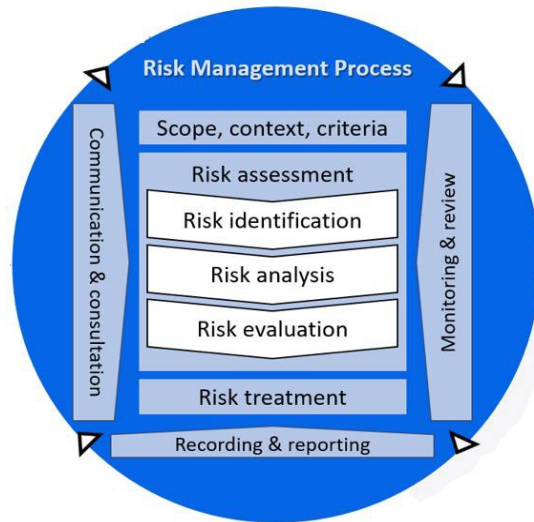
Each member of the Executive, in conjunction with the Risk Framework Owner are accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire;
- Reviewed on at least a two yearly basis, unless there has been a material restructure or change in the risk and control environment; and
- Maintained in the standard format.

This process is supported by the use of key data inputs, workshops and ongoing business engagement.

The over-arching intention for risk management is to integrate it within the existing Shire processes.

The core risk management processes are based on the ISO 31000 standard, depicted in the following figure.



11.1 Establish the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

11.1.1 Organisational Context

This Risk Framework provides the basic information and guidance regarding the organisational context to conduct a risk assessment which includes Risk Assessment and Acceptance Criteria and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised where possible to assist in the categorisation of related risks ([Refer Appendix B](#)).

Any changes or additions to the Risk Themes must be approved by the CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

11.1.2 Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process. For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

Strategic Context

This is the Shire's external environment and high level direction. Inputs to establishing the strategic risk assessment context may include;

- Organisations Vision/Mission;
- Stakeholder Analysis;
- Environment Scan/Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis;
- Existing Strategies/Objectives/Goals; and
- Identification of risks that can drive variability in performance. These are the unknowns, such as COVID and future customer demand, that can impact results.

Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved.

Project Context

Project Risk has two main components:

- 1 Risk in Projects refers to the risks that may arise as a result of project activity (i.e. impacting on process, resources or IT systems) which may prevent the Shire from meeting its objectives.
- 2 Project Risk refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

11.2 Identification, Analysis and Evaluation of Risks

The identification, analysis and evaluation of risks refers to anticipating what might happen in or to the organisation, analysing those possibilities and determining whether those possibilities pose a problem(s) for the organisation. The organisation's risk appetite provides guidance on the threshold for possibilities becoming problems that require treatment.

11.2.1 Risk Identification

Using the specific risk assessment context as the foundation and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? What are areas of uncertainty? (Risk Description)?
- How may this risk eventuate? (Potential Causes)?
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)?
- What are the potential consequential outcomes of the risk eventuating?

11.2.2 Risk Analysis

To analyse the risks, the Shire's Risk Assessment and Acceptance Criteria ([Refer Appendix A](#)) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings.
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence).
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood).
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk).

11.2.3 Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant);
- Existing Control Rating;
- Level of Risk;
- Risk Acceptance Criteria ([Refer Appendix A](#)); and
- Risk versus Reward / Opportunity.

The risk acceptance decision needs to be documented and those risks that are acceptable are then subject to the monitor and review process.

Note: Individual Risks or Issues may need to be escalated due to its urgency, level of risk or systemic nature.

11.3 Risk Treatment

Risk treatment involves identifying a range of options for treating risks, evaluating the options, preparing treatment plans and implementing them. Feasibility of treatment options can be considered and improvement of these options should occur in line with risk appetite, budget and resource constraints, and organisational values. There are four generally accepted treatment options. They are:

- Avoid – meaning to choose not to engage in the risk activity. This option is usually chosen when the residual risk profile is considered ‘unacceptable’ by the organisation, regardless of additional proposed controls.
- Mitigate – when the organisation chooses to impose further controls on a residual risk to bring it within acceptable limits. This would usually occur when the organisation acknowledges the activity must be attempted but is not comfortable with the existing controls.
- Transfer – when there is an opportunity to share or pass on some or all of the residual risk to another party(s). An example of this would be the purchase of insurance to transfer the risk of repair costs in the event of damage to building assets. It is important to remember that reputational risks cannot be transferred.
- Accept – when the organisation is comfortable with the level of residual risk and does not require further treatment or additional controls.

A treatment plan outlining the action(s) and ownership of these actions is developed based on the most suitable treatment option. Generally, risk treatment involves modifying either the likelihood or the consequences of the risk, or both.

In order to treat risks effectively it is important to establish the cause(s) of the risks, rather than the symptoms. Factors such as legal, social, political and economic considerations may require consideration when deciding on treatment options. Development of an overall treatment strategy will be a top-down process, driven by various factors such as the need to achieve business objectives, cost versus benefit and ease of implementation, while controlling uncertainty to the extent that is desirable.

11.4 Monitoring and Review

Regular monitoring of risks, controls and treatments ensure continuous learning; incorporating new information and creating robust risk management processes.

The Risk Framework Owner is to monitor the status of risk treatment implementation and report on it if required.

The Executive will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Catastrophic
- Risks with Likelihood Rating of Almost Certain

The design and focus of the Risk Summary report will be determined from time to time on the direction of the Executive. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

11.5 Key Risk Indicators

Key Risk Indicators (KRI's) may be used for monitoring and validating key risks and controls. The following describes the process for the creation and reporting of KRIs:

- Identification;
- Validity of Source;
- Tolerances; and
- Monitor & Review.

Identification

The following represent the minimum standards when identifying appropriate KRI's, key risks and controls:

- The risk description and casual factors are fully understood;
- The KRI is fully relevant to the risk or control;
- Predictive KRI's are adopted wherever possible; and
- KRI's provide adequate coverage over monitoring key risks and controls.

Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the KRI data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner.

Overlapping KRI's can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the KRI, the data is required to be revalidated to ensure reporting of the KRI against a consistent baseline.

Tolerances

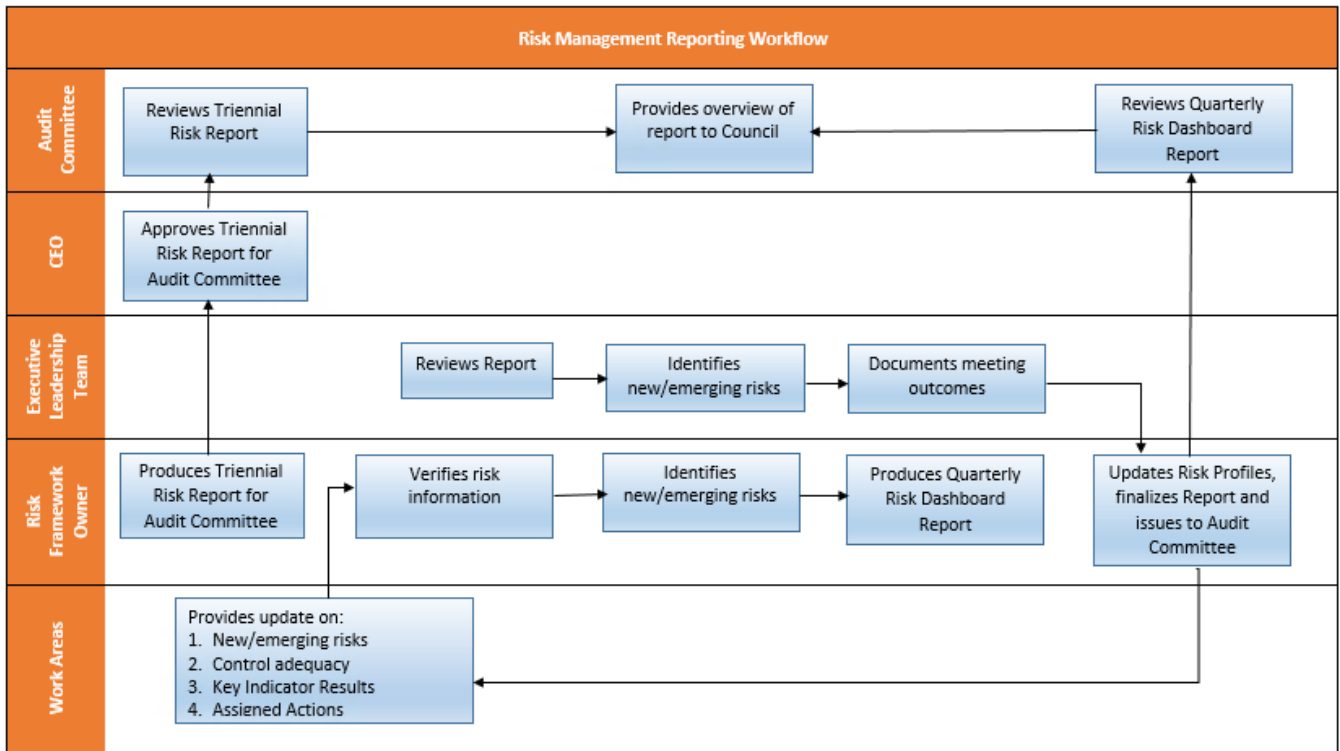
Tolerances are set based on the Shire's Risk Appetite. They are set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the KRI must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the KRI must be escalated to the CEO & Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

11.6 Reporting

Risk management reporting will summarise and reflect the information captured by the measurement processes to ensure the oversight and management functions are appropriately informed, in a timely manner. This will ensure they are able to meet their obligations. As the organisation's risk management maturity increases, reporting will be tailored to reflect this.

The following diagram provides a high level view of the ongoing reporting process to Risk Management:



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new, emerging risks, control effectiveness and key indicator performance to the Risk Framework Owner;
- Work through assigned actions and provide relevant updates to the Risk Framework Owner; and
- Risks/Issues reported to the Senior Management Group are reflective of the current risk and control environment.

The Risk Framework Owner is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on an 18 month basis or when there has been a material restructure, change in risk ownership or change in the external environment;
- Quarterly Risk Reporting for the Executive Leadership Team and Audit Committee – Contains an overview of the Risk Summary for the Shire; and
- Annual Compliance Audit Return completion and lodgement.

11.6.1 Audit

The audit function conducts independent audits of the risk processes and provides findings in audit reports to the AC. This will include the scope of the audit, control weaknesses identified, recommendations and management comments, including agreed action plans. Audit may also support the business by conducting Control Self Assessments, which test the effectiveness of the controls mitigating identified risks.

11.7 Review

The organisation will facilitate the following routine reviews;

Description	Frequency	Responsible	Accountable
Risk Identification – Capture and record new risks, and review ratings of existing risks on the Risk Registers	Annually and ongoing as part of regular risk management	Operational Managers	CEO
Risk Control and Treatment Plans - Ensure details are relevant and achievable given organisational context	Annually	Operational Managers	Executive Managers
Risk Registers – Strategic and Operational registers' structure and completeness	Annually	Manager Governance & Risk	CEO
Risk Reports – Information being provided from Operations regarding risk	Quarterly	Manager Governance & Risk	Council
Risk Management Framework	Annually	Manager Governance & Risk	Council
Risk Management Policy	Annually	Manager Governance & Risk	Council

11.8 Communication and Consultation

It is essential that the shire regularly communicates to appropriate audiences in appropriate formats. This requires the identification of stakeholders, analysis of our and their needs, and the appropriate level and method of communication determined. Communication to both internal and external audiences may be appropriate depending on the situation.

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

Risk management awareness and training will be provided to all staff.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

12 Annual Assurance Plan

The annual assurance plan is a monitoring schedule prepared by the Risk Framework Owner that sets out the control assurance activities to be conducted over the next 12 months. This plan needs to consider the following components.

- Existing control adequacy ratings across the Shire's Risk Profiles.
- Consider control coverage across a range of risk themes (where commonality exists).
- Building profiles around material controls to assist in design and operating effectiveness reviews.
- Consideration to significant incidents.
- Nature of operations
- Additional or existing 2nd line assurance information/reviews (eg. HR, Finance, IT)
- Frequency of monitoring/checks being performed
- Review and development of Key Risk Indicators
- Timetable for assurance activities
- Reporting requirements

Whilst this document and subsequent actions are owned by the Risk Framework Owner, input and consultation will be sought from individual work areas.

Glossary

GLOSSARY	DESCRIPTION
Cause	That which leads to the occurrence of a risk and needs to be understood to correctly plan and execute risk treatment.
Consequence	The outcome of a risk event affecting the Shire’s objectives.
Risk Event	Where risks that have, or haven’t been documented, actually occur.
Impact	The amount of loss or gain that is sustained from the consequence of a risk.
Inherent Risk	The level of risk in the absence of controls.
Negligence	Failure to exercise the care that a reasonably prudent person would exercise in like circumstances.
Residual Risk	The level of risk remaining after risk treatment.
Risk	The effect of future uncertainty on the Shire’s objectives.
Risk Appetite	The amount and type of risk the Shire is prepared to pursue, retain or take.
Risk Identification	The process of finding, recognizing and describing risks.
Risk Management	The coordinated activities to direct and control an organization with regard to risk.
Risk Register	A library of identified risks.
Risk Treatment	Selection and implementation of appropriate options for dealing with risk. The most commonly used terms for these are avoid, reduce, transfer, accept and retain.

Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequences									
Rating	Category	Health	Financial Impact	Service Interruption	Compliance	Reputational		Property	Environment
						External	Internal		
1	Insignificant	Negligible injuries	Less than \$500	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item, no social media attention	Isolated incidents of short term decline in individual staff morale/confidence	Inconsequential or no damage	Contained, reversible impact managed by on-site response
2	Minor	First aid injuries	\$501 – \$5000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliance	Substantiated, low impact, low news item, limited social media attention (e.g. Limited to local news / limited social media impact)	Short term decline in staff confidence/morale	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
3	Moderate	Loss time injuries < 5 days	\$5001 – \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g. State News story)	Decline in staff confidence/morale, or unauthorised absences	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
4	Major	Loss time injuries >= 5 days	\$50,001 – \$500,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions, requires immediate and ongoing social media response and monitoring (e.g. National News – lead story single occurrence)	Long term decline in staff confidence or morale, occasional unauthorised staff absences or threat of strike	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
5	Catastrophic	Fatality, permanent disability	More than \$500,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions, requires substantial social media resourcing for long term response and monitoring (e.g. International / National News – lead story, multiple days)	Sudden or unexpected loss of personnel due to strikes, excessive unauthorised staff absences	Extensive damage requiring prolonged period of restitution. Complete loss of plant, equipment & building	Uncontained, irreversible impact

Measures of Likelihood				
Rating	Description	Detailed Description	Frequency	Probability
1	Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
2	Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
3	Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
4	Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
5	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix						
Consequence		1	2	3	4	5
Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
1	Almost Certain	Moderate	High	High	Extreme	Extreme
2	Likely	Low	Moderate	High	High	Extreme
3	Possible	Low	Moderate	Moderate	High	High
4	Unlikely	Low	Low	Moderate	Moderate	High
5	Rare	Low	Low	Low	Low	Moderate

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Shire Management Team/CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO/Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	<ol style="list-style-type: none"> Processes (Controls) operating as intended and aligned to Policies/Procedures Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement	<ol style="list-style-type: none"> Processes (Controls) generally operating as intended, however inadequacies exist. Nil or limited monitoring. Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	<ol style="list-style-type: none"> Processes (Controls) not operating as intended. Processes (Controls) do not exist, or are not being complied with. Have not been reviewed or tested for some time.

Appendix B – Risk Theme Definitions

Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.

External theft & fraud (inc. Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

Business & community disruption

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Shire business activities. The event may result in damage to buildings, property, plant & equipment (all assets). This could be a natural disaster, weather event, or an act carried out by an external party (inc. vandalism). This includes;

- Lack of (or inadequate) emergency response / business continuity plans.
- Lack of training to specific individuals or availability of appropriate emergency response.
- Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.
- Inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc

This does not include disruptions due to IT Systems or infrastructure related failures - refer "Failure of IT & communication systems and infrastructure".

Errors, omissions, delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data.

- Errors or inadequacies in model methodology, design, calculation or implementation of models. This may result in incomplete or inaccurate information. Consequences include;
- Inaccurate data being used for management decision making and reporting.
- Delays in service to customers
- Inaccurate data provided to customers This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

Failure of IT &/or Communications Systems and Infrastructure

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Project / Change Management".

Failure to fulfil statutory, regulatory or compliance requirements

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include Occupational Safety & Health Act (refer "Inadequate safety and security practices") or any Employment Practices based legislation (refer "Ineffective Employment practices).

It does include the Local Government Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

Providing inaccurate advice / information

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff.

This could be caused by using unqualified staff, however it does not include instances relating Breach of Authority.

Inadequate project / change Management

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.

- Failure to implement new systems
- Failures of IT Project Vendors/Contractors

Inadequate Document Management Processes

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists.
- Procedural documents.
- 'Application' proposals/documents.
- Contracts.
- Forms, requests or other documents.

Inadequate safety and security practices

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants.
- Inadequate Organisational Emergency Management requirements (evacuation diagrams, drills, wardens etc).
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.
- Inadequate or unsafe modifications to plant & equipment.

Inadequate engagement practices

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues.
- Infrastructure Projects.
- Regional or District Committee attendance.
- Local Planning initiatives.
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

Inadequate asset sustainability practices

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets and their associated lifecycle from procurement to maintenance and ultimate disposal. Areas included in the scope are;

- Inadequate design (not fit for purpose)

- Ineffective usage (down time)
- Outputs not meeting expectations
- Inadequate maintenance activities.
- Inadequate financial management and planning.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

Inadequate Supplier / Contract Management

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

Ineffective employment practices

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having an effective Human Resources Framework in addition to not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. Other areas in this risk theme to consider are;

- Breaching employee regulations (excluding OH&S)
- Discrimination, Harassment & Bullying in the workplace
- Poor employee wellbeing (causing stress)
- Key person dependencies without effective succession planning in place
- Induction issues
- Terminations (including any tribunal issues)
- Industrial activity

Care should be taken when considering insufficient staff numbers as the underlying issue could be process inefficiencies.

Ineffective management of facilities / venues / events

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

Inadequate environmental management.

Inadequate prevention, identification, enforcement and management of environmental issues. The scope includes;

- Lack of adequate planning and management of coastal erosion issues.
- Failure to identify and effectively manage contaminated sites (including groundwater usage).
- Waste facilities (landfill / transfer stations).

- Weed control.
- Ineffective management of water sources (reclaimed, potable)
- Illegal dumping.
- Illegal clearing / land use.

RM 1 – Risk Management

1 Objectives

The objectives of this policy are to:

- Promote a culture of risk awareness and active management of risks;
- Protect the Shire by systematically identifying risks and managing them appropriately;
- Ensure Council is provided with reliable information to support decision-making and planning;
- Reduce the potential costs of risk; and
- Assign responsibilities for managing risks.

2 Scope

This policy applies to all risk management activities undertaken by Councillors and Workers.

3 Definitions

3.1 Risk

AS 31000:2018 defines Risk as:

Effect of uncertainty on objectives.

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

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

Note 3: Risk is usually expressed in terms of risk sources, potential events, their consequences and their likelihood.

3.2 Risk Management

AS 31000:2018 defines Risk Management as:

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

3.3 Worker]

A part-time or full-time employee, casual employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.

4 Policy

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

4.1 Roles and Responsibilities

Council

- (a) Council is responsible for reviewing and approving the Risk Management Policy, Framework, and risk tolerance levels;
- (b) Considering risk management issues in reports to Council; and
- (c) Considering recommendations from the Audit Committee in relation to the adequacy of the Shire's systems and processes for managing risk.

Audit committee

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

Chief Executive Officer

The Chief Executive Officer is responsible for:

- (a) The implementation of Council's Risk Management Policy;
- (b) Ensuring the development, implementation and review of the Shire's Risk Management Framework;
- (c) Communicating to Workers the Shire's commitment to developing, implementing and managing an effective Risk Management Framework;
- (d) Ultimately determining if levels of residual risk are acceptable;
- (e) Ensuring reports prepared for Council include appropriate information in relation to risk to enable informed decision making; and
- (f) Undertaking reviews of the Shire's systems and processes for managing risk and reporting the outcome of those reviews to the Audit Committee.

Executive Leadership

Executive Leadership create an environment where managing risk is accepted as the personal responsibility of each member of the organisation and integrated with planning and operational processes.

Business Areas

Each Business Area is accountable for the management of risks within their area of responsibility in ways that are consistent with the Risk Management Framework and Procedures.

Workers

All workers are accountable for managing risk within their area of responsibility in accordance with the Risk Management Framework and Procedures.

4.2 Risk Appetite

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

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

- (a) A significant negative affect on the Shire's financial sustainability;
- (b) An interruption to essential services that extends for more than one week;
- (c) Substantial public embarrassment;
- (d) Compromised health, safety or welfare of Workers, Councillors, or members of the community;
- (e) Damage to relationships with a majority of, or significant, stakeholders;
- (f) A significant breach of legislative requirements and/or successful litigation against the Shire; and
- (g) Cause significant and irreparable damage to the environment.

4.3 Quantified Risk Assessment and Acceptance Criteria

The Shire's Risk Assessment and Acceptance criteria (Appendix A) has been developed to align with its conservative risk appetite. All organisational risks are to be assessed against these criteria to allow consistency and informed decision making.

4.4 Recording and Reporting

The Shire will ensure all risk management activities are accurately recorded and traceable. Results of the monitoring and review processes will be reported as appropriate through external and internal avenues including, but not limited to, quarterly reports to the Audit Committee. Reports will be used to assess and review the effectiveness of the risk management framework and identify specific areas of need.

5 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government's policies s.5.41 – Functions of CEO <i>Work Health and Safety Act 2020</i> <i>Local Government (Audit) Regulations 1996</i> r.17 - CEO to review certain systems and procedures
Shire Policies	FM 4 – Purchasing
Related Documents	ISO 31000:2018
Related Procedure	N/A

6 Administration

Original Adoption Date	17 December 2015
Last Variation Date	
Last Reviewed	26 November 2020
Scheduled Reviewed Date	17 April 2023

Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequence								
Rating	Health	Financial Impact	Service Interruption	Compliance	Reputational		Property	Environment
					External	Internal		
Insignificant	Negligible injuries	Less than \$5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item, no social media attention	Isolated incidents of short term decline in individual staff morale/confidence	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor	First aid injuries	\$5,001 – \$20,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item, limited social media attention (e.g Limited to local news / limited social media impact)	Short term decline in staff confidence/morale	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Loss time injuries < 5 days	\$20,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term noncompliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g State News story)	Decline in staff confidence/morale, or unauthorised absences	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Loss time injuries >= 5 days	\$50,001 - \$500,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions, requires immediate and ongoing social media response and monitoring (e.g National News – lead story single occurrence)	Long term decline in staff confidence or morale, occasional unauthorised staff absences or threat of strike	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$500,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions, requires substantial social media resourcing for long term response and monitoring. (e.g International / National News – lead story, multiple days)	Sudden or unexpected loss of personnel due to strikes, excessive unauthorised staff absences	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Measures of Likelihood			
Description	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Shire Management Team/CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO/Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	Processes (Controls) operating as intended and aligned to Policies/Procedures Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement	<ol style="list-style-type: none"> 1. Processes (Controls) generally operating as intended, however inadequacies exist. 2. Nil or limited monitoring. 3. Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	<ol style="list-style-type: none"> 1. Processes (Controls) not operating as intended. 2. Processes (Controls) do not exist, or are not being complied with. 3. Have not been reviewed or tested for some time.

DRAFT

RM 1 – Risk Management

1 Objectives

The Shire of Bridgetown-Greenbushes Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

2 Definitions

Definitions (from AS/NZS ISO 31000:2009)

2.1 Risk

Effect of uncertainty on objectives.

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

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

2.2 Risk Management

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

2.3 Risk Management Process

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

3 Policy

3.1 Risk Management Objectives

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

3.2 Risk Appetite

The Shire quantified its risk appetite through the development and endorsement of the Shire’s Risk Assessment and Acceptance Criteria. The criteria are a component of, and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire’s Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements,

alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

3.3 Roles, Responsibilities & Accountabilities

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures Manual (Operational Document).

3.4 Monitor & Review

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Senior Management Group and its employees. It will be formally reviewed every two years.

4 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government's policies s.5.41 – Functions of CEO <i>Work Health and Safety Act 2020</i>
Regulation	r.17 <i>Local Government (Audit) Regulations 1996</i> – CEO to review certain systems and procedures
Local Law	N/A
Shire Policies	FM 4 – Purchasing Policy
Related Documents	AS/NZS ISO 31000:2009
Related Procedure	N/A

5 Administration

Original Adoption Date	17 December 2015
Last Reviewed	26 November 2020
Scheduled Reviewed Date	27 April 2023

Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequence								
Rating	Health	Financial Impact	Service Interruption	Compliance	Reputational		Property	Environment
					External	Internal		
Insignificant	Negligible injuries	Less than \$500	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item, no social media attention	Isolated incidents of short term decline in individual staff morale/confidence	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor	First aid injuries	\$501 – \$5000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item, limited social media attention (e.g Limited to local news / limited social media impact)	Short term decline in staff confidence/morale	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Loss time injuries < 5 days	\$5001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term noncompliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g State News story)	Decline in staff confidence/morale, or unauthorised absences	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Loss time injuries >= 5 days	\$50,001 - \$500,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions, requires immediate and ongoing social media response and monitoring (e.g National News – lead story single occurrence)	Long term decline in staff confidence or morale, occasional unauthorised staff absences or threat of strike	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$500,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions, requires substantial social media resourcing for long term response and monitoring. (e.g International / National News – lead story, multiple days)	Sudden or unexpected loss of personnel due to strikes, excessive unauthorised staff absences	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Measures of Likelihood			
Description	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring

Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Shire Management Team/CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO/Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	Processes (Controls) operating as intended and aligned to Policies/Procedures Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement	1. Processes (Controls) generally operating as intended, however inadequacies exist. 2. Nil or limited monitoring. 3. Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	1. Processes (Controls) not operating as intended. 2. Processes (Controls) do not exist, or are not being complied with. 3. Have not been reviewed or tested for some time.

Attachment 27 - Adopted Delegations
Register - Council to CEO 2024-25



DELEGATION REGISTER

Council to Chief Executive Officer and Other Officers



Shire of
Bridgetown-Greenbushes

... simply beautiful

Reviewed on 29 November 2007
Amended on 28 February 2008

Amended on 26 June 2008 Reviewed &
Amended on 25 September 2008 Reviewed & Amended on 24
September 2009 Reviewed & Amended on 25 November 2010
Reviewed on 24 November 2011

Amended on 29 March 2012
Amended 25 October 2012

Reviewed on 29 November 2012

Reviewed on 28 November 2013 Reviewed &
Amended on 27 November 2014 Reviewed & Amended on 26
November 2015

Reviewed November 2016 Reviewed &
Amended on 30 November 2017

Amended 29 March 2018 Reviewed &
Amended on 29 November 2018 Reviewed & Amended on 29
November 2019 Reviewed & Amended on 23 September 2020

Reviewed & Amended on 25 November 2021

Reviewed and Amended on 23 February 2023

Amended on 28 September 2023

Amended on 24 October 2023

Table of Contents

Introduction	6
Corporate Management	7
CM.1 - Authorising and Affixing of the Common Seal and Signing of Documents	7
Council Properties	9
CP.1 – Transfer of Land Documentation	9
CP.2 - Disposal of Surplus Equipment, Materials, Tools, Etc.....	10
CP.3 – Administration of Leases and Licences.....	11
Development and Building Controls.....	12
DBC.1 - Building and Demolition Permits	12
DBC.2 - Occupancy Permits or Building Approval Certificates.....	14
DBC.3 – Building Orders	16
DBC.4 - Inspection and Copies of Building Records	18
DBC.5 - Private Pool Barrier – Alternative and Performance Solutions.....	19
DBC.6 - Smoke Alarms – Alternative Solutions	20
Emergency Services	21
ES.1 - Firebreak and Fuel Hazard Reduction Notice – Variation	21
ES.2 - Cost Recovery for Fires	22
ES.3 - Works Orders for Properties Non-Compliant to Firebreak and Fuel Hazard Reduction Notice	23
ES.4 – Offences – Bush Fires Act.....	24
ES.5 – Variations to Prohibited Burning Periods	25
ES.6 – Prohibited Burning Times – Control Activities.....	26
ES.7 – Variations and Control Activities Restricted Burning Periods	27
ES.8 – Burning Garden Refuse/Open Air Fires	29
ES.9 – Make Request to FES Commissioner – Control of Fire	31
Financial Management	32
FM.1 – Execution of Contracts	32
FM.2 - Conferences, Seminars, Meetings and Training Courses – Reimbursement of Councillor Expenses	33
FM.3 - Payments from Municipal Fund and Trust Fund.....	34
FM.4 - Donations	35
FM.5 - Write Off of Money Owing to the Local Government	36
FM 6 - Tenders for Providing Goods & Services	37

FM 6a - Tenders for Providing Goods & Services	40
FM.7 - Authority to Invest Surplus Funds.....	41
FM8 – Contract Variations.....	42
Land Use and Planning.....	43
LUP.1 - Development Applications – Extension of Time	43
LUP.2 - Setback Variations.....	44
LUP.3 - Subdivisions.....	45
LUP.4 – Development Applications	46
LUP.5 – Road Closures	48
LUP.6 – Subdivisional Road Names	49
LUP.7 – Subdivision Clearance.....	50
LUP.8 – Directional Signs	51
LUP.9 - Provision of Roads and Associated Civil Works for Subdivisions and Development.....	52
LUP.10 – Signs and Hoardings	53
LUP.11 - Municipal Heritage Inventory – Minor Corrections or Updates to Approved Place Records	54
LUP.12 – Reserve Management Orders	55
Laws and Enforcement.....	56
LE.1 – Authorisation of Officers.....	56
LE.2 - Determining Applications Under Local Laws and Enforcement of Local Law Provisions.....	58
LE.3 - Notices Requiring Certain Things to be Done by Owner or Occupier of land and Additional Powers When Notice is Given	59
LE.4 – Powers of Entry.....	60
LE.5 – Cat Registrations	61
LE.6 – Cat control Notices.....	62
LE.7 – Approval to Breed Cats	63
LE.8 - Recovery of Costs – Destruction of Cats.....	64
LE.9 - Application to Keep Additional Cats	65
LE.10 - Dog Registrations.....	66
LE.11 - Kennel Establishments.....	68
LE.12 - Recovery of Moneys under the Dog Act.....	69
LE.13 - Dispose of or Sell Dogs Liable to be Destroyed	70
LE.14 - Declaration of a Dangerous Dog.....	71
LE.15 - Objections to Dangerous Dog Declaration or Seizure	72

LE.16 – Applications for Exemptions to Keep More than Prescribed Number of Dogs.....	73
LE.17 - Proceedings Under Dog & Cat Acts.....	74
LE.18 - Disposal of Sick or Injured Animals.....	75
LE.19 – Liquor Act Section 39 and Section 40 Certificates	76
LE.20 - Declaration of a Vehicle as an Abandoned Vehicle	77
LE.21 – Confiscated or Uncollected Goods.....	78
LE.22 - Administration of the Local Government (Uniform Local Provisions) Regulations.....	79
LE.23 - Removal of Graffiti.....	81
LE.24 – Planning Compliance	82
Personnel	83
P 1 – Acting Chief Executive Officer	83
Public Health	84
PH.1 - Compensation for Seized Food Items	84
PH.2 - Food Business Prohibition Orders.....	85
PH.3 - Food Business Registrations	86
PH.4 - Food Act Debt Recovery and Prosecutions.....	87
PH.5 - Temporary Accommodation Applications	88
Rates and Valuations	89
RV.1 – Rates and Service Charges	89
Recreation and Cultural Services.....	91
RC.1 - Use of Blackwood River for Active Recreation.....	91
RC.2 - Use of Shire Reserves for Camping	92
RC.3 - Extension of Facility Membership Periods.....	93
RC.4 - Leisure Centre Fees	94
Roads	95
R.1 - Materials from land not under Local Government Control	95
Traffic and Transport	96
TT.1 - Restricted Access Vehicles.....	96
TT.2 – Temporary Closure of Thoroughfares/Roads	97

Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the CEO to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the CEO to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government, Sport and Cultural Industries Local Government Guideline – Delegations, Authorisations and Acting Through, establishes the principal issue in determining whether a statutory function or duty is suitable for ‘acting through’ that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the ‘acting through’ concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains ‘Instruments of Delegation’ that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function.

Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

Corporate Management

Delegation	CM.1 - Authorising and Affixing of the Common Seal and Signing of Documents
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.9.49A(1)(2)(4) – Execution of documents
Function	<p>Authority to authorise the affixing of the Common Seal of the Shire of Bridgetown-Greenbushes to a document that requires the Common Seal to be legally effective, and to sign documents on behalf of the Shire of Bridgetown-Greenbushes. Documents are to be in one or more of the following categories:</p> <ol style="list-style-type: none"> 1 Documents required to satisfy conditions of subdivision and/or development approval; 2 Documents required to effect the transfer of land; 3 Documents required to secure the repayment of a loan granted by the Shire, a loan granted to the Shire by a third party and/or to secure the pre-funding of infrastructure works by the Shire; 4 Documents required to effect the grant of leasehold interests in the land either by the Shire to a third party or by a third party to the Shire; 5 Documents required to effect the grant of a licence either by the Shire to a third party or by a third party to the Shire; 6 Documents required to effect the subdivision of land, including the strata titling of land; 7 Documents which are capable of registration and/or lodgment at Landgate (WA Land Titles office); and 8 Documents necessary or appropriate to enable the CEO to carry out their functions under any written law.
Delegate	Chief Executive Officer
Council conditions	The document must not be inconsistent with a Council policy or resolution.
Adoption date	30 November 2017 (C.18/1117)

Variation date	23 February 2023 (C.09/0223)
Record keeping	Register of Seals

Council Properties

Delegation	CP.1 – Transfer of Land Documentation
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.9.49A Execution of documents
Function	Where a Council resolution has occurred for the purchase of land, the CEO is authorised to endorse transfer of land documentation.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	CP.2 - Disposal of Surplus Equipment, Materials, Tools, Etc
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.58 (2)(3) Disposing of property <i>Local Government (Functions and General) Regulations 1996</i> r.30 Dispositions of property excluded from Act
Function	Authority to sell, by calling for expressions of interest, auction, or any other fair means, items of surplus equipment, materials, tools, etc., which are no longer required, or are no longer serviceable.
Delegate	Chief Executive Officer
Council conditions	This delegation applies only to items with an estimated value of less than \$2,000 each.
Adoption date	27 November 2014 (C.12/1114)
Variation date	30 November 2017 (C.18/1117) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	CP.3 – Administration of Leases and Licences
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CE
Express power or duty delegated	<i>Local Government Act 1995</i> s3.18 - Performing executive functions. s9.49A(4) - Execution of documents
Function	Authority to exercise all rights available and duties incumbent on the Shire under any lease or licence agreement, providing it doesn't alter the intent of the documentation.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Development and Building Controls

Delegation	DBC.1 - Building and Demolition Permits	
Delegator	Council	
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government	
Express power or duty delegated	<p><i>Building Act 2011</i> s.18 Further Information s.20 Grant of building permit s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>	
Function	<p>Authority and power to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act and Building Regulations:</p> <p>Note in this delegation “building permit” includes “demolition permit”.</p>	
	<i>Building Act 2011</i>	
	Section 18	Request to the applicant to provide further information required for determination of the building permit or demolition permit application
	Section 20	Authority to grant or refuse to grant building permits
	Section 21	Authority to grant or refuse to grant demolition permits
Section 22	<p>Authority to refuse to grant building permits or demolition permits if:</p> <ol style="list-style-type: none"> 1. There appears to be an error in the information provided for the application or in a document that accompanied the 	

		<p>application; or</p> <p>2. If an application is inconsistent with:</p> <p>(a) A function that the Permit Authority has under written law; or</p> <p>(b) An agreement between the Permit Authority and the applicant.</p>
	Section 27	Authority to impose, vary or revoke conditions on a building permit or demolition permit
	Section 32	Extend the time during which permit has effect
	<i>Building Regulations 2012</i>	
	Reg. 23 Reg. 24	Authority to determine an application (including the imposition of new conditions) to extend time during which a building permit or demolition permit has effect subject to being satisfied that work for which the building permit was granted has not been completed or the extension is necessary to allow rectification of defects of works for which the permit was granted.
	Reg. 26	Authority to approve or refuse to approve an application for a new responsible person for a building permit or demolition permit.
Delegate	Chief Executive Officer	
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Adoption date		
Variation date	<p>28 November 2013 (C.16/1113)</p> <p>23 February 2023 (C.09/0223)</p>	
Record keeping	Individual Building Permit Files	

Delegation	DBC.2 - Occupancy Permits or Building Approval Certificates	
Delegator	Council	
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government	
Express power or duty delegated	<p><i>Building Act 2011</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration</p> <p><i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate</p>	
Function	Council delegates its authority and powers to the Council's Registered Building Surveyor(s) the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act and Building Regulations:	
	<i>Building Act 2011</i>	
	Section 55	Request to the applicant to provide further information required for determination of the application
	Section 58	Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate
	Section 62	Authority to impose, add, vary or revoke conditions on an occupancy permit
	Section 65	Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect
	<i>Building Regulations 2012</i>	
	Reg. 40	Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect
Delegate	Chief Executive Officer	

Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Individual Building Permit Files

Delegation	DBC.3 – Building Orders	
Delegator	Council	
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government	
Express power or duty delegated	<p><i>Building Act 2011</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act</p>	
Function	Authority and power to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act:	
	Section 110	Authority to make building orders in relation to: (a) Building work (b) Demolition work (c) An existing building or incidental structure
	Section 111	Authority to give notice of a proposed building order and consider submissions received in response and determine actions.
	Section 117	Authority to revoke a building order.
	Section 118	If there is non-compliance with a building order, authority to: (a) Take any action specified in the order; or (b) Commence or complete any work specified in the order; or (c) If any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease.
	Section 133	Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the Building Act 2011.
Delegate	Chief Executive Officer	

Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	DBC.4 - Inspection and Copies of Building Records
Delegator	Council
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011</i> s.131(2) Inspection, copies of building records
Function	Authority to determine applications from interested persons to inspect and copy a building record.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	DBC.5 - Private Pool Barrier – Alternative and Performance Solutions
Delegator	Council
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012</i> r.51(2)(3)(5) Approvals by permit authority
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 (r.51(2)). 2. Approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner/occupier, or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability (r.51(3)). 3. Approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement (r.51(5)).
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	DBC.6 - Smoke Alarms – Alternative Solutions
Delegator	Council
Express power to delegate	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	Authority to: 1. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning (r.55). 2. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval (r.61).
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Emergency Services

Delegation	ES.1 - Firebreak and Fuel Hazard Reduction Notice – Variation
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48(1) Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s.33 Local government may require occupier of land to plough or clear firebreak
Function	Authority to approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection measures on land.
Delegate	Chief Executive Officer
Council conditions	This delegation is subject to relevant Fire Control Officer endorsement of application.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	ES.2 - Cost Recovery for Fires
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48(1) Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s.58 General penalty and recovery of expenses incurred
Function	Authority to seek the recovery of costs of measures taken by the Shire of Bridgetown-Greenbushes, its Bush Fire Control Officers and Bush Fire Brigades to extinguish a fire burning, including authority to recover expenses in any court of competent jurisdiction.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	ES.3 - Works Orders for Properties Non-Compliant to Firebreak and Fuel Hazard Reduction Notice
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48(1) Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s.33(1)(4)(5) local government may require occupier of land to plough or clear firebreak
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Give written notice to an owner or occupier of land or all owners or occupiers of land within the district, requiring, to the satisfaction of the Shire of Bridgetown- Greenbushes: <ol style="list-style-type: none"> (a) clearing of firebreaks as determined necessary and specified in the notice; and (b) act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and (c) as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. 2. Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with. Note this also allows the use of contractors or other persons to carry out the required work. (s.33(4)(a)) 3. Request Bush Fire Brigades to do the work if necessary, or employ Council staff to do the work if necessary, or employ contractors to do the work if necessary, at the cost of the owners/occupiers. (s.33(4)(b)) 4. Recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice. (s.33(5)(b))
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	ES.4 – Offences – Bush Fires Act
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48(1) Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s.59(3) – Prosecution of offences 59A(2)(5) – Alternative procedure – infringement notices
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. (s.59(3)) 2. Issue an infringement notice under the Act. (s.59A(2)) 3. Withdraw infringement notices under the Act. (s.59A(5))
Delegate	Chief Executive Officer Shire Ranger
Council conditions	<p>The Chief Executive Officer is authorised for the purposes of s.59(3) and 59A(5) only.</p> <p>Shire Ranger is authorised for the purposes of s59(3) and s59A(2) only.</p>
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	ES.5 – Variations to Prohibited Burning Periods
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s17(10) Prohibited burning times may be declared by Minister
Express power or duty delegated	<i>Bush Fires Act 1954</i> s17(7) Prohibited burning times may be declared by Minister
Function	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer (s.17(7))
Delegate	President and Chief Bush Fire Control Officer
Council conditions	Decisions under s,17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Delegation	ES.6 – Prohibited Burning Times – Control Activities
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48 Delegation by local government
Express power or duty delegated	<p><i>Bush Fires Act 1954</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p><i>Bush Fire Regulations 1954</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer (r.15). 2. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained (r.38C). 3. Determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an airplane has been satisfactorily prepared (r.39B(2)). 4. Recover the cost of measures taken by the Shire of Bridgetown-Greenbushes or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy (s.28(4)), including authority to recover expenses in any court of competent jurisdiction (s.28(5)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Delegation	ES.7 – Variations and Control Activities Restricted Burning Periods
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48 Delegation by local government
Express power or duty delegated	<p><i>Bush Fires Act 1954</i> s.18(5)(11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p><i>Bush Fire Regulations 1954</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year (s.18(5)). <ol style="list-style-type: none"> a. Determine to prohibit burning on Sundays or specified days that are public holidays in the district (r.15C). 2. Where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn (s.18(11)). 3. Determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer (r.15). 4. Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning firebreaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary (s.22(6) and (7)). 5. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part

	<p>of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained (r.38C).</p> <ol style="list-style-type: none"> 6. Determine, during a Restricted Burning Time, if a firebreak around a landing ground for an airplane has been satisfactorily prepared (r.39B). 7. Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an airplane (r.39B(3)). 8. Prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice (s.27(2) and (3)). 9. Recover the cost of measures taken by the Shire of Bridgetown-Greenbushes or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy (s.28(4)), including authority to recover expenses in any court of competent jurisdiction (s.28(5)).
Delegate	Chief Executive Officer
Council conditions	
Adoption date	23 February 2023 (C.09/0223)
Variation date	24 October 2023 (SpCa01/1023).
Record keeping	Delegated Authority Action Sheet

Delegation	ES.8 – Burning Garden Refuse/Open Air Fires
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48 Delegation by local government
Express power or duty delegated	<p><i>Bush Fires Act 1954</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25</p> <p><i>Bush Fire Regulations 1954</i> r.27(3) Permit, issue of</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard (s.24F(2)(b)(ii) and (4)). 2. Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F (s.24G(2)). <ol style="list-style-type: none"> (a) Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the district (r.27(3) and r.33(5)). (b) Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the district (r.34). 3. Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> (a) camping or cooking (s.25(1)(a)). (b) conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer (s.25(1)(b)). 4. Prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice (s.25(1a) and (1b)). 5. Serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice (s.25A(5)).
Delegate	Chief Executive Officer

Council conditions	Nil
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Delegation	ES.9 – Make Request to FES Commissioner – Control of Fire
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954</i> s13(4) Duties and powers of bush fire liaison office
Function	Authority to request of behalf of the Shire of Bridgetown-Greenbushes that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations (s13(4)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Financial Management

Delegation	FM.1 – Execution of Contracts
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.9.49A Execution of documents
Function	Authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of contract documents including affixing of the Seal without further reference to Council, where: <ul style="list-style-type: none"> (a) Council has authorised entering into a formal contract; or (b) A formal contract is authorised under a delegated authority from Council; or (c) A formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operations of the Council.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	27 November 2014 (C.12/114)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	FM.2 - Conferences, Seminars, Meetings and Training Courses – Reimbursement of Councillor Expenses
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Administration) Regulations 1996</i> r.32 Expenses that may be approved for reimbursement
Function	Authority to reimburse all reasonable expenses to councillors incurred whilst attending authorised conferences, seminars, meetings and training courses.
Delegate	Chief Executive Officer
Council conditions	Reimbursements to occur in accordance with the <i>Local Government (Administration) Regulations 1996</i> (Regulation 32) and Council Policy M.3 – Conference Attendance & Training.
Adoption Date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	FM.3 - Payments from Municipal Fund and Trust Fund
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Financial Management) Regulations 1996</i> r.12(1)(a) Payments from municipal fund or trust fund, restriction on making
Function	Authority to make payments from the Municipal, Reserve or Trust funds.
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. Authority to make payments is subject to annual budget limitations. 2. All payments are made under two signatures as determined by the CEO. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	27 November 2014 (C.12/1114) 23 February 2023 (C.09/0223)
Record keeping	Payment Summary Report signed by Authorising Officers

Delegation	FM.4 - Donations
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	
Function	Authority to determine requests for donation of monies up to the value of \$400 when a group or individual can demonstrate: <ol style="list-style-type: none"> 1. Significant direct benefit to the local community. 2. That the group is a community group or non-profit making organisation or running a non-profit activity. 3. That the group's financial status is such as to justify a donation from Council. 4. Special circumstances or needs exist in the opinion of the Chief Executive Officer to warrant a donation, eg, support of needy groups and individuals who bring credit to the municipality by achieving state or national representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions. That available funding exists in Council's budget.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Donation Register

Delegation	FM.5 - Write Off of Money Owing to the Local Government
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.12(1)(b)(c) Power to defer, grant discounts, waive or write off debts
Function	<ol style="list-style-type: none"> 1. Authority to write off any amount of money which is owed to the local government up to a limit of \$500 in any one instance. (s.6.12(1)(c)) 2. In the event of monies owed to the City under 34AE of the <i>Local Government (Administration) Regulations 1996</i>, authority to seek Ministerial approval in accordance with 19AA <i>Local Government (Financial Management) Regulations 1996</i>. 3. Authority to waive or grant concessions in relation to any amount of money up to a limit of \$500 in any one instance.
Delegate	Chief Executive Officer
Council conditions	<p>In exercising this authority, the CEO shall:</p> <ol style="list-style-type: none"> 1. Provide for appropriate internal controls 2. Ensure all statutory requirements are met 3. Ensure all Council Policies are observed.
Adoption date	
Variation Date	<p>27 November 2014 (C.12/1114)</p> <p>23 February 2023 (C.09/0223)</p>
Record keeping	Delegated Authority Action Sheet

Delegation	FM 6 - Tenders for Providing Goods & Services
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p>
Express power or duty delegated	<p><i>Local Government Act 1995</i> s.3.57 Tenders for providing goods or services</p> <p><i>Local Government (Functions and General) Regulations 1996</i> r.11(1)(2)(j) When tenders have to be publicly invited r.11(2)(j) Exercising contract extension options r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18(2)(4)(4a) Rejecting and accepting tenders r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer</p>
Function	<p>Authority to perform the following:</p> <ol style="list-style-type: none"> 1. Publicly invite tenders for the supply of goods and services expected to be worth more than \$250,000. (<i>r.11(1), 12 and 13</i>). 2. Publicly invite tenders for the supply of goods and services although not required to do so. (<i>r.13</i>). 3. Determine, in writing, the criteria for deciding which tenders should be accepted and give Statewide public notice in accordance with Regulation 14. 4. Determine the information that is to be disclosed to those interested in submitting tender. 5. Vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the request for tender information is provided notice of the variation. 6. Give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted. (<i>r.19</i>). 7. Determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender. (<i>r.18(2)</i>) 8. Seek clarification from tenderers in relation to information contained in their tender submission. (<i>r.18(4a)</i>). 9. Evaluate tenders, by written evaluation to determine which tender satisfies the criteria for deciding which

	<p>tender to accept. <i>(r.18(4))</i>.</p> <ol style="list-style-type: none"> 10. Approve minor variations to contracts after it has been entered into by Council where the variation is equal to or less than 5% with a ceiling of \$5,000. 11. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract. 12. Exercise a contract extension option that was included in the original tender specification and contract. <i>(r.11(2)(j))</i>. 13. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier. <i>(r.11(2)(f))</i>. 14. Undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget. <i>(r.11(2))</i>. 15. Determine when to seek Expressions of interest and to invite Expressions of Interest for the supply of goods and services. <i>(r.21)</i>. 16. Consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers. <i>(r.3)</i>.
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term. 2. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services. 3. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: <ol style="list-style-type: none"> (a) the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or (b) a current supply contract expiry is imminent; and (c) the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and (d) the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.

	<ol style="list-style-type: none"> 4. A decision to vary a tendered contract before entry into the contract must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. 5. A decision to vary a tendered contract after entry into the contract must include evidence that the variation is necessary and does not change the scope of the contract. 6. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term. 7. The decision to select a successful tender is still one for Council to determine.
Adoption date	
Variation Date	<p>27 November 2014 (C.12/114)</p> <p>26 November 2015 (C.16/1115)</p> <p>23 February 2023 (C.09/0223)</p>
Record keeping	<p>Tender Register</p> <p>Delegated Authority Action Sheet</p>

Delegation	FM 6a - Tenders for Providing Goods & Services
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p>
Express power or duty delegated	<p><i>Local Government Act 1995</i> s.3.57 Tenders for providing goods or services</p> <p>5.43. Limits on delegations to CEO A local government cannot delegate to a CEO any of the following powers or duties – (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;</p>
Function	<p>Authority to award the tender for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station from Nyland House Transporters Pty Ltd at a price of \$406,076.00 (EX-GST);</p>
Delegate	Chief Executive Officer
Council conditions	<p>Note that the Shire is currently awaiting a response to a funding request made to a third-party funding body with that request being for an amount up to \$50,000 which if funded would allow for delivery of the full scope of works inclusive of a 10% contingency allowance.</p> <p>Delegate authority to the Chief Executive Officer to award the tender for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station once a response to the funding request is received.</p>
Adoption date	29 June 2023 (C.15/0723)
Variation Date	
Record keeping	<p>Tender Register Delegated Authority Action Sheet</p>

Delegation	FM.7 - Authority to Invest Surplus Funds
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> S6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996</i> r.19 Investments, control procedures for
Function	Authority and power to invest money held in the Municipal (including funds held in Reserve Accounts) or Trust Funds, that is not required for the time being for any purpose, in accordance with Part III of the <i>Trustees Act 1962</i> , or in an investment approved by the Minister.
Delegate	Chief Executive Officer
Council conditions	The above delegation is subject to: 1. The establishment of documented internal control procedures to be followed to ensure control over the investments; 2. Compliance with Regulation 19(2) of the Financial Management Regulations; and 3. Compliance with Council Finance Policy F.3 – Investments.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	FM8 – Contract Variations
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Approve minor variations to contracts entered into by Council where the variation is equal to or less than 5% with a ceiling of \$5,000. 2. Exercise an extension option that was included in an original request for tender or request for quote submission.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	25 November 2004 (C.26/1104) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Land Use and Planning

Delegation	LUP.1 - Development Applications – Extension of Time
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	Town Planning Scheme 4 Clause 5.5 Term of Planning Approval
Function	Authority to approve applications for extension of time in respect to development applications previously approved by Council or approved under delegated authority.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.2 - Setback Variations
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	<p>Town Planning Scheme 4 Clause 4.6 Building Setbacks in Rural Zones Clause 4.7 Building Setbacks in Other Zones</p>
Function	<p>Notwithstanding the provisions of the Council’s Town Planning Scheme, authority to vary any setback provision for any development where such is considered appropriate due to design considerations or where the requirement to comply is considered unreasonable or undesirable due to the shape or geographical conditions of the land provided that the owners of any neighbouring properties likely to be detrimentally affected have been consulted and have signified no objections. Maximum variation allowed is 75%.</p> <p>Explanatory Note: The 75% variation to setbacks in the Rural Zone of Town Planning Scheme No. 3 is to be taken from the 7.5 metre setback.</p>
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	<p>30 March 2006 (C.13/0306a) 28 November 2013 (C.16/1113) 23 February 2023 (C.09/0223)</p>
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.3 - Subdivisions
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	<p><i>Planning & Development Act 2005</i> <i>Town Planning Schemes</i></p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Support subdivision proposals restricted to applications of not more than four (4) allotments in the absence of an adopted Subdivision Guide Plan or Structure Plan. 2. Support unrestricted subdivision proposals when they are within an approved Subdivision Guide Plan or Structure Plan. 3. Support applications for the amalgamation of lots. 4. Support applications for minor boundary adjustments. 5. Not support any subdivision or amalgamation proposal that is not in conformity with the operative Town Planning Scheme, policies or any Subdivision Guide Plan or Structure Plan.
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. Applications/proposals are to comply in all respect with the operative Town Planning Scheme, policies and other regulatory controls 2. This delegation is to be interpreted as permitting recommendations to be lodged with the Western Australian Planning Commission for approval or refusal as appropriate.
Adoption date	
Variation date	<p>27 November 2014 (C.12/1114)</p> <p>25 January 2023 (C07/0123)</p>
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.4 – Development Applications
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	Town Planning Scheme
Function	<p>Authority to –</p> <ol style="list-style-type: none"> 1. Approve all development applications for AA uses under the operative Town Planning Scheme except where: <ul style="list-style-type: none"> • An advertised or referred development application has received a submission by way of objection, other than an objection which can be satisfied by conditions of consent; • The proposed development, although not advertised, is considered by the CEO to be of a contentious nature; 2. Approve all development applications and building envelope relocations complying to Council Policies, Guidelines or Codes. 3. Approve development applications and building envelope relocations where such applications vary only to a minor extent from Council’s Policies, Guidelines or Codes. 4. Refuse development applications and building envelope relocations which do not comply with Council Policies. 5. Approve development applications for “P” or “IP” uses (incidental to the predominant use). 6. Approve development applications on Reserves where the proposed use is consistent with the purpose of the Reserve. 7. Support minor variations to Section 20 Signage of the Bridgetown Special Design Heritage Precinct – Statement of Planning Policy and associated Bridgetown Heritage Precinct: development Guidelines for obscure window signage or treatment only for shop fronts where goods are not displayed. 8. Approve applications for 2 dwellings on a residential zoned lot under Town Planning Scheme No. 4 as per Clause 4.2.5 of that Town Planning Scheme.

Delegate	Chief Executive Officer Senior Planning Officer
Council conditions	Nil
Adoption date	
Variation date	15 December 2005 (C.4/1205) 25 September 2008 (C.22/0908) 27 November 2014 (C.08/1114) & (C.12/1114) 29 November 2018 (C.03/1118b) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.5 – Road Closures
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Land Administration Act 1997</i> s.58 Closing roads
Function	<p>Where an application is received for the closure of any road in the district, authority to initiate the process by seeking comment from affected landowners, service authorities, etc and advertising the proposal for public comment. All notices and advertisements are to clearly demonstrate Council is not committed to the closure proposal but is simply wanting comment to assist in determining whether to proceed further with the closure, or not.</p> <p>When all responses are received and the advertising period has expired, the Chief Executive Officer is to submit details to Council for formal consideration.</p> <p>Nothing precludes the CEO from presenting a road closure application to Council for consideration prior to commencing advertising.</p>
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	27 November 2014 (C.12/1114) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.6 – Subdivisional Road Names
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Land Administration Act 1997</i> s.26A(2)(3) New subdivisions, names of roads and areas in
Function	Authority to approve subdivisional road names for new roads being created as a result of an approved application for subdivision
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. Limited to recommending proposed names to the Geographic Names Committee. 2. This delegation isn't applicable to the naming of existing un-named roads or renaming of existing roads with such proposals to be presented to Council for determination.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.7 – Subdivision Clearance
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	<i>Planning & Development Act 2005</i>
Function	<p>Authority to issue subdivision clearance to approved subdivisions where relevant conditions have been fully complied with in accordance with the approval issued by the Western Australian Planning Commission.</p> <p>This authority also includes clearance of survey strata lots and strata title applications including buildings fully compliant with the necessary approvals.</p>
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	<p>27 November 2014 (C.12/1114)</p> <p>23 February 2023 (C.09/0223)</p>
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.8 – Directional Signs
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> Council Policy P 1 – Directional Signs Policy
Function	Authority to approve applications for directional signs where such applications are in accordance with Council Policy.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.9 - Provision of Roads and Associated Civil Works for Subdivisions and Development
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Planning & Development Act 2005</i> s. 170 Proposed road or waterway, drawing etc. of required
Function	Authority to approve subdivisional and street construction drawings in accordance with Section 170 of the <i>Planning and Development Act 2005</i> , where drawings comply with Council's policy I 2 - Provision of Roads and Associated Civil works for Subdivisions and Developments.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	29 November 2007 (C.14/1107) 28 February 2008 (C.17/0208) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LUP.10 – Signs and Hoardings
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Town Planning Schemes 3</i> Clause 7.7 Delegation</p> <p><i>Town Planning Scheme 4</i> Clause 6.8 Delegation</p>
Express power or duty delegated	Town Planning Scheme Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law
Function	Authority to approve the erection and where appropriate, the licensing of signs and hoardings that comply with the Town Planning Scheme Policies and the Local Laws of the Council.
Delegate	Chief Executive Officer
Council conditions	Where an application does not comply with the Council Policies or the Local Laws, the application is to be refused.
Adoption date	
Variation date	27 November 2014 (C.12/1114) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation Number	LUP.11 - Municipal Heritage Inventory – Minor Corrections or Updates to Approved Place Records
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Planning and Development (Local Planning Scheme) Regulations 2015</i> r.8 Heritage list
Function	Authority to make minor corrections or updates to approved place records when appropriate in light of new information.
Delegate	Chief Executive Officer
Council conditions	Any significant changes such as changes to management categories or deletion of places will require Council approval.
Adoption Date	29 March 2018 (C.13/0318)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation Number	LUP.12 – Reserve Management Orders
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Land Administration Act 1997</i> s.46(2) Care, control and management of reserves
Function	Approve/accept any proposals to amend a reserve management order to permit the granting of power to the Shire to lease or licence the land.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption Date	23 February 2023 (C.17/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Laws and Enforcement

Delegation	LE.1 – Authorisation of Officers
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Building Act 2011</i> s.127(1) & (3) Delegation: special permit authorities and local government</p> <p><i>Bush Fires Act 1954</i> s.48 Delegation by local government</p> <p><i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations</p> <p><i>Health (Asbestos) Regulations 1992</i> r.15D(7) Infringement Notices</p> <p><i>Public Health Act 2016</i> s.21 Enforcement agency may delegate</p>
Express power or duty delegated	<p><i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorized person</p> <p><i>Bush Fires Act 1954</i> s.38 Local Government may appoint bush fire control officer</p> <p><i>Food Act 2008</i> s.122(1) Appointment of authorized officers s.126(6), (7) and (13) Infringement Officers</p> <p><i>Health (Asbestos) Regulations 1992</i> r.15D(5) Infringement Notices</p> <p><i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorized officers</p>
Function	<p>Authority to appoint authorised persons to carry out functions of authorised persons under the following Acts/Legislation:</p> <ul style="list-style-type: none"> • Building Act 2011 • Bush Fires Act 1954 & Regulations

	<ul style="list-style-type: none"> • Food Act 2008 & Food Regulations • Freedom of Information Act 1992 & Regulations • Health (Asbestos) Regulations 1992 • Health (Miscellaneous Provisions) Act 1911 • Litter Act 1979 & Regulations • Liquor Control Act 1988 & Regulations • Public Health Act 2016 • Shire of Bridgetown-Greenbushes Local Laws • Shire of Bridgetown-Greenbushes Town Planning Schemes
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	25 November 2004 (C.26/1104) 28 November 2013 (C.16/1113) 30 November 2017 (C.18/1117) 28 November 2019 (C.05/1119) 23 February 2023 (C.09/0223)
Record keeping	Register of Authorised Officers

Delegation	LE.2 - Determining Applications Under Local Laws and Enforcement of Local Law Provisions
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> Section 3.18 – Performing executive functions under:
Function	<p>Authority to exercise all the powers and discharge all the duties provided for in any Shire local law made in accordance with Part 3 of the <i>Local Government Act 1995</i>.</p> <p>For the purpose of this delegation related documents include:</p> <ul style="list-style-type: none"> Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law Bush Fire Brigades Local Law Local Law Relating to Fencing Cats Local Law Cemeteries Local Law Dogs Local Law Health Local Laws Local Government Property Local Law Parking & Parking Facilities Local Law Standing Orders Local Law
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.3 - Notices Requiring Certain Things to be Done by Owner or Occupier of land and Additional Powers When Notice is Given
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s. 3.25 Notices requiring certain things to be done by owner or occupier of land s.3.26 Additional powers when notices given s.3.27 particular things that local governments can do on land that is not local government property
Function	Authority to give notice to a person who is the owner or occupier of land requiring them to take any action specified in Schedule 3.1 of the <i>Local Government Act 1995</i> In the event that such notice isn't complied with the CEO is also authorised to: <ul style="list-style-type: none"> • Take such legislative action as to achieve, as far as practicable, the purpose for which the notice is given; and • Recover the costs of any action taken in this regard as a debt from the party that failed to comply with the notice.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.4 – Powers of Entry
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Exercise powers entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law (s.3.28). 2. Give notice of entry (s.3.32). 3. Seek and execute an entry under warrant (s.3.33). 4. Execute entry in an emergency, using such force as is reasonable (s.3.34(1) and (3)). 5. Give notice and effect entry by opening a fence (s.3.36).
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions. 2. Authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
Adoption date	23 February 2023 (C.09/0223)
Variation date	
Record keeping	Delegated Authority Action Sheet

Delegation	LE.5 – Cat Registrations
Delegator	Council
Express power to delegate	<i>Cat Act 2011</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags
Function	Authority to <ol style="list-style-type: none"> 1. Grant, or refuse to grant, a cat registration or renewal of a cat registration (s.9(1)). 2. Refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application (s.9(6)). 3. Cancel a cat registration (s.10)). 4. Give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed (s.11(2)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	For granting of registrations – record on Cat Registration Form and File For refusal of registration – Delegated Authority Action Sheet

Delegation	LE.6 – Cat control Notices
Delegator	Council
Express power to delegate	<i>Cat Act 2011</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011</i> s.26 Cat control notice may be given to cat owner
Function	Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the district of the Shire of Bridgetown-Greenbushes.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.7 – Approval to Breed Cats
Delegator	Council
Express power to delegate	<i>Cat Act 2011</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011</i> s.37(1)(2)(4) Approval to breed cats s.38 Cancellation of approval to breed cats s.39(2) Certificate to be given to approved cat breeder
Function	Authority to: <ol style="list-style-type: none"> 1. Grant or refuse to grant approval or renew an approval to breed cats (s.37(1) and (2)). 2. Refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application (s.37(4)) 3. Cancel an approval to breed cats (s.38). 4. Give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed (s.39(2)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.8 - Recovery of Costs – Destruction of Cats
Delegator	Council
Express power to delegate	<i>Cat Act 2011</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011</i> s.49(3) Authorised person may cause cat to be destroyed
Function	Authority to recover the amount of the costs associated with the destruction and disposal of a cat.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variations date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.9 - Application to Keep Additional Cats
Delegator	Council
Express power to delegate	<i>Cat Act 2011</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat (Uniform Local Provisions) Regulations 2013</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Require any document or additional information required to determine an application. (r.8(3)) 2. Refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application. (r.8(4)) 3. Grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats. (r.9)
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.10 - Dog Registrations
Delegator	Council
Express power to delegate	Dog Act 1976 s.10AA Delegation of local government powers and duties
Express power or duty delegated	Dog Act 1976 s.16(2)(3) Registration procedure s.17A(2)(e) If no application for registration made s.17(4)(6) Refusal or cancellation of registration
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Determine to refuse a dog registration and refund the fee, if any (s.16(2)). 2. Direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> (a) the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or (b) the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or (c) the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or (d) the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept (e) the dog is required to be microchipped but is not microchipped; or (f) the dog is a dangerous dog (s.16(3) and s.17A(2)(e)). 3. Apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant/owner has not applied to the State Administration Tribunal for the decision to be reviewed. (s.17(4)). <ol style="list-style-type: none"> (a) Following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed (s.17(6))
Delegate	Chief Executive Officer

Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	For granting of registrations – record on Dog Registration Form and File For refusal of registration – Delegated Authority Action Sheet

Delegation	LE.11 - Kennel Establishments
Delegator	Council
Express power to delegate	Dog Act 1976 s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s.27(4)(6) Licensing of approved kennel establishments
Function	Authority to grant, refuse to grant or cancel a licence to operate a kennel establishment.
Delegate	Chief Executive Officer
Council conditions	The Chief Executive Officer is permitted to sub-delegate to employees.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.12 - Recovery of Moneys under the Dog Act
Delegator	Council
Express power to delegate	<i>Dog Act 1976</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	Dog Act 1976 s.29(5) Power to seize dogs
Function	Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable.
Delegate	Chief Executive Officer
Council conditions	The Chief Executive Officer is permitted to sub-delegate to employees.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.13 - Dispose of or Sell Dogs Liable to be Destroyed
Delegator	Council
Express power to delegate	Dog Act 1976 s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s.29(11) Power to seize dogs
Function	Authority to dispose of or sell a dog which is liable to be destroyed.
Delegate	Chief Executive Officer
Council conditions	The Chief Executive Officer is permitted to sub-delegate to employees.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.14 - Declaration of a Dangerous Dog
Delegator	Council
Express power to delegate	<i>Dog Act 1976</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	Authority to declare an individual dog to be a dangerous dog.
Delegate	Chief Executive Officer
Council conditions	The Chief Executive Officer is permitted to sub-delegate to employees (s.10AA(3)).
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.15 - Objections to Dangerous Dog Declaration or Seizure
Delegator	Council
Express power to delegate	Dog Act 1976 s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog (s.33F(6)). 2. Consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog (s.33G(4)). 3. Revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act (s.33H(1)) 4. Before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog (s.33H(2)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.16 – Applications for Exemptions to Keep More than Prescribed Number of Dogs
Delegator	Council
Express power to delegate	Dog Act 1976 s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s.26(3) Limitations as to numbers Dog Local Law Clause 3.2 Limitation on the number of dogs
Function	Authority to determine (approve or refuse) any application to keep more than the prescribed number of dogs as stipulated at Clause 3.2 of the Dog Local Law.
Delegate	Chief Executive Officer
Council conditions	<ol style="list-style-type: none"> 1. The Chief Executive Officer is permitted to sub-delegate to employees (s.10AA(3)). 2. Where the premises are not an approved kennel establishment the maximum number of dogs to be: <ol style="list-style-type: none"> (a) 6 dogs that have reached 3 months of age; or (b) A dog under that age unless it is a pup of a dog whose keeping is authorised by exemption under s.26(3) of the Act.
Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.17 - Proceedings Under Dog & Cat Acts
Delegator	Council
Express power to delegate	<p>Dog Act 1976 s.10AA Delegation of local government powers and duties</p> <p><i>Cat Act 2011</i> s.44 Delegation by local government</p>
Express power or duty delegated	<p><i>Dog Act 1976</i> s.44(2) Enforcement proceedings</p> <p><i>Cat Act 2011</i> s.73(1)(2) prosecutions</p>
Function	Authority to institute and carry on proceedings in the name of the Shire in respect to offences alleged to have been committed within the district against the Dog and Cat Acts.
Delegate	Chief Executive Officer
Council conditions	The Chief Executive Officer is permitted to sub-delegate to employees (s.10AA(3)).
Adoption date	
Variation date	<p>28 November 2013 (C.16/1113)</p> <p>23 February 2023 (C.09/0223)</p>
Record keeping	Delegated Authority Action Sheet

Delegation	LE.18 - Disposal of Sick or Injured Animals
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.47A(1) Sick or injured animals, disposal of 3.48 Impounding expenses, recovery of
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass (s.3.47A(1)). 2. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods (s.3.48).
Delegate	Chief Executive Officer
Council conditions	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation Number	LE.19 – Liquor Act Section 39 and Section 40 Certificates
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Liquor Control Act 1988</i> s.39 Certificate of local government as to whether premises comply with laws. s.40 Certificate of planning authority as to whether use of premises complies with planning laws.
Function	Authority to issue certificates of compliance under Sections 39 (certificate of local government as to whether premises comply with laws) and Section 40 (certificate of planning authority as to whether use of premises complies with planning laws) of the <i>Liquor Control Act 1988</i> .
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.20 - Declaration of a Vehicle as an Abandoned Vehicle
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.40A Abandoned vehicle wreck may be taken
Function	Authority to declare that an impounded vehicle is an abandoned vehicle wreck. (s.3.40A(4))
Delegate	Chief Executive Officer
Council conditions	Disposal of a declared abandoned vehicle is to be undertaken in accordance with Delegated Authority LE.22 'Confiscated or Uncollected Goods'.
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.21 – Confiscated or Uncollected Goods
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function	Authority to: <ol style="list-style-type: none"> 1. Refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. (s.3.46) 2. Sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 (s.3.47). 3. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods (s.3.48).
Delegate	Chief Executive Officer
Council conditions	Nil
Approved date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.22 - Administration of the Local Government (Uniform Local Provisions) Regulations
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO</p>
Express power or duty delegated	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2) r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3) r.17(3)(5)(6) Private works on, over, or under public places – Sch. 9.1 cl. 8</p>
Function	<p>Authority to exercise all the functions in relation to the administration of the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> including but not limited to administering applications for or breaches of –</p> <ul style="list-style-type: none"> • Disturbing local government land or anything on it; • Obstructing public thoroughfare; • Encroaching on a public thoroughfare; • Separating land from public thoroughfare; • Gate across a public thoroughfare; • Dangerous excavation in or near public thoroughfare; • Crossing from public thoroughfare to private land or private thoroughfare; • Requirement to construct or repair crossing; • Contribution to cost of crossing; • Private works on, over or under public places; • Protection of watercourses, drains, tunnels and bridges; • Protection of thoroughfares from water damage; and • Wind erosion and sand drifts.
Delegate	Chief Executive Officer
Council conditions	Nil

Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.23 - Removal of Graffiti
Delegator	Council
Express power to delegate	<i>Graffiti Vandalism Act 2016</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given s.28 Notice of entry s.29 Entry under warrant
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice (s.18(2)). 2. Where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice (s.19(4)). 3. Give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 4. Obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	LE.24 – Planning Compliance
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p>Town Planning Schemes 3 Clause 7.7 Delegation</p> <p>Town Planning Scheme 4 Clause 6.8 Delegation</p>
Express power or duty delegated	<i>Planning and Development Act 2005</i>
Function	Authority to perform all necessary functions in respect of matters relating to compliance with the <i>Planning and Development Act 2005</i> and subordinate legislation.
Delegate	Chief Executive Officer
Council conditions	
Adoption date	28 September 2023 (C.05/0923)
Variation date	
Record keeping	Delegated Authority Action Sheet

Personnel

Delegation	P 1 – Acting Chief Executive Officer
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995 – Part 9, Division 3</i> s.5.36. Local government employees (1) A local government is to employ – (a) a person to be the CEO of the local government.
Function	<ol style="list-style-type: none"> 1. Authority to appoint at their discretion either the Director Corporate Services or the Director Community, Infrastructure and Development as Acting CEO when the CEO is on periods of annual leave or long service leave of duration no greater than 25 consecutive working days in length. Appointment of an Acting CEO for a period greater than 25 consecutive working days will require a Council decision. 2. Where the CEO is on sick leave for a period which in the opinion of the CEO requires appointment of an Acting CEO, authority to appoint either the Director Corporate Services or the Director Community, Infrastructure and Development as Acting CEO for a period of up to 25 consecutive working days.
Delegate	Chief Executive Officer
Council conditions	This delegation must be in accordance with Policy M.41 – Appointment of an Acting CEO
Adoption date	
Variation date	14 July 2004 (SpC.1/0704) 24 September 2009 (C.28/0909) 25 November 2010 (C.19/1110) 27 November 2014 (C.12/114) 29 November 2018 (C.03/1118b) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Public Health

Delegation Number	PH.1 - Compensation for Seized Food Items
Delegator	Council
Express power to delegate	<p><i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions (s.119) and guidelines adopted (s.120) (4) Sub-delegation permissible only if expressly provided in regulations</p>
Express power or duty delegated	<p><i>Food Act 2008</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> Determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned (s.56(2)). Determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order (s.70(2) and (3)).
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	PH.2 - Food Business Prohibition Orders
Delegator	Council
Express power to delegate	<p><i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations</p>
Express power or duty delegated	<p><i>Food Act 2008</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> (s.65(1)). 2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices (s.66). 3. Give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection (s.67(4)).
Delegate	<p>Chief Executive Officer Environmental Health Officer</p>
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	PH.3 - Food Business Registrations
Delegator	Council
Express power to delegate	Food Act 2008 s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulation
Express power or duty delegated	<i>Food Act 2008</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	Authority to: <ol style="list-style-type: none"> 1. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration (s.110(1) and (5)). 2. Vary the conditions or cancel the registration of a food business (s.112).
Delegate	Chief Executive Officer Environmental Health Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Synergy Health Module or Property Assessment File or Food Business File

Delegation	PH.4 - Food Act Debt Recovery and Prosecutions
Delegator	Council
Express power to delegate	<p><i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulation</p>
Express power or duty delegated	<p><i>Food Act 2008</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs (s.54(1)) and the costs of any subsequent proceedings in a court of competent jurisdiction (s.54(3)). 2. Institute proceedings for an offence under the <i>Food Act 2008</i> (s.125).
Delegate	<p>Chief Executive Officer Environmental Health Officer</p>
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	PH.5 - Temporary Accommodation Applications
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO <i>Public Health Act 2016</i> s.21 Enforcement agency may delegate
Express power or duty delegated	Policy H.4 – Temporary Accommodation Approvals
Function	Authority to determine applications for temporary accommodation with respect to Council’s Policy H. 4 – Temporary Accommodation.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption Date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Rates and Valuations

Delegation	RV.1 – Rates and Service Charges
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.39(2)(b) Rate record s.6.49 Agreement as to payment of rates and service charges s.6.50(1) Rates and service charges due and payable s.6.56(1) Rates or service charges recoverable in court s.6.60(2)(4) Local government may require lessee to pay rent s.6.64(3) Actions to be taken s.6.76(4)(5) Grounds of objection
Function	Authority to: <ol style="list-style-type: none"> 1. amend the rate record to ensure the information is current and correct including amending the rate record for the 5 years preceding the current financial year. (s.6.39(2)) 2. amend the rate record as a result in a change in rateable value, rateability of or the rate imposed on land. (s.6.40) 2. enter into an agreement with a person for payment of rates and service charges. (s.6.49) 3. determine the time allowed for the payment of a rate before it is deemed to be in arrears. (s.6.50(1)) 4. recover unpaid rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction. (s.6.56) 5. require a lessee to pay rent in satisfaction of rates or service charges that are due. (s.6.60(2)) 6. recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice. (s.6.60(4)) 7. lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears. (s.6.64(3)) 8. grant an extension of time for a person seeking to make an objection to the rate record. (s.6.76(4)) 9. consider any objection to the rate record and either disallow it or allow it, wholly or in part. (s.6.76(5)) 10. serving written notice of any decision made under Section 6.76(5). (s.6.76(6))
Delegate	Chief Executive Officer

Council conditions	<p><u>Point 3</u></p> <p>(a) Excludes determining the due date and instalment due dates applicable to levying rates as part of the adoption of the annual budget.</p> <p>NOTE - Financial Management Reg.64 specifies that instalment due dates are to be determined when adopting the annual budget.</p> <p>(b) Decisions under this delegation are limited to determining due date and instalment due dates applicable to interim rating only.</p>
Adoption date	30 November 2017 (C.18/1117)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Recreation and Cultural Services

Delegation	RC.1 - Use of Blackwood River for Active Recreation
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.1 General function
Function	Authority to approve all recreational usage within the Blackwood River.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation Number	RC.2 - Use of Shire Reserves for Camping
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.1 General function
Function	Authority to approve all applications for the Greater Sportsground or any other area deemed fit for such use as a camping area.
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation date	25 November 2010 (C.19/1110) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation Number	RC.3 - Extension of Facility Membership Periods
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.1 General function
Function	Authority to approve the extension of facility membership periods.
Delegate	Chief Executive Officer
Council conditions	Any approvals must be in accordance with Policy F.25 – ‘Extension of Facility Memberships in Event of Access Being Prohibited by Government Mandate’
Adoption date	27 January 2022 (C.13/0122a)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	RC.4 - Leisure Centre Fees
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.12(1)(b)(c) Power to defer, grant discounts, waive or write off debts
Function	Authority to approve a reduction in Leisure Centre fees of up to 100% for the purpose of providing one-off opportunities to encourage participation in Leisure Centre activities during promotional campaigns. (s.6.12(1)(b))
Delegate	Chief Executive Officer
Council conditions	Nil
Adoption date	
Variation Date	27 November 2014 (C.12/1114) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Roads

Delegation	R.1 - Materials from land not under Local Government Control
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.27(1) Particular things that local governments can do on land that is not local government property Schedule 3.2(3)
Function	<ol style="list-style-type: none"> 1. Authority to negotiate with landowners and/or occupiers for access to materials required for local government functions, principally – <ol style="list-style-type: none"> (a) Extraction of gravel, sand or other materials from land; (b) Water, etc. 2. Authority to enter into Agreements with landowners and/or occupiers confirming the terms for access the land and taking the materials.
Delegate	Chief Executive Officer
Council conditions	The agreement reached with the landowner/occupier is to – <ol style="list-style-type: none"> (a) State a specific duration, that it is indefinite or otherwise provide for termination; (b) Provide for mutually agreed compensation; and (c) Specify rehabilitation responsibilities if appropriate.
Adoption date	25 November 2021 (C.06/1121)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Traffic and Transport

Delegation	TT.1 - Restricted Access Vehicles
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	
Function	Authority to set conditions for the use of Restricted Access Vehicles.
Delegate	Chief Executive Officer
Council conditions	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Adoption date	
Variation date	27 November 2014 (C.12/1114) 30 November 2017 (C.18/1117) 23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

Delegation	TT.2 – Temporary Closure of Thoroughfares/Roads
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.50(1) Closing certain thoroughfares to vehicles s.350A partial closure of thoroughfare for repairs or maintenance <i>Road Traffic Act 1974</i> s.81C(2)(b) Order for road closure for event, making <i>Road Traffic (Events on Roads) Regulations 1991</i> r.4(1) Approvals
Function	<ol style="list-style-type: none"> 1. Authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the <i>Road Traffic (Events on Roads) Regulations 1991</i> and applicable Council Policy. 2. Authority to approve the temporary closure, either wholly or partially, of any thoroughfare managed by the Shire of Bridgetown-Greenbushes where such closure is necessary for road safety purposes, road works or any other cause that would pose risks to road users. This includes the temporary closure of a thoroughfare to vehicles or particular classes of vehicles for a period not exceeding 4 weeks.
Delegate	Chief Executive Officer
Council conditions	The CEO shall have regard to Section 3.50 of the <i>Local Government Act 1995</i> .
Adoption date	27 November 2014 (C.12/1114)
Variation date	23 February 2023 (C.09/0223)
Record keeping	Delegated Authority Action Sheet

G 2 – Council Member Continuing Professional Development

1 Objectives

To give effect to the Shire's commitment to facilitate continuing professional development of Council Members, which enhances their knowledge and develops their skills, thus augmenting Council's capacity for well-informed decision-making and the provision of good government for our community.

This policy provides a framework to assist Council Members to identify and access relevant training and defines the expenses that will be paid by the Shire.

This policy supports compliance with sections 5.127 and 5.128 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy in relation to the continuing professional development of Council Members, and to provide annual reports on training.

2 Scope

This policy applies to Council Member training and continuing professional development, including mandatory training required under s.5.126 of the Act.

3 Definitions

3.1 Mandatory Training

Means the course of training specified in r.35(2) of the *Local Government (Administration) Regulations 1996*, which consists of the following modules –

- (a) Understanding Local Government;
- (b) Serving on Council;
- (c) Meeting Procedures;
- (d) Conflicts of Interest;
- (e) Understanding Financial Reports and Budgets;

And is provided by any of the following bodies –

- (a) North Metropolitan TAFE;
- (b) South Metropolitan TAFE;
- (c) WALGA.

4 Policy

4.1 Budget Allocations

The Shire Annual Budget will include:

- (a) Whole of Council Training and Development

An allocation for Council as a whole, to be used for:

- Council Member Induction;
- Mandatory Council Member Training;
- Local Government Convention (WALGA);
- Biennial Council Member Study Tour; and
- Fact Finding Tours.

(b) Council Member Professional Development

An allocation for each Council Member to be used for individual Continuing Professional Development. Council Members may select training and professional development to be funded from this allocation, subject to approval in accordance with this Policy.

Unexpended allocations at the end of a financial year will not be carried forward to the next financial year.

Any professional development proposal that exceeds an individual Council Member's allocation will be referred for Council decision. Alternatively, the Council Member may choose to privately fund any shortfall. This will not be eligible for reimbursement from a future budget allocation.

4.2 Council Member Induction

Following each election, the Shire will conduct a comprehensive induction program, providing newly elected Council Members with information that will support them to understand Council Member roles and responsibilities; legislative obligations; personal responsibilities; and strategic direction of the Local Government. Continuing/previously elected Council Members are encouraged to participate in nominated elements of the induction program, to assist in fostering a team culture and to refresh their understanding.

4.3 Mandatory Council Member Training

Council Members are required to complete the Council Member Essentials Course within 12-months from the day on which they are elected, unless exempt under Regulation 36 of the *Local Government (Administration) Regulations 1996*. Council Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

The CEO will provide newly elected Council Members with information on training options from which the Council Member may select according to their preferred delivery mode and availability. The Shire will make the necessary arrangements for enrolment.

Council Members who are not yet required to complete the Mandatory Training may still choose to participate, with associated costs attributed to the Whole of Council Training and Development budget allocation.

4.4 Continuing Professional Development

Formats

Eligible Continuing Professional Development formats include, but are not limited to:

- Short courses;
- Training courses;
- Workshops;

- Seminars;
- Conferences;
- Formal qualifications, or individual units or modules as components of formal qualifications;
- Membership of professional development organisation, where the membership incorporates access to Continuing Professional Development; and
- Fact Finding Tours; and
- Biennial Councillor Study Tour.

Outcomes

In order to be eligible for approval under this policy, Continuing Professional Development must be relevant to the role of a Council Member, and offer demonstrable benefit to the Council as a governing body, the Shire as an organisation, and the broader community.

This includes Continuing Professional Development that:

- Enhances the understanding of Council Member roles and responsibilities, and/or the role and function of Local Government;
- Assists Council Members to develop knowledge and skills in relation to the strategic objectives of the Shire;
- Enables Council Members to further develop personal and professional skills necessary for excellence in performance of the Council Member role; or
- Supports Council Members in developing and maintaining positive and healthy communication, team culture and relationships, to facilitate excellent teamwork to achieve outcomes that deliver good government for the Shire community.

Eligible Continuing Professional Development activities include:

- WA Local Government Association Council (WALGA) and Australian Local Government Association (ALGA) conferences.
- Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important Local Government issues.
- Annual conferences of the major professions in Local Government and other institutions of relevance to Local Government activities.
- Other Local Government-specific training courses, workshops and forums, relating to the outcomes listed above.
- Training relevant to the outcomes listed above offered by accredited organisations.
- Conferences, training, workshops or seminars that address the initiatives and projects identified in the Shire Strategic Community Plan, Corporate Business Plan or other strategic documents.
- Fact Finding Tours are designed to enable Council Members to travel intrastate, interstate and/or overseas to research, study and lobby for specific issues confronting Council.

Council Members are encouraged to identify and share relevant Continuing Professional Development opportunities with Council and the CEO. The CEO will also identify and inform Council Members of relevant opportunities.

Fact Finding Tours

- (a) Council may approve attendance at fact finding tours but shall apply the following guidelines.
 - (i) The maximum attendance at any tour is to be two Council Members and two staff.
 - (ii) Attendance at a tour shall only take place where there are appropriate funds provided for on the annual budget.
 - (iii) A detailed report on each tour is to be submitted to Council.

4.5 Application and Approval

Request for approval

- (a) Council Members who wish to attend training or professional development may make application by providing the following details to the CEO in writing:
 - (i) Course or event title, provider or organiser name, location and date;
 - (ii) Copy of, or link to program, course outline or other summary of content;
 - (iii) An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
 - (iv) Total estimated costs including accommodation, travel and sundry expenses.
 - (v) Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the Shire will seek to take advantage of reduced prices for early registration.
- (b) Details of Fact Finding Tours are to be arranged in advance so that suitable provision can be made on each years budget. When no details of tours have been arranged or arrangements are incomplete, an appropriate amount is to be included on the budget to cover the cost of an annual fact finding tour.

Approval

Approval for Council Members attendance may be granted by:

- (a) the Chief Executive Officer where the:
 - (i) application complies with this policy;
 - (ii) event is to be held within Australia or New Zealand; and
 - (iii) the Council Member has sufficient funds available in their professional development allocation to meet all costs of attendance.
- (b) resolution of Council where the:
 - (i) application has been refused by the Chief Executive Officer;
 - (ii) application does not comply with this policy;
 - (iii) estimated costs of attendance exceed the available balance of the Council Member's annual professional development allocation; or

- (iv) event is to be held outside of Australia or New Zealand.
- (c) Council for fact finding tours but shall apply the following guidelines.
 - (i) The maximum attendance at any tour is to be two Council Members and where applicable two staff.
 - (ii) Attendance at a tour shall only take place where there are appropriate funds provided for on the annual budget.
 - (iii) A detailed report on each tour is to be submitted to Council.

Limitations

Training and continuing professional development is for the purpose of enhancing a Council Member's performance of their role. Therefore, in some instances, approval may not be granted where attendance conflicts with scheduled Council or Committee meetings (i.e. a meeting where important strategic decisions are required or where the meeting may lack a quorum), unless Council has otherwise resolved.

Where attendance at a particular training or professional development event would require an extended absence, no more than two Council Members may attend, unless Council has otherwise resolved.

Approval will not be granted for training or continuing professional development that is scheduled to occur in the last six months of a Council Member's term of office.

4.6 Sharing of Knowledge

In order to realise the maximum benefit for the Shire, Council Members will provide a report on their attendance, key features and benefits of the training or professional development at interstate conferences, Fact Finding Tours and the Biennial Councillor Study Tour within one month after completion. Council Members may include ideas and innovations identified through the professional development for discussion at future Concept Forums, where the matter relates to the Shire strategic objectives.

Knowledge sharing may be provided as a presentation or verbal update to a Concept Forum, or a written report provided to the Chief Executive Officer and circulated to all Council Members. Where relevant, copies of resources obtained at the event may also be provided to the Chief Executive Officer for circulation to all Council Members.

4.7 Registration, Travel and Expenses

The Shire will be responsible for the costs associated with training or professional development approved in accordance with this policy, as detailed in this section.

Event Registration and Bookings

Travel, registration fees and accommodation are to be arranged directly by the Shire administration.

Council Members are not to pay such costs and seek reimbursement, except in the case of an emergency or unique circumstances and subject to the Chief Executive Officer's prior approval.

Travel

Where travel is involved, the actual costs of travel to and from the event venue are to be met by the Shire in accordance with the current WA Salaries and Allowances Tribunal Determination for Local Government CEOs and Elected Members (the Determination).

Travel arrangements are to be by the most cost effective and reasonably convenient mode.

A Council Member may seek approval to travel within Western Australia by private motor vehicle and be reimbursed for vehicle costs in accordance with the Determination. Approval may only be granted where the cost is approximately equivalent to the most cost effective mode of travel and a Shire vehicle is not available.

Council Members are able to claim mileage for the following purposes:

- (a) Attending Council and Committee meetings, Concept Forums. and any other prescribed meetings (such as meetings of WALGA Zone, Regional Road Group, Warren Blackwood Alliance of Councils, Minister directed meetings or such other meetings where a Council Member is an appointed representative of Council).
- (b) Council briefings and/or workshops
- (c) Council ceremonies such as Australia Day, Anzac Day or citizenship ceremonies
- (d) Council functions and receptions
- (e) Council Member training and/or seminars
- (f) Attending meetings as a representative of Council at the request of the CEO or government department/agency
- (g) Attendance at the Shire Administration Office or Shire Depot by the Shire President to execute documents, meet with the Chief Executive Officer and/or senior staff and community members or business representatives;
- (h) Any other meeting in which the Council Members presence is invited by the President or Chief Executive Officer.

Air travel is to be by Economy Class at a time that is convenient to the Council Member. As far as is practicable, tickets will be purchased well in advance, and take advantage of available discount fares.

A Council Member may choose to upgrade the mode of travel, however additional costs incurred are to be paid to the Shire by the Council Member before the Shire confirms the booking/s.

Registration

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

Accommodation

Reasonable accommodation will be booked for the Council Member for a room at or in close proximity to the event venue and within the expenditure limitations prescribed in the Determination.

If it is not reasonable to expect travel to occur on the day of the event, the booking may allow for arrival the day prior to commencement, and departure the day following the close of the event.

A Council Member may choose to upgrade their accommodation standard or extend their visit for personal reasons, however additional costs are to be paid to the Shire by the Council Member (including any additional associated or travel costs) prior to the Shire confirming the booking.

Any Council Member attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (i.e. as an alternative to staying in motel/hotel accommodation), be paid an amount as set out for the same or similar circumstances

under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission. This payment is to be costed to the Council Member's annual allocation.

Loyalty Program and Reward Points

Council Members are not to obtain personal benefit from expenditure of Shire funds and must not claim personal frequent flyer or accommodation loyalty points for air travel or accommodation paid for by the Shire.

Meals and Incidental Expenses

Funding for meals and incidental expenses is to be provided in accordance with the Determination.

Meal expenses are to be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch and dinner where these meals are not provided at the event or in travel. When meals are included and have been paid for as part of the registration fee or accommodation costs, claims for alternative meals at venues other than the event will not to be paid by the Shire.

Incidental taxi, economy ride share or public transport modes of transport (i.e. to/from airport, event venue) may be claimed for reimbursement on submission of receipts.

Travel Insurance – Intrastate, Interstate and International

Subject to policy wording and conditions, Council Members are covered by the Shire's corporate travel protection for the duration of their travel relevant to attendance at the approved event, including any incidental private travel taken either side or during the event.

Council Members should seek advice from the Chief Executive Officer of the Shire's corporate travel protection policy to determine whether it is adequate for their personal needs and circumstances, and so that the Shire and/or the Council Member can make any necessary alternative arrangements.

Accompanying persons/entertainment costs

Council Members are responsible and will be required to pay all costs associated with an accompanying person attending an event (including conference dinners and functions).

The Shire may coordinate accompanying person bookings and registrations for travel, accommodation and the event/function, with costs incurred to be paid to the Shire by the Council Member prior to the Shire confirming the booking/s.

Booking Change/Modification Costs

Costs incurred for changing or modifying a booking for travel or accommodation, where the change or modification is:

- (a) At the request of the Council Member, are to be paid by the Council Member; or
- (b) A requirement or for the convenience of the Shire, are to be paid by the Shire.

Cancellations

Costs incurred for cancellation of registration, travel or accommodation, where the cancellation is:

- (a) At the request of the Council Member, are to be attributed to the Council Member's individual allocation; or
- (b) A requirement or for the convenience of the Shire, are to be paid by the Shire.

4.8 Report on Training

The Shire is required to produce a report detailing the training completed by Council Members during each financial year, in accordance with s.5.127 of the Act.

The report will include the following details of both mandatory training and continuing professional development completed by Council Members:

- Name of Council Members;
- Date of election;
- Whether the Council Member is required to complete Mandatory Training, and if applicable, the due date for completion and date of completion;
- Title of each training course or module completed or event/conference attended;
- The date attended or completed;
- The training provider or event/conference organiser;
- The cost of attendance; and
- Location of the training or event.

4.9 Policy Review

The policy is to be reviewed within the first 12-months following each ordinary election in accordance with s.5.128 of the Act.

5 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	<p><i>Local Government Act 1995</i> s.2.7(2)(b) - The council is to determine the local government's policies s.5.126 - Training for council members s.5.127 - Report on training s.5.128 – Policy for continuing professional development</p> <p><i>Local Government (Administration) Regulations 1996</i> r.35 - Training for council members r.36 - Exemptions from Act s.5.126(1)</p>
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

6 Administration

Original Adoption Date	30 April 2020
Last Variation Date	
Last Reviewed	25 November 2021
Scheduled Reviewed Date	21 October 2024

G 2 – Councillor Training/Conferences and Continuing Professional Development

1 Objectives

This policy describes Council's approach to enable councillors to meet their statutory obligations in relation to councillor training and gives effect to the requirement to adopt a continuing professional development policy.

Part 5, Division 10 of the Local Government Act 1995 (the Act) describes provisions related to the universal training of Councillors:

- Under section 5.126 of the Act, each councillor must complete training in accordance with the Regulations;
- Under section 5.127 of the Act, the CEO must publish a report on the local government's website within 1 month of the end of the financial year detailing the training completed by Councillors; and
- Under section 5.128 of the Act, a local government must prepare and adopt a policy in relation to the continuing professional development of councillors.

2 Policy

2.1 Introduction

Councillors have a unique and challenging role performing their functions under the Act. Council recognises the value of training and continuing professional development to build and supplement councillor skills and experience.

Training can take several forms including formal qualifications, short-courses, seminars and conferences.

Training paid for in accordance with this policy must have benefit to Council, the Shire and the community. Training must relate to the professional development of councillors in their role as a councillor. Examples of organisations that provide training relating to the professional development of councillors, includes, but is not restricted to:

- Western Australian Local Government Association (WALGA)
- Australian Local Government Association
- Australian Institute of Management
- Australian Institute of Company Directors

Training related to town planning; strategic planning; financial management; corporate governance; risk management; and emergency management is also considered to be relevant. Attendance and/or participation at conferences is also considered to be training where value to the Council, Shire and community can be demonstrated.

2.2 Councillor Compulsory Training

The Local Government (Administration) Regulations 1996 (the Regulations) requires councillors to complete a 'Council Member Essentials' course consisting of five modules. Certain exemptions, specified in the Regulations, apply.

Training must be completed by all councillors following their election within 12 months of taking office. Non-compliance with the requirement to complete training is an offence under the Act punishable by a fine not exceeding \$5,000.

Once completed the compulsory training modules are valid for five years.

Councillors have a responsibility to complete training in accordance with legislation.

The CEO will ensure that newly elected councillors will be provided with information on training options from the approved training providers. Councillors will be able to select a training option to meet their learning style and availability.

Council will allocate funds in its annual budget for the completion of compulsory training. This allocation will be separate to the individual councillor professional development funds budgeted annually (refer below).

2.3 Continuing Professional Development

The Shire is committed to supporting continuing professional development of councillors to the benefit of Council, the Shire and the community. Continuing professional development can include training and attendance at conferences in accordance with this policy. Training that exceeds the allocated budget amount may be approved by resolution of Council.

Each councillor is to be allotted an annual professional development allocation in the annual budget and this will fund individual councillor training (other than the compulsory councillor training modules) or conference attendance each year. The allocation is for a financial year and expires at the end of the financial year.

The amount of the annual allocation is \$2,000 for the Shire President, \$1,500 for the Deputy Shire President and \$1,000 for other councillors. Note this allocation doesn't include attendance at the annual Local Government Convention (WALGA) which due to cost is dealt with in Part 2.4 below.

2.4 Local Government Convention (WALGA)

Council will include funds in its annual budget of attendance at the Local Government Convention for a maximum of three delegates to represent the Shire.

The costs of attending this conference are separate from the annual allocations provided to councillors in Part 2.3 above.

Council's South West WALGA Zone delegate is to have automatic rights to attend the Local Government Convention (WALGA) each year if he/she desires. The selection of other councillors will be via nomination and in the event of more nominations than vacancies being received preference will be given to councillors who did not attend the previous year.

2.5 Reporting

Councillors should note that all training undertaken, including conferences paid for entirely or partially by the Shire will be published on the Shire's website in accordance with section 5.127 of the Act.

2.6 Seeking Approval for Training or Professional Development

- 1 Councillors seeking to attend a training course or conference are to submit a request to the CEO. The CEO will refer the request to the Shire President for approval. Note for enrolment in a compulsory training module the approval of the Shire President isn't

required. Council approves councillor attendance at the annual Local Government Convention

- 2 Where a councillor has insufficient funds remaining in their annual professional development allocation they can seek Council approval for over-expenditure and enrolment in a specific course or initiative.

2.7 Expenditure Limitations

- 1 Council will not be responsible for expenses associated with laundry, drycleaning or purchase of in-house movies.
- 2 Travel should be by Council vehicle unless written authorisation is received from the CEO for use of a private vehicle with reimbursement of a vehicle kilometre rate being paid and costed against the councillor's annual professional development allocation.
- 3 That where a Councillor is an official participant or observer, accommodation expenses will be paid. In addition, meal expenses not exceeding \$100 per day will be paid. If meals are purchased outside of the accommodation outlet, receipts will be required.
- 4 Accommodation allowance - any councillor attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (i.e. as an alternative to staying in motel/hotel accommodation), be paid an amount as set out for the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission. This payment is to be costed to the councillor's annual allocation.

It is noted that the expenditure limitations and accommodation allowance set out in Part 2.7 also apply to staff attending training, conferences or other professional development.

3 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government's policies</p> <p>s.5.126 – Training for council members</p> <p>s.5.127 – Report on training</p> <p>s.5.128 – Policy for continuing professional development</p>
Regulation	<p><i>Local Government (Administration) Regulations 1996</i></p> <p>r.35 – Training for council members</p> <p>r.36 – Exemptions from Act s.5.126(1)</p>
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	30 April 2020
Last Reviewed	25 November 2021
Scheduled Reviewed Date	27 April 2023

P 8 – Conferences/Fact Finding Tours

1 Policy

1.1 Attendance at State and Federal Professional Conferences

- (a) The Chief Executive Officer and Senior Employees are encouraged to attend the Annual State Conference relating to their profession.
- (b) The Chief Executive Officer and Senior Employees are encouraged to attend bi-annually, the Federal Conference relating to their profession. (Note: where the Officer's professional organisation does not convene a State Conference the Officer is encouraged to attend the organisations Federal Conference, annually).
- (c) The Chief Executive Officer is authorised to approve the attendance of staff at State and Federal Professional Conferences in accordance with the following guidelines:
 - (i) Budget authority and/or funding arrangements are in place or are to be considered.
 - (ii) The Chief Executive Officer is to ensure that attendance at the conference will be beneficial to the Officer and/or the Council.
 - (iii) The Officer is to provide a report on the issues, outcomes, etc of the conference with recommendations as appropriate and the report is to be submitted to Council.
 - (iv) Senior Staff will not be precluded from attending a Federal Conference.
 - (v) If it is considered beneficial for a Councillor or Councillors to accompany the staff member to any State or Federal Conference, such attendance is to be at the discretion of the Chief Executive Officer in consultation with the Shire President and will only occur if adequate funds are available on the budget.

1.2 Fact Finding Tours

This does not apply to the annual or bi-annual Council study tour to other local governments

- (a) A fact finding tour is designed to enable Councillors and staff to travel intrastate, interstate and/or overseas to research, study and lobby for specific issues confronting Council.
- (b) Details of tours are to be arranged in advance so that suitable provision can be made on each years budget. When no details of tours have been arranged or arrangements are incomplete, an appropriate amount is to be included on the budget to cover the cost of an annual fact finding tour.
- (c) Council may approve attendance at fact finding tours but shall apply the following guidelines.
 - (i) The maximum attendance at any tour is to be two Councillors and two staff.
 - (ii) Attendance at a tour shall only take place where there are appropriate funds provided for on the annual budget.
 - (iii) A detailed report on each tour is to be submitted to Council.

2 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies 5.128 – Policy for continuing professional development
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	29 April 1999
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

LS 1 – Legal Representation For Elected Members, Committee Members and Employees

1 Objective

To establish guidelines for determining when it is appropriate for the Shire of Bridgetown-Greenbushes to pay legal representation costs to protect the interests of Elected Members, Committee Members and Employees who become subject to legal proceedings through their performance of official functions.

2 Scope

This policy applies to Elected Members, Committee Members and Employees.

3 Definitions

3.1 Approved Lawyer

Means:

- (a) 'certified practitioner' under the *Professions Act 2008*; and
- (b) approved in writing by the council or the CEO under delegated authority.

3.2 Elected Member

means a current or past elected councillor of the Shire of Bridgetown-Greenbushes in a local government election.

3.3 Committee Member

means a current or past person who is currently or was at the time a member of a committee appointed by Council who is not an Elected Member.

3.4 Employee

means a person who is currently or was at the relevant time an employee of the Shire of Bridgetown-Greenbushes pursuant to section 5.41(g) of the *Local Government Act 1995*, or, if the Chief Executive Officer, under section 5.36(1)(a).

3.5 Legal Proceedings

may be civil, criminal or investigative.

3.6 Legal Representation

means the provision of legal services, to or on behalf of an Elected Member, Committee Member or Employee, by an approved lawyer in respect of:

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

3.7 Legal Representation Costs

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

3.8 Legal Services

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

Payment of Legal Representation Costs by the Shire

may be either by:

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

4 Policy

4.1 Introduction

Section 9.56 of the *Local Government Act 1995* (the Act) provides protection from actions of tort for anything an Elected Member, Committee Member or Employee has in good faith done in the performance, or purported performance, of a function under the Act or under any other written law.

Section 3.1 of the Act provides that the general function of a local government is to provide for the good government of persons in its district.

Section 6.7 (2) provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law.

Under these provisions a council can expend funds to provide legal representation for Elected Members and Employees as long as it believes that the expenditure falls within the scope of the local governments function.

4.2 Payment Criteria

There are four major criteria for determining whether the Shire will pay the legal representation costs of an Elected Member, Committee Member or Employee. These are:

- (a) The Legal Representation Costs must relate to a matter that arises from the performance, by the Elected Member, Committee Member or Employee, or his or her functions;
- (b) The Legal Representation Costs must be in respect of Legal Proceedings that have been, or may be, commenced;
- (c) In performing the functions, to which the Legal Representation relates, the Elected Member, Committee Member or Employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) The Legal Representation costs do not relate to a matter that is of a personal or private nature.

4.3 Examples of Legal Representation Costs That May be Approved

4.3.1 If the criteria in clause 4.2 of this policy are satisfied, the Shire may approve the payment of Legal Representation Costs:

- (a) Where proceedings are brought against an Elected Member, Committee Member or Employee in connection with his or her function – for example, an action for defamation or negligence rising out of a decision made or action taken by the Elected Member, Committee Member or Employee; or

- (b) To enable proceedings to be commenced and/or maintained by an Elected Member, Committee Member or Employee to permit him or her carrying out his or her functions, for example, where an Elected Member, Committee Member or Employee seeks to take action to commence defamation action or to obtain a restraining order against a person using threatening behaviour to the Elected Member, Committee Member or Employee; or
- (c) Where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about Elected Members, Committee Members or Employees.

4.3.2 The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by an Elected Member, Committee Member or Employee.

4.4 Application for Permit

- (a) An Elected Member, Committee Member or Employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.
- (b) The written application for payment of legal representation costs is to give details of:
 - (i) the matter for which legal representation is sought;
 - (ii) how that matter relates to the functions of the Elected Member, Committee Member or Employee making the application;
 - (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
 - (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
 - (v) an estimated cost of the legal representation; and
 - (vi) why it is in the interests of the Shire for payment to be made.
- (c) The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- (d) As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
- (e) The application is to be accompanied by a signed written statement by the applicant that he or she:
 - (i) has read, and understands, the terms of this policy;
 - (ii) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 4.8 and any other conditions to which the approval is subject; and
 - (iii) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 4.8.
- (f) In relation to clause 4.4(e)(iii), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.

- (g) An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate Employee.

4.5 Legal Representation Costs - Limit

- (a) The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- (b) An Elected Member, Committee Member or Employee may make a further application to the council in respect of the same matter.

4.6 Council's Powers

- (a) The council may:
 - (i) refuse;
 - (ii) grant; or
 - (iii) grant subject to conditions,
an application for payment of legal representation costs.
- (b) Conditions under clause 4.6(a) may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- (c) In assessing an application, regard may be had to any insurance benefits that may be available to the applicant under the Shire's existing insurance policy.
- (d) The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- (e) The council may, subject to clause 4.6(f), determine that an Elected Member, Committee Member or Employee whose application for legal representation costs has been approved –
 - (i) Has in respect of the matter for which approval was given, not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (ii) Has given false or misleading information in respect of the application.
- (f) A determination under clause 4.6(e) may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- (g) Where the council makes a determination under clause 4.6(e), the legal representation costs paid by the Shire are to be repaid by the Elected Member, Committee Member or Employee in accordance with clause 4.8.

4.7 Delegation to Chief Executive Officer

- (a) In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 4.6 (a) and 4.6(b), to a maximum of \$10,000 in respect of each application.
- (b) An application approved by the CEO under clause 4.7(a), is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this policy, including its powers under clause 4.6(d).

4.8 Repayment of Legal Representation Costs

- (a) An Elected Member, Committee Member or Employee whose legal representation costs have been paid by the Shire is to repay the shire:
- (i) all or part of those costs – in accordance with a determination by the council under clause 4.6(g);
 - (ii) as much of those costs as are available to be paid by way of set-off – where the Elected Member, Committee Member or Employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the shire paid the legal representation costs.
- (b) The shire may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

5 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.3.1 – General function s.6.7(2) – Municipal fund s.9.56 – Certain persons protected from liability for wrongdoing
Regulation	r.35 <i>Local Government (Functions and General) Regulations 1996</i> – Certain persons protected from liability for wrongdoing
Local Law	N/A
Shire Policies	N/A
Related Documents	Department of Local government, Sport and Cultural Industries Operational Guidelines – Legal Representation for Council Members and Employees
Related Procedure	N/A

6 Administration

Original Adoption Date	30 November 2000
Last Variation Date	
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

LS 1 – Legal Representation – Costs Indemnification

1 Policy

1.1 Introduction

This policy is designed to protect the interests of Council Members and employees (including past Members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

1.2 General Principles

- 1.2.1 The local government may provide financial assistance to Members and employees in connection with the performance of their duties provided that the Member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
- 1.2.2 The local government may provide such assistance in the following types of legal proceedings:
 - (a) proceedings brought by a Member and employees to enable them to carry out their local government functions (eg; where a Member or employee seeks a restraining order against a person using threatening behaviour);
 - (b) proceedings brought against Members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (eg; refusing a development application) or where the conduct of a Member or employee in carrying out his or her functions is considered detrimental to the person (eg; defending defamation actions)]; and
 - (c) statutory or other inquiries where representation of Members or employees is justified.
- 1.2.3 The local government will not support any defamation actions seeking the payment of damages for individual Members or employees in regard to comments or criticisms leveled at their conduct in their respective roles.
- 1.2.4 Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- 1.2.5 The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

1.3 Applications for Financial Assistance

- 1.3.1 Subject to Item 1.3.5, decisions as to financial assistance under this policy are to be made by the Council.

- 1.3.2 A Member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- 1.3.3 An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
- 1.3.4 A Member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.
- 1.3.5 Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorization to the value of \$5,000 costed to the Legal Expenses Governance Account.
- 1.3.6 Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

1.4 Payment of Assistance

- 1.4.1 Any amount recovered by a Member or employee in proceedings, whether for costs or damages, will be off-set against any moneys paid or payable by the local government.
- 1.4.2 Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- 1.4.3 Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

2 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.3.1 – General function s.6.7(2) – Municipal fund s.9.56 – Certain persons protected from liability for wrongdoing
Regulation	r.35 <i>Local Government (Functions and General) Regulations 1996</i> – Certain persons protected from liability for wrongdoing
Local Law	N/A
Shire Policies	N/A
Related Documents	Department of Local government, Sport and Cultural Industries Operational Guidelines – legal Representation for Council Members and Employees
Related Procedure	N/A

3 Administration

Original Adoption Date	30 November 2000
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

P 15 – Accrual of Annual Leave

1 Objectives

The objectives of this policy are to:

- Clearly outline how much annual leave can be accrued;
- Ensure compliance with Work Health and Safety legislation by ensuring that employees take their annual leave regularly; and
- Ensure the Shire's annual leave liability is minimised.

2 Scope

This Policy applies to all full time and part time staff.

3 Policy

3.1 Maximum Accrual

Employees will accumulate annual leave in accordance with their relevant Award or enterprise bargaining agreement.

- Annual leave is to be taken at a time mutually convenient to the employer and employee within twelve months of the date of accrual. This means that the maximum annual leave accrual at any time is eight weeks.
- Annual leave is not to accrue beyond eight weeks at any time except in cases in which extenuating circumstances preclude an employee from taking their leave.
- Where it is proposed that an employee's annual leave accrual will exceed this eight week limit, a written application for deferral will be submitted to the Chief Executive Officer for approval. This application must be submitted at least two months before the eight week maximum accrual is reached.
- If such approval is not granted, the employee will be required to commence taking their excess annual leave accrual within four weeks of this decision.

3.2 Directing Employees to Take Annual Leave

The Chief Executive may direct an employee to take a specified amount of annual leave at a prescribed time when:

- Work arrangements dictate;
- There is an annual close-down;
- The employee has accrued more than eight weeks annual leave; and

The Chief Executive Officer must give the employee a minimum of four weeks' notice.

3.3 Transitory Arrangements

- The Shire recognises that, at the time of the implementation of this policy, some employees have leave accruals in excess of eight weeks (including both entitled and pro-rata leave).
- Accordingly, for only those employees who have such excessive leave accruals, the relevant Manager, in consultation with the employee, will provide a plan to the Chief Executive Officer that outlines how the employee's leave accrual will be reduced below the eight weeks maximum.

4 Applicable Legislation and Documents

Statutory Power (Acts, Regulations, Local Laws, TPS)	Local Government Act 1995 s.2.7(2)(b) – The council is to determine the local government’s policies Minimum Conditions of Employment Act 1993
Shire Policies	N/A
Related Documents	Local Government Officers’ (Western Australia) Award 2021 Municipal Employees (Western Australia) Award 2021
Related Procedure	N/A

5 Administration

Original Adoption Date	28 February 2008 (C.19/0208)
Last Variation Date	28 April 2022 (C.08/0422)
Last Reviewed	28 April 2022 (C.08/0422)
Scheduled Reviewed Date	1 March 2024

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P 15 – Accrual of Annual Leave

1 Objectives

The purpose of this policy is to clearly outline the way in which employees' annual leave entitlements are managed to ensure that employees take their annual leave regularly each year to ensure their well-being and that the Shire's annual leave liability is minimised.

2 Policy

2.1 Maximum Accrual

Employees shall accumulate annual leave in accordance with their relevant award or enterprise bargaining agreement's provision.

- Annual leave is to be taken at a time mutually convenient to the employer and employee within twelve months of the date of accrual. This means that the maximum annual leave accrual at any time is eight weeks.
- Annual leave is not to accrue beyond eight weeks at any time except in cases in which extenuating circumstances preclude an employee from taking their leave.
- Where it is proposed that an employee's annual leave accrual will exceed this eight-week limit, a written application for deferral will be submitted to the Chief Executive Officer for approval. This application must be submitted at least two months before the eight-week maximum accrual is reached.
- If such approval is not granted, the employee will be required to commence taking their excess annual leave accrual within four weeks of this decision.

2.2 Directing Employees to Take Annual Leave

The Chief Executive may direct an employee to take a specified amount of annual leave at a prescribed time when:

- Work arrangements dictate;
- There is an annual close-down;
- The employee has accrued more than eight weeks annual leave.
- The Chief Executive Officer must give the employee a minimum of four weeks' notice.

2.3 Transitory Arrangements

- The Shire recognises that, at the time of the implementation of this policy, some employees have leave accruals in excess of eight weeks (including both entitled and pro-rata leave).
- Accordingly, for only those employees who have such excessive leave accruals, the relevant Manager, in consultation with the employee, will provide a plan to the Chief Executive Officer that outlines how the employee's leave accrual will be reduced below the eight-week maximum.

3 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	Local Government Officers’ (Western Australia) Award 2021 Municipal Employees (Western Australia) Award 2021
Related Procedure	N/A

4 Administration

Original Adoption Date	28 February 2008
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

P 5 – Equal Employment Opportunity

1 Objectives

The objectives of this Policy are to:

- Outline the Shire’s legal responsibilities under the Equal Employment Opportunity (EEO);
- Actively work to raise the level of awareness of EEO and diversity principles and practices within the Shire;
- Promote an environment for all staff that is free of discrimination, bullying and harassment; and
- Provide a culturally inclusive working environment.

2 Scope

This policy applies to all workers and Councillors.

3 Definitions

3.1 Bullying

Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against one or more persons, at the place of work and/or in the course of employment. It can reasonably be expected, this behaviour raises a risk to health and safety in the workplace.

3.2 Discrimination

Discrimination is when a person is not treated fairly or given the same opportunities because of their race, colour, gender, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction, social origin, breastfeeding, gender identity or intersex status.

3.3 Sexual Harassment

Sexual harassment is:

- An unwelcome sexual advance or request for sexual favours to the person who is harassed: or
- Other unwelcome conduct of a sexual nature in relation to the person who is harassed.

3.4 Worker

A part-time or full-time worker, casual worker, volunteer, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, worker of a labour hire company placed with a 'host employer' and volunteers.

4 Policy

- The Shire is committed to being an employer which provides EEO for all workers. This policy should be read in conjunction with the Shire’s Bullying, Harassment & Discrimination Policy.
- The Shire aims to provide an environment of fairness and equity in its workplace. The Shire believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits the Shire, but also the wider community.

5 Responsibilities

The Employer

- The Shire supports the legal right of every worker to carry out their work in an environment which promotes job satisfaction, maximises performance, and provides economic security. Such an environment is dependent on being free from all forms of harassment, bullying, discrimination, and victimisation.
- In accordance with the *WA Equal Opportunity Act 1984*, the Shire will develop and maintain an Equal Opportunity Management Plan.

All worker appointments, promotions and training opportunities will comply with the EEO principles in this policy. No one will be refused opportunity based on discriminatory grounds.

The Workers

All workers must:

- Ensure they do not engage in any unlawful conduct towards other workers, customers or others with whom they encounter through work;
- Ensure they do not aid, abet or encourage other persons to engage in unlawful conduct;
- Follow the complaint procedure in the Grievance Resolution Policy if they experience any unlawful conduct;
- Report any unlawful conduct they see occurring to others in the workplace in accordance with the Grievance Resolution Policy; and
- Maintain confidentiality if they are involved in the complaint procedure.

Workers should be aware that they can be held legally responsible for their unlawful conduct. Workers who aid, abet or encourage other persons to engage in unlawful conduct can also be held legally liable.

6 Grievances (including EEO, harassment, diversity and bullying)

All grievances (including those related to EEO, harassment, diversity and bullying) will be dealt with under the Shire's Grievance Resolution Policy, Misconduct Policy and Bullying, Harassment & Diversity Policy.

7 Employment

- 7.1 In accordance with the *Local Government Act 1995* and the *WA Equal Opportunity Act 1984* the Shire will recruit in accordance with the principle of merit and equity and will ensure that discrimination does not occur.
- 7.2 All employment training within the Shire will include providing equal opportunity to all workers provided their relevant experience, skills and ability meet the minimum requirements for such training.
- 7.3 All promotional policies and opportunities within the Shire will include providing equal opportunity to all workers provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

8 Breaches

- 8.1 All workers are required to always comply with this Policy. If a worker breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of

employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their employment terminated or contracts not renewed.

- 8.2 If a person makes an unfounded complaint or a false complaint that is vexatious, frivolous or malicious in nature (e.g. making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a civil defamation claim.

9 Legislation

9.1 Legislation governing EEO in WA includes:

- *WA Equal Opportunity Act 1984*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Human Rights and Equal Opportunity Commission (Transitional Provisions and Consequential Amendments) Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Respect @ Work Act 2022 (Cth)*

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10 Applicable Legislation and Documents

<p style="text-align: center;">Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i></p>	<ul style="list-style-type: none"> • <i>Local Government Act 1987</i> • <i>The WA Equal Opportunity Act 1984</i> • <i>The Racial Discrimination Act 1975 (Cth)</i> • <i>The Sex Discrimination Act 1984 (Cth)</i> • <i>The Human Rights and Equal Opportunity Commission (Transitional Provisions and Consequential Amendments) Act 1986 (Cth)</i> • <i>The Disability Discrimination Act 1992 (Cth)</i> • <i>Respect @ Work Act 2022 (Cth)</i>
<p style="text-align: center;">Council Policies</p>	<ul style="list-style-type: none"> • Grievance Resolution Policy • Performance Management Policy • Professional Development Policy • Bullying, Harassment and Diversity Policy • Misconduct Policy • Employee Code of Conduct • Council Code of Conduct
<p style="text-align: center;">Related Documents</p>	<ul style="list-style-type: none"> • Strategic Community Plan • Business Plan
<p style="text-align: center;">Related Procedure</p>	

11 Administration

Draft Date	19 February 2024
Original Adoption Date	Insert date
Last Variation Date	Insert date
Last Reviewed	Insert date
Scheduled Reviewed Date	Insert date

P 5 – Equal Opportunity Employment

1 Objectives

The objective of this Policy is to outline the Shire's position on Equal Employment Opportunity (EEO) and to create an environment of equal opportunity and diversity to achieve good working relationships. The goals of this Policy are;

- The Shire will actively work to raise the level of awareness of Equal Opportunity and Diversity principles and practices within the Shire;
- The Shire will actively promote an environment for all staff that is free of discrimination, bullying and harassment;
- The Shire will enable all staff to apply equally for all positions within the Shire, for which they are qualified, through its commitment to their support, provision of carer planning and development, advice and assistance;
- The Shire will recognise the diverse cultural needs of employees.

2 Definitions

2.1 Discrimination

is treating someone unfairly due to their race, sex, marital status, pregnancy, impairment, religious or political conviction, age, family responsibility or family status. These grounds may change as legislation is amended.

2.2 Harassment

is defined as any unwelcome, offensive comment or action relating to the grounds of discrimination. It is behaviour towards another employee that is offending, humiliating or intimidating. It shall not be condoned and if necessary, disciplinary action shall be taken.

2.3 Bullying

is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

3 Policy

- 1 The Shire is committed to being an employer which provides for equal employment opportunity for all employees. This policy should be read in conjunction with the Shire's Policy relating to "Discrimination, Sexual Harassment and Bullying".
- 2 The Shire aims to provide an environment of fairness and equity in its workplace. The Shire believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits the Shire, but also the wider community.
- 3 The Shire considers it the right of every employee to carry out their work in an environment which promotes job satisfaction, maximises performance and provides economic security. Such an environment is dependent of it being free from all forms of harassment, bullying, discrimination and victimisation.
- 4 In accordance with the WA Equal Opportunity Act 1984, the Shire shall develop and maintain an Equal Opportunity Management Plan.

3.1 Responsibilities

3.1.1 The Shire recognises its legal obligations under the Equal Opportunity Act, 1984 (as amended);

- The WA Equal Opportunity Act 1984
- The Racial Discrimination Act (Cth) 1975
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1986
- The Disability Discrimination Act (Cth) 1992

and will actively promote amongst Elected Members, employees and prospective employees, equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of sex, marital status, pregnancy, race, disability, religious or political convictions, age, and family status and responsibility.

3.1.2 The Shire also has a moral obligation to ensure its staff are not subjected to other forms of harassment. All employees are expected to treat each other with consideration and respect at all times.

3.2 Staff Training, Appointments and Promotions

3.2.1 All employment training with this Shire will be consistent with providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training. All promotional policies and opportunities with this Shire will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

3.2.2 All offers of employment within this Shire will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.

3.2.3 The Shire is mindful of its community obligations and to that end will proactively undertake training for disadvantaged persons.

3.3 Grievances

3.3.1 All informal complaints related to EEO will be dealt with fairly, quickly and confidentially.

3.3.2 All formal complaints related to EEO will be dealt with fairly, quickly and in accordance with legislative requirements by the Chief Executive Officer. Where the complaint involves the Chief Executive Officer, it shall be reported to the President for investigation and appropriate action.

3.4 Harassment

3.4.1 The Shire will not tolerate harassment of any form within its workplace. Harassment is defined as any unwelcome offensive action or remark concerning a person's race, colour, language, ethnicity, political or religious convictions, gender, marital status, age, family status and responsibility or impediment (impairment).

3.4.2 Harassment will be treated in accordance with the Shire's Policy relating to "Discrimination, Sexual Harassment and Bullying"

3.5 Bullying

3.5.1 Bullying will be treated in accordance with the Shire's Policy relating to "Discrimination, Sexual Harassment and Bullying"

3.6 Employment

3.6.1 In accordance with the Local Government Act 1995 (as amended) the Shire shall recruit in accordance with the principle of merit and equity and shall ensure that discrimination does not occur.

3.6.2 All employment training with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

3.6.3 All promotional policies and opportunities with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

3.6.4 The equal employment opportunity goals of the Shire shall be designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

3.7 Procedure

It is the responsibility of all staff to ensure that proper standards of conduct as contained in the Shire's Code of Conduct are upheld in the workplace. Management and staff in supervisory positions shall ensure that the work environment is free from all forms of harassment, bullying and discrimination.

Allegations of discrimination or harassment may be discussed or assistance sought from the appropriate Executive Manager or the Chief Executive Officer.

Harassment allegations will be considered seriously and sympathetically and will be investigated promptly and confidentially. In all cases, the utmost care shall be taken in investigating allegations impartially by recognising the rights of all parties. Victimisation of any party will not be tolerated by the Shire.

However, if an employee is dissatisfied with the outcome of any conciliation attempt, they may take the matter up with the Equal Opportunity Commission or their Union.

3.8 Responsibilities

The overall responsibility for monitoring the effectiveness, the policy and management plan lies with the Chief Executive Officer. However the Shire recognises that equal opportunity is the responsibility of everyone in the Shire and, as such, will ensure that advice on equal opportunity matters is available on an ongoing basis to all staff.

The coordination of the equal opportunity function within the Shire is primarily the responsibility of the Chief Executive Officer.

4 Applicable Legislation and Documents

Act	<p><i>Local Government Act 1995</i></p> <p>s.2.7(2)(b) – The council is to determine the local government's policies</p> <p>s.5.40 – Principles affecting employment by local governments</p> <p><i>Equal Opportunity Act, 1984</i></p>
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	<i>Industrial Relations Act 1979</i> <i>Racial Discrimination Act (Cth) 1975</i> <i>Sex Discrimination Act (Cth) 1984</i> <i>Human Rights and Equal Opportunity Commission Act (Cth) 1986</i> <i>Disability Discrimination Act (Cth) 1992</i>
Regulation	N/A
Local Law	N/A
Shire Policies	P 1 – Anti-Discrimination, Sexual Harassment and Bullying policy
Related Documents	Code of Conduct for Employees
Related Procedure	N/A

5 Administration

Original Adoption Date	17 December 1998
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023



Attachment 37 - 2023 Compliance Audit Return

Compliance Audit Return 2023

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2023?	N/A	There has been no major trading undertaken.	N Gibbs
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2023?	N/A	There has been no major trading undertaken.	N Gibbs
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2023?	N/A	There has been no major trading undertaken.	N Gibbs
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2023?	N/A	There has been no major trading undertaken or major land transaction or a land transaction that is preparatory to a major land transaction for 2023.	N Gibbs
5	s3.59(5)	During 2023, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	There has been no major trading undertaken or major land transaction or a land transaction that is preparatory to a major land transaction for 2023.	N Gibbs

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	N/A	There are no delegations to Committees	Neil Price
2	s5.16 (2)	Were all delegations to committees in writing?	N/A	There are no delegations to Committees	Neil Price
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the <i>Local Government Act 1995</i> ?	N/A	There are no delegations to Committees	Neil Price
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	There are no delegations to Committees	Neil Price
5	s5.18	Has council reviewed delegations to its committees in the 2022/2023 financial year?	N/A	There are no delegations to Committees	Neil Price
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the <i>Local Government Act 1995</i> ?	Yes		Neil Price



7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	As documented in Ordinary Council Meeting Minutes.	Neil Price
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Neil Price
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Neil Price
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes	As documented in Ordinary Council Meeting Minutes.	Neil Price
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Neil Price
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?	No	Delegations from the CEO to staff were reviewed 19/07/2023	Neil Price
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes		Neil Price

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the <i>Local Government Act 1995</i> , did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	As documented in Ordinary Council Meeting Minutes.	Nicole Gibbs
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local	Yes	As documented in Ordinary Council Meeting Minutes.	Nicole Gibbs



		Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?			
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the <i>Local Government Act 1995</i> recorded in the minutes of the meeting at which the disclosures were made?	Yes	As documented in Ordinary Council Meeting Minutes.	Nicole Gibbs
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	As per the primary return documentation.	Nicole Gibbs
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2023?	Yes	As per the primary return documentation.	Nicole Gibbs
6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	As per the primary return documentation.	Nicole Gibbs
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> ?	Yes	As per the register of financial interests.	Nicole Gibbs
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the <i>Local Government Act 1995</i> , in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	As per the register of financial interests.	Nicole Gibbs
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> , did the CEO remove from the register all returns relating to that person?	Yes	As the information management system.	Nicole Gibbs
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the <i>Local Government Act 1995</i> been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	As the information management (including archiving) system.	Nicole Gibbs
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the <i>Local Government Act 1995</i> , in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	As per the register of gifts.	Nicole Gibbs
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	As per the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the <i>Local Government Act 1995</i> , did the CEO remove from the register all records relating to those people?	Yes	As the information management system.	Nicole Gibbs
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) of the <i>Local Government Act 1995</i> been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	As the information management (including archiving) system.	Nicole Gibbs



15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	N/A	No interest existed	Nicole Gibbs
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) of the <i>Local Government Act 1995</i> relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	No gifts were offered nor accepted.	Nicole Gibbs
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) of the Local Government Act 1995 recorded in the minutes of the council meeting at which the decision was considered?	N/A	No gifts were offered nor accepted.	Nicole Gibbs
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates that incorporates the model code of conduct?	Yes	Available on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the <i>Local Government Act 1995</i> ?	No	N/A	Nicole Gibbs
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	Available on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	Available on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs



Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the <i>Local Government Act 1995</i> (unless section 3.58(5) applies)?	Yes	As per the documentation in our procurement software system.	Nicole Gibbs/Steele Alexander
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the <i>Local Government Act 1995</i> , did it provide details, as prescribed by section 3.58(4) in the required local public notice for each disposal of property?	N/A	There was no instance where this was required.	Nicole Gibbs/Steele Alexander

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	Yes	Available on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	Yes	As per the information management (including archiving) system.	Nicole Gibbs
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	Yes	Available on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs



Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	Audit Committee was established at the Special Council meeting held 24 October 2023 by absolute majority. Councillors were appointed to the committee at the Council meeting held 30 November 2023 by absolute majority.	Michelle Larkworthy
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	N/A	The Audit Committee does not have delegated powers or duties.	Michelle Larkworthy
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2023 received by the local government by 31 December 2023?	Yes	The auditor's report was received 8 December 2023.	Michelle Larkworthy
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	No matters were raised in the auditor's report.	Michelle Larkworthy
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	No matters were raised in the auditor's report.	Michelle Larkworthy
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	N/A	No matters were raised in the auditor's report.	Michelle Larkworthy
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2023 received by the local government within 30 days of completion of the audit?	Yes		Michelle Larkworthy



Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adoption of Strategic Community Plan 2023-2033 - C.03/0523 - 25 May 23 As per the document found on the Shire of Bridgetown website	Nicole Gibbs
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adoption of 'Corporate Business Plan 2021-2025' - C.07/0621 - 24 June 21 (There was inclusion and amendment of the CBP in June 23) As per the document found on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	As per the Corporate Business Plan document found on the Shire of Bridgetown-Greenbushes website.	Nicole Gibbs



Local Government Employees						
No	Reference	Question	Response	Comments	Respondent	
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	Yes	As per the personnel records.	Nicole Gibbs	
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	As per the personnel records.	Nicole Gibbs	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the <i>Local Government Act 1995</i> ?	Yes	As per the personnel records.	Nicole Gibbs	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	As per the personnel records.	Nicole Gibbs	
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	The circumstance did not occur.	Nicole Gibbs	

Official Conduct						
No	Reference	Question	Response	Comments	Respondent	
1	s5.120	Has the local government designated an employee to be its complaints officer?	No	A call for Grievance Resolution Officers was put out to all staff 6/11/2023. Nil interest received. This will be revisited early 2024	Nicole Gibbs	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the <i>Local Government Act 1995</i> ?	Yes	Nil	Nicole Gibbs	
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the <i>Local Government Act 1995</i> ?	Yes	Nil	Nicole Gibbs	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	Nil	Nicole Gibbs	



Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2023? If yes, please provide the date of council's resolution to accept the report.	Yes	Last review was undertaken in June 2022. The Council accepted the report at its meeting held 29 September 2022.	Michelle Larkworthy
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2023? If yes, please provide date of council's resolution to accept the report.	Yes	Last review undertaken was in June 2023 and considered risk management, internal controls and legislative compliance. The Council accepted the report at its meeting held 29 June 2023.	Michelle Larkworthy
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the <i>Local Government Act 1995</i> , were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Yes		Nicole Gibbs
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	The policy was adopted 30/04/2020 and has been on the Shire's website since. No changes have been made to it since its adoption.	Neil Price
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the <i>Local Government Act 1995</i> ?	Yes		Neil Price
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	The policy was adopted 30/04/2020	Neil Price
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2023?	Yes		Neil Price
8	s6.4(3)	By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?	No	Due to delay in receipt of infrastructure fair values, the Shire requested an extension in time for completion to submit to its auditor the balanced accounts. The Minister granted an extension to 13 October 2023. The accounts were submitted to the Auditor on 13 October 2023 in line with the approved extension.	Michelle Larkworthy
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes		Michelle Larkworthy



Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	As per the procurement documentation.	Nicole Gibbs
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	As per the procurement documentation.	Nicole Gibbs
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	As per the procurement documentation.	Nicole Gibbs
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	Yes	As per the procurement documentation.	Nicole Gibbs
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes	As per the procurement documentation.	Nicole Gibbs
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	As per the procurement documentation.	Nicole Gibbs



7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	As per the tender register.	Nicole Gibbs
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No	The circumstance did not occur.	Nicole Gibbs
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	As per the procurement documentation.	Nicole Gibbs
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	As per the procurement documentation.	Nicole Gibbs
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	Yes	As per the procurement documentation.	Nicole Gibbs
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	No comment	Nicole Gibbs
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Yes	As per the procurement documentation.	Nicole Gibbs
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	Yes	As per the procurement documentation.	Nicole Gibbs
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions and General) Regulations 1996, Regulations 24AD(4) and 24AE?	Yes	As per the procurement documentation.	Nicole Gibbs
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	Yes	As per the procurement documentation.	Nicole Gibbs
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	No panels of pre-qualified suppliers were established.	Nicole Gibbs



18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	Yes	As per the procurement documentation.	Nicole Gibbs
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	No	As per the procurement documentation.	Nicole Gibbs
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes	As per the procurement documentation.	Nicole Gibbs
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes	As per the procurement documentation.	Nicole Gibbs
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	Yes	As per the procurement documentation.	Nicole Gibbs

PARTNERING FOR THE FUTURE 2023 PROJECT MONTHLY REPORTING

Project Progress January 2024

Greenbushes Transformation Project

Project Title	Greenbushes Footpath Upgrade and Root Management Plan				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Survey and Masterplan RFQ's issued. Surveyor engaged Survey of all Greenbushes local roads has been completed Landscape Architect engagement Draft footpath masterplan 				
Planned action for February	<ul style="list-style-type: none"> Community Engagement Presentation to Council for Endorsement 				
Risks	<ul style="list-style-type: none"> Nil 				
Completion	<ul style="list-style-type: none"> End February 2024 				

Project Title	Greenbushes Asphalt Overlay Works				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Primary contract awarded. Collins Street road repairs completed. Telluride Street drainage repairs 				
Planned action for February	<ul style="list-style-type: none"> Asphalt overlay to Spring Gully Rd and section of Telluride Balance of overlay to commence March 19th and finish March 23rd. 				
Risks	<ul style="list-style-type: none"> Contractor delays 				
Completion	<ul style="list-style-type: none"> March 2024 				

Project Title	Greenbushes Hard Court Lighting				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> Contract awarded. Lighting infrastructure ordered. Footings and rag bolts installed. Conduits and wiring installed. Standing of light poles. 				
Planned action for February	<ul style="list-style-type: none"> Commission and handover. 				
Risks	<ul style="list-style-type: none"> Nil 				
Completion	<ul style="list-style-type: none"> February 2024 				

Bridgetown Sports Ground Project

Project Title	Bridgetown Sports Ground Upgrade				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Subsoil drainage installation • Electrical infrastructure for lights • Footing excavation and cage installation • Concrete pour for light pole foundation • Main oval irrigation • Pump and headworks installation • Junior oval Irrigation installation. • Commence new dam construction 				
Planned action for February	<ul style="list-style-type: none"> • Completion of new dam • Fencing of new dam 				
Risks	<ul style="list-style-type: none"> • Nil 				
Completion	<ul style="list-style-type: none"> • Mid March for standing of the light towers 				

Bridgetown Leisure Centre Activation Project

Project Title	Bridgetown Leisure Centre Pool Blankets				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Contract awarded. • Infrastructure ordered. 				
Planned action for February	<ul style="list-style-type: none"> • Awaiting delivery & Installation 				
Risks	<ul style="list-style-type: none"> • Awaiting pool blanket delivery, now pushed to end of March by supplier. 				
Completion	<ul style="list-style-type: none"> • End March 2024 				

Project Title	Bridgetown Leisure Centre Fans				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Fans have been delivered to Bridgetown Leisure Centre • Fans installation • Completion 				
Planned action for February	<ul style="list-style-type: none"> • - 				
Risks	<ul style="list-style-type: none"> • Nil 				
Completion	<ul style="list-style-type: none"> • Complete 				

Project Title	Bridgetown Leisure Centre Pool Inflatables				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • Inflatables have been procured and delivered to Bridgetown leisure Centre. • Inflate for community use. • Completion 				
Planned action for January	NIL				
Risks	<ul style="list-style-type: none"> • Nil 				
Completion	<ul style="list-style-type: none"> • Complete 				

Bridgetown Energy Sustainability Project (Planning)

Project Title	Stage 1 Bridgetown Energy Sustainability Project - Planning				
Completion Status	0-10%	10 - 25%	25 - 50%	50 - 75%	75 - 100%
Works Completed	<ul style="list-style-type: none"> • 3 solar installers have provided designs for both grid feed back and battery/grid for Library, Civic Centre and Bridgetown Leisure Centre. • Cost estimates received. • Internal evaluation of design proposals • Completion 				
Planned action for January	NIL				
Risks	<ul style="list-style-type: none"> • Nil 				
Completion	<ul style="list-style-type: none"> • Complete 				

Attachment 39 - C.03 0124 - Talison Partnering for the Future -
Budget Amendment

ITEM NO.	C.03/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future – Budget Amendment		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

OFFICER RECOMMENDATION

That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.

Summary/Purpose

To request a budget amendment to the Talison Partnering for the Future 2023 Grant Moneys.

Background

In 2023, the Shire was granted \$1,804,504.90 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

Each of these projects was allocated a budget amount based on assumed costs, however, during the procurement and delivery phase, the true costs of these works has now been realised.

In late 2023, Talison provided written approval for the Shire's Project Management Team to 'pool' these moneys and reallocate any project surplus to projects with a deficit.

As these budgets were formalised and set within Shire budget papers, Officers now require a Budget Amendment to allow for the transfer of funds between these Talison funded projects.

Officer Comment

Officers seek a Council budget amendment to transfer Talison Projects funds as below:

AMOUNT (incl GST)	TRANSFER FROM	TRANSFER TO
\$14,300.00	25IN Bridgetown Sports Ground	23IN Sports Ground Water Supply Dam Construction
\$57,750.00	23IN Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,140.70	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$38,500.00	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$48630.86	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$546.70	TF05 Aquatic Blanket	TF04 Aquatic Inflatable

This budget amendment will allow for the full construction, HDPE lining and hydraulic works to the new Bridgetown Sports Ground dam, providing irrigation water security to this facility.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health

(Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Outcome 2 - Good health and community wellbeing
- Corporate Business Plan
Outcome 2.2 Provide quality sport, leisure and recreation services
- Long Term Financial Plan
The budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications

Transfer of funds between Talison funded projects will have no negative impact on the 2023/24 budget.

Whole of Life Accounting - No impact

Risk Management – No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority



SHIRE OF BRIDGETOWN-GREENBUSHES

MONTHLY FINANCIAL REPORT

For the Period Ended 31 January 2024

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Statement of Financial Activity	2- 3
Statement of Financial Position	4
Note 1 Determination of Surplus or Deficit	5
Note 2 Explanation of Material Variances	6 - 8
Note 3 Budget Amendments	9 - 10
Note 4 Cash and Investments	11
Note 5 Cash Backed Reserves	12- 13
Note 6 Receivables	14
Note 7 Fixed Asset Disposals	15
Note 8 Fixed Asset Acquisitions	16 - 22
Note 9 Information on Borrowings and Leases	23 - 24
Note 10 Rating Information	25

Detailed account schedules will be provided with financial reports to be presented at the

September 2023

December 2023

March 2024 (Budget Review)

June 2024

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

	Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.
		\$	\$	\$	\$	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	10	5,735,031	5,677,690	5,709,823	32,133	0.57%	
Grants, subsidies and contributions		1,580,220	541,432	613,895	72,463	13.38%	▲
Fees and charges		2,358,396	1,989,967	2,082,704	92,737	4.66%	
Interest revenue		353,000	184,999	273,382	88,383	47.77%	▲
Other revenue		275,604	137,184	155,755	18,571	13.54%	▲
Profit on asset disposals	7	55,001	27,128	23,814	(3,314)	(12.22%)	
		10,357,252	8,558,400	8,859,374			
Expenditure from operating activities							
Employee costs		(6,324,422)	(3,673,193)	(3,569,715)	103,478	2.82%	
Materials and contracts		(4,493,655)	(2,094,581)	(1,810,331)	284,250	13.57%	▲
Utility charges		(299,456)	(152,124)	(133,340)	18,784	12.35%	▲
Depreciation		(3,759,377)	(2,192,802)	(2,944,677)	(751,875)	(34.29%)	▼
Finance costs		(63,715)	(32,110)	(31,869)	241	0.75%	
Insurance		(380,176)	(380,132)	(373,983)	6,149	1.62%	
Other expenditure		(329,236)	(236,619)	(215,156)	21,463	9.07%	▲
Loss on asset disposals	7	(5,450)	(4,028)	(2,508)	1,520	37.74%	
		(15,655,487)	(8,765,589)	(9,081,579)			
Non-cash amounts excluded from operating activities	1(a)	3,715,452	2,169,702	2,927,221	757,519		
Amount attributable to operating activities		(1,582,783)	1,962,513	2,705,016			
INVESTING ACTIVITIES							
Inflows from investing activities							
Capital grants, subsidies and contributions		8,331,305	1,814,617	806,962	(1,007,655)	(55.53%)	▼
Proceeds from disposal of assets	7	444,001	75,001	75,909	908	1.21%	
		8,775,306	1,889,618	882,871			
Outflows from investing activities							
Purchase of property, plant and equipment	8	(8,254,284)	(2,741,266)	(878,388)	1,862,878	67.96%	▲
Purchase and construction of infrastructure	8	(5,428,809)	(4,181,305)	(1,787,196)	2,394,109	57.26%	▲
		(13,683,093)	(6,922,571)	(2,665,584)			
Amount attributable to investing activities		(4,907,787)	(5,032,953)	(1,782,713)			
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from borrowings	9	0	0	0	0		
Transfers from reserve accounts	5	2,791,586	1,116,485	1,116,485	0	0.00%	
		2,791,586	1,116,485	1,116,485			
Outflows from financing activities							
Repayment of borrowings	9	(153,248)	(76,031)	(76,031)	(0)	(0.00%)	
Payments for principal portion of lease liabilities	9	(64,218)	(42,967)	(42,967)	0	0.00%	
Transfers to reserve accounts	5	(1,102,137)	(85,533)	(85,533)	0	0.00%	
		(1,319,603)	(204,531)	(204,531)			
Amount attributable to financing activities		1,471,983	911,954	911,954			

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	* Var.
	\$	\$	\$	\$	%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	5,006,329	5,006,329	5,032,107	25,778	0.51%	
Amount attributable to operating activities	(1,582,783)	1,962,513	2,705,016			
Amount attributable to investing activities	(4,907,787)	(5,032,953)	(1,782,713)			
Amount attributable to financing activities	1,471,983	911,954	911,954			
Surplus or deficit after imposition of general rates	(12,258)	2,847,843	6,866,363	4,018,520		
1(b)						

* Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable. Refer to Note 2 for explanation of material variances.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
STATEMENT OF FINANCIAL POSITION
For the Period Ended 31 January 2024

	Note	31-Jan-2024	Last Period	30-Jun-23
		\$	\$	\$
Current Assets				
Cash and cash equivalents	4	12,671,228	13,049,695	11,307,415
Trade and other receivables		2,617,990	3,102,536	1,505,902
Inventories		50,331	60,386	26,085
Other assets		0	0	0
TOTAL CURRENT ASSETS		15,339,549	16,212,617	12,839,402
Non-Current Assets				
Trade and other receivables		163,073	163,073	163,073
Other financial assets		81,490	81,490	81,490
Property, plant and equipment		41,253,402	41,197,926	41,042,703
Infrastructure		213,566,611	213,466,992	214,073,122
Right-of-use assets		83,108	65,327	33,659
TOTAL NON-CURRENT ASSETS		255,147,684	254,974,808	255,394,047
TOTAL ASSETS		270,487,233	271,187,425	268,233,449
Current Liabilities				
Trade and other payables		1,457,700	1,189,747	1,371,178
Other liabilities		2,886,199	2,822,883	1,272,029
Lease liabilities	9	15,534	20,845	32,182
Borrowings	9	77,216	77,216	153,248
Employee related provisions		738,063	738,063	738,063
TOTAL CURRENT LIABILITIES		5,174,712	4,848,754	3,566,700
Non-Current Liabilities				
Lease liabilities	9	64,094	45,741	3,081
Borrowings	9	1,542,165	1,542,165	1,542,165
Employee related provisions		60,378	60,378	60,378
TOTAL NON-CURRENT LIABILITIES		1,666,637	1,648,284	1,605,624
TOTAL LIABILITIES		6,841,349	6,497,038	5,172,324
NET ASSETS		263,645,884	264,690,387	263,061,125
Equity				
Retained surplus		119,141,535	120,186,038	117,525,824
Reserves accounts	5	3,588,697	3,588,697	4,619,649
Revaluation surplus		140,915,652	140,915,652	140,915,652
TOTAL EQUITY		263,645,884	264,690,387	263,061,125

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 1: DETERMINATION OF SURPLUS OR DEFICIT (NET CURRENT ASSETS)

(a) Non-cash amounts excluded from operating activities

The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Note	YTD 31 Jan 2024	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	7	(23,814)	(23,814)	(75,306)
Add: Loss on disposal of assets	7	2,508	2,508	4,173
Add: Depreciation on assets		2,944,677	2,516,213	3,634,894
Movement in non-current pensioner deferred rates		0	0	(4,677)
Movement in non-current employee provisions		0	0	6,106
Movement in current employee provisions associated with restricted cash		3,849	3,849	597
Non cash amounts excluded from operating activities		2,927,221	2,498,757	3,565,787

(b) Surplus or deficit after imposition of general rates

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.

	Note	YTD 31 Jan 2024	Last Period	Actual 30 June 2023
		\$	\$	\$
Adjustments to net current assets				
Less: Cash - restricted reserves	5	(3,588,697)	(3,588,697)	(4,619,649)
Add: Current portion of borrowings		77,216	77,216	153,248
Add: Current portion of lease liabilities		15,534	20,845	32,182
Add: Current portion of employee benefit provisions	5	197,473	197,473	193,624
Total adjustments to net current assets		(3,298,473)	(3,293,163)	(4,240,595)
Net current assets used in the Statement of Financial Activity				
Total current assets		15,339,549	16,212,617	12,839,402
Less: Total current liabilities		(5,174,713)	(4,848,754)	(3,566,700)
Less: Total adjustments to net current assets		(3,298,473)	(3,293,163)	(4,240,595)
Surplus or deficit after imposition of general rates		6,866,363	8,070,700	5,032,107

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
OPERATING ACTIVITIES					
Revenue from operating activities					
Operating grants, subsidies and contributions	72,463	13.38%	▲	Timing/ Permanent	DFES grants income greater than estimated at this time offset by expenditure \$26,692 and additional Federal assistance grant received for 2023-24 \$45,771 , will be adjusted at budget review.
Interest revenue	88,383	47.77%	▲	Permanent	Variance due to higher than expected interest earnings due to increase in interest rates and funds available for investment.
Other revenue	18,571	13.54%	▲	Timing/ Permanent	Revenue in the following areas are greater than estimated: Town planning fees \$18,000 Fuel tax rebate \$5,415 Worker compensation claims offset by expenditure \$5,219 Revenue in the following area are less than estimated: Development service reimbursements \$12,332 offset by reduce expenditure Balance relates to minor variances in other income.
Expenditure from operating activities					
Materials and contracts	284,250	13.57%	▲	Timing	Expenditure in the following areas are less than estimated: Governance expenditure & non-recurrent projects \$54,649 Fire prevention council expenditure \$60,310 Education & Welfare \$12,047 Bridgetown refuse site \$44,761 Sanitation non-recurrent projects \$16,398 Other rec & sport non-recurrent projects \$25,000 Talisson partnering for the future projects \$50,000 Library expenditure \$23,167 Road and verge maintenance \$71,052 Street maintenance non-recurrent projects \$34,464 Economic Development non-recurrent projects \$15,412 Expenditure in the following areas greater than estimated: Administration building operations \$14,264 Plant parts & repairs \$70,387 Balance relates to minor variances in other expenditure.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
Utility charges	18,784	12.35%	▲	Timing	Utility accounts for various shire buildings and reserves are less than estimated at this time.
Depreciation	(751,875)	(34.29%)	▼	Permanent	Variance due to updated fair values on property, plant and equipment and infrastructure assets being greater than estimated. Non-cash adjustment to be made at budget review.
Other expenditure	21,463	9.07%	▲	Timing	Expenditure in the following areas are greater than estimated: Members expenditure \$10,639 Service agreement & community grants program \$9,127 Balance relates to minor variances in other expenditure items.
INVESTING ACTIVITIES					
Capital grants, subsidies and contributions	(1,007,655)	(55.53%)	▼	Timing	Various grant income in the following areas are less than estimated: Talisson Partnering for the future recreation & culture \$79,200 Talisson Partnering for the future road construction \$923,616 Balance relates to other minor grant income. Grant revenue is recognised once the associated expenditure is incurred.
Purchase of property, plant and equipment	1,862,878	67.96%	▲	Timing	Expenditure in the following areas are less than estimated: Building renewals \$699,864 Plant and equipment \$1,163,014 Please refer to note 8 for more details.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 2: EXPLANATION OF MATERIAL VARIANCES

Nature of Income/Expenditure	Variance \$	Variance %	Var.	Reason	Explanation of Variance
Purchase and construction of infrastructure	2,394,109	57.26%	▲	Timing	Expenditure in the following areas are less than estimated: Road construction program \$828,311 Talisson partnering for the future projects construction \$921,057 Footpaths \$13,925 Drainage construction program \$19,655 Parks & Ovals infrastructure \$65,842 Infrastructure other \$65,842 Please refer to note 8 for more details.

Council for the financial year ending 30 June 2024 adopted a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Closing Surplus				0
	Permanent Changes						
ZA02	Routine road maintenance	C.18/0623	Operating Expenses			(12,500)	(12,500)
PJ157	Community events banners	C.02/0923	Operating Expenses			(10,000)	(22,500)
Res126	Strategic projects reserve	C.02/0923	Reserve Transfer		10,000		(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses		166,606		154,106
41413.64	Car park contributions - capital grants	C.08/0923	Operating Revenue			(149,862)	4,244
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer			(16,744)	(12,500)
CP05	Greenbushes CBD parking & safety enhancement	C.08/0923	Capital Expenses			(33,499)	(45,999)
41413.92	Car park contributions - capital contributions	C.08/0923	Operating Revenue		33,499		(12,500)
22IN	Greenbushes youth precinct - stage 1	C.08/0923	Capital Expenses			(19,711)	(32,211)
16IN	Bridgetown youth precinct - stage 2	C.08/0923	Capital Expenses		14,000		(18,211)
02IM	Greenbushes skate park infrastructure maintenance	C.08/0923	Operating Expenses		5,711		(12,500)
PJ95	Bridgetown CBP water restoration project - concept stage	C.08/0923	Operating Expenses			(65,000)	(77,500)
PJ127	Bridgetown CBP water restoration project - detail design	C.08/0923	Operating Expenses		40,000		(37,500)
Res126	Strategic projects reserve	C.08/0923	Reserve Transfer		25,000		(12,500)
GS73	Crowd Wheatley Road	SpCa.02/1023	Capital Expenses			(107,500)	(120,000)
GS74	Klause Road	SpCa.02/1023	Capital Expenses			(90,000)	(210,000)
GS75	Walter Willis Road	SpCa.02/1023	Capital Expenses			(52,500)	(262,500)
Res126	Strategic projects reserve	SpCa.02/1023	Reserve Transfer		250,000		(12,500)
34292.07	Aquatic Co-ordinators training	C.12/1123	Operating Expenses			(4,159)	(16,659)
34593	Bridgetown Leisure Centre hire fees	Ca.17/1123	Operating Revenue		7,665		(8,994)
GS73	Crowd Wheatley Road	Ca.18/1123	Capital Expenses			(27,707)	(36,701)
GS74	Klause Road	Ca.18/1123	Capital Expenses			(23,144)	(59,845)
GS75	Walter Willis Road	Ca.18/1123	Capital Expenses			(11,729)	(71,574)
BR06	Maranup Rod Road bridge	Ca.18/1123	Capital Expenses		22,580		(48,994)
RC64	Hackett Street	Ca.18/1123	Capital Expenses		40,000		(8,994)

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 3: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	(Decrease) in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
31092	Cemetery & memorial plaques	Ca.16/1123	Operating Expenses			(5,000)	(13,994)
31093	Sale of cemetery & memorial plaques	Ca.16/1123	Operating Revenue		5,000		(8,994)
06532	Fire prevention unspent grants	Ca.16/1123	Operating Expenses			(2,815)	(11,809)
08112	SES unspent grants	Ca.16/1123	Operating Expenses			(449)	(12,258)
06574	Fire equipment shire funded	Ca.16/1123	Capital Expenses			(15,000)	(27,258)
Res 104	Bushfire Reserve	Ca.16/1123	Reserve Transfer		15,000		(12,258)
09BN	Greenbushes fire station	Ca.16/1123	Capital Expenses			(307,234)	(319,492)
10BN	Wandillup fire station	Ca.16/1123	Capital Expenses			(379,444)	(698,936)
06007	DFES Non-recurrent grants	Ca.16/1123	Operating Revenue		686,678		(12,258)
							(12,258)
				0	1,321,739	(1,333,997)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted	Restricted	Trust	Investments	Total Amount	Institution	Maturity Date
		\$	\$	\$	\$	\$		
(a) Cash deposits								
Municipal bank account	Nil	300,941				300,941	Westpac	At Call
Municipal funds on call	4.30%	615,955				615,955	WATC	At Call
Municipal funds on call	4.30%	1,555,545				1,555,545	WATC	At Call
Trust bank account	Nil			231		231	Westpac	At Call
Visitor Centre trust account	Nil			8,071		8,071	Westpac	At Call
Cash on hand	Nil	3,850				3,850	N/A	On Hand
Term deposits								
(b) Municipal funds								
Municipal funds	5.00%	519,598				519,598	NAB	05-Feb-24
Municipal funds	5.05%	524,141				524,141	NAB	12-Feb-23
Municipal funds	4.95%	750,000				750,000	NAB	26-Feb-24
Municipal funds	5.00%	503,493				503,493	NAB	11-Mar-24
Municipal funds	5.00%	408,559				408,559	NAB	13-Mar-24
Municipal funds	5.05%	525,117				525,117	NAB	28-Mar-24
Municipal funds	5.05%	505,979				505,979	NAB	02-Apr-24
Municipal funds	5.05%	527,904				527,904	NAB	03-Apr-24
Municipal funds	5.05%	527,542				527,542	NAB	03-Apr-24
Municipal funds	5.05%	527,474				527,474	NAB	08-Apr-24
Municipal funds	5.05%	527,463				527,463	NAB	08-Apr-24
Municipal funds	5.05%	758,969				758,969	NAB	09-Apr-24
Reserve funds	4.10%		3,588,697			3,588,697	NAB	23-Nov-23
Total		9,082,531	3,588,697	8,302	0	12,679,530		

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
		\$	\$	\$	\$	\$		\$	\$	\$
	Restricted by Legislation/Agreement									
106	Subdivision reserve	224,056	6,510	4,455	10,000				240,566	228,511
121	Car park reserve	1,008	29	20	0				1,037	1,028
201	Unspent grants & loans reserve	317,455	0	1	0		(317,455)	(301,849)	(1)	15,606
	Restricted by Council									
101	Leave reserve	193,624	5,626	3,849	0				199,250	197,473
102	Plant reserve	763,951	22,198	15,188	300,000		(931,816)	(129,536)	154,333	649,604
103	Land and building reserve	589,080	17,116	11,712	0		(267,500)	(200,000)	338,696	400,791
104	Bush fire reserve	50,156	1,457	997	10,000		(15,000)		46,613	51,153
105	Maintenance and renewal of mine heavy haulage roads reserve	82,334	2,392	1,637	79,573				164,299	83,971
107	Sanitation reserve	296,229	8,607	5,889	60,000		(279,417)	(83,803)	85,419	218,315
109	Recreation centre floor and solar reserve	243,808	7,084	4,847	10,000				260,892	248,655
112	Refuse site post closure reserve	253,468	7,364	5,039	5,000		(30,000)		235,832	258,508
113	Drainage reserve	80,620	2,342	1,603	10,000		(16,326)	(11,326)	76,636	70,897
114	Community bus reserve	74,296	2,159	1,477	5,000				81,455	75,773
115	SBS & communications tower reserve	63,577	1,847	1,264					65,424	64,841
118	Playground equipment reserve	46,455	1,350	924					47,805	47,378
125	Building maintenance reserve	232,900	6,767	4,630			(103,135)	(89,308)	136,532	148,222
126	Strategic projects reserve	292,757	8,506	5,820	297,564		(393,120)	(93,120)	205,707	205,458
127	Matched grants reserve	77,797	2,260	1,547	10,000				90,057	79,344
128	Aged care infrastructure reserve	59,556	1,730	1,184					61,286	60,740
129	Equipment reserve	6,389	186	127					6,575	6,516
130	Assets and GRV valuation reserve	124,319	3,612	2,472			(70,226)	(69,695)	57,705	57,096

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 5: CASH BACKED RESERVE

2023-24										
Res No.	Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
		\$	\$	\$	\$	\$		\$	\$	\$
131	Bridgetown Leisure Centre reserve	34,131	992	679			(5,000)		30,123	34,809
132	Trails reserve	42,790	1,243	851	5,000		(27,500)	(27,500)	21,533	16,141
133	Light fleet vehicle reserve	292,144	8,488	5,808	120,000		(330,091)	(110,348)	90,541	187,605
135	Blackspot reserve	11,749	341	234	10,000				22,090	11,983
136	Project management reserve	165,000	4,794	3,280					169,794	168,280
137	Sustainability reserve	0	0		15,000		(5,000)		10,000	0
138	CCTV infrastructure	0	0		30,000				30,000	0
		4,619,649	125,000	85,533	977,137	0	(2,791,586)	(1,116,485)	2,890,200	3,588,697

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 6: RECEIVABLES

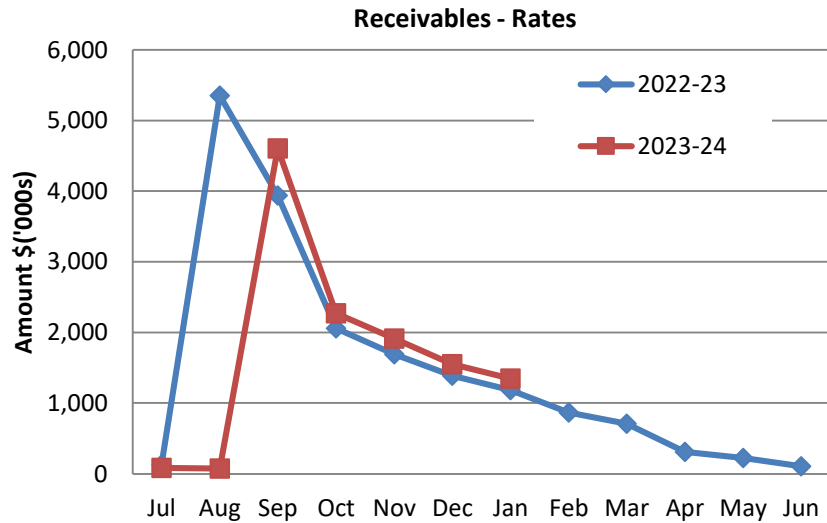
Receivables - Rates

Opening arrears previous years
 Levied this year
 Less Collections to date
 Equals Current outstanding

	YTD 31 Jan 2024	30 June 2023
	\$	\$
Opening arrears previous years	105,326	147,038
Levied this year	5,709,823	5,343,483
Less Collections to date	(4,469,540)	(5,385,195)
Equals Current outstanding	1,345,609	105,326
Net Rates Collectable	1,345,609	105,326
% Collected	76.86%	98.08%

Net Rates Collectable

% Collected



Receivables - Sundry Debtors

Receivables - Sundry debtors

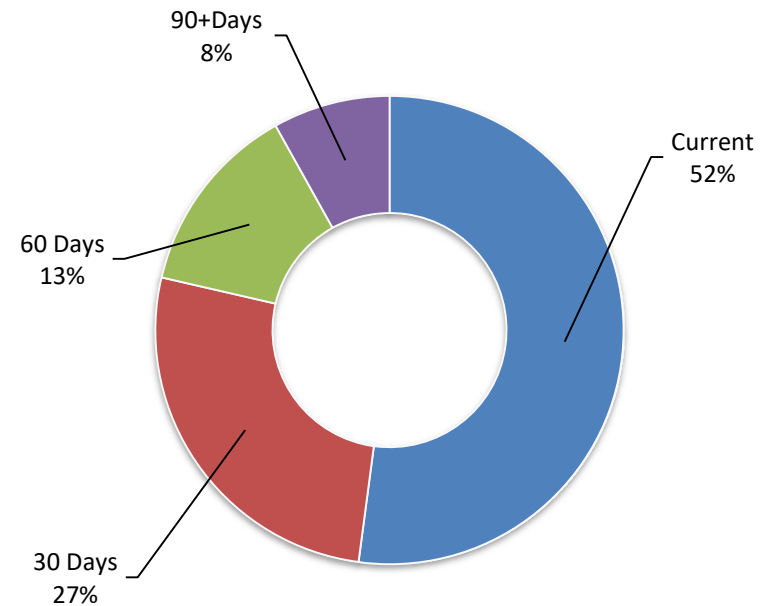
	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - Sundry debtors	49,220	25,018	12,535	7,651

Total Sundry Debtor Receivables Outstanding

94,424

Amounts shown above include GST (where applicable)

Receivables - Sundry Debtors



SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 7: FIXED ASSET DISPOSALS

YTD Actual Replacement				Disposals	Amended Current Budget		
Net Book Value	Proceeds	Profit (Loss)	P&L Variance		Net Book Value	Proceeds	Profit (Loss)
\$	\$	\$	\$		\$	\$	\$
				Plant and Equipment			
				P3020 2018 Mitsubishi Outlander (Pool)	6,800	15,000	8,200
				P3070 2020 Toyota Prado (CEO)	33,790	35,000	1,210
				P3085 2020 Toyota RAV4 (EMCS)	24,500	25,000	500
				P4200 2017 Mitsubishi Triton (Bushfire Brigade)	11,680	12,000	320
				P4190 2008 Ford Ranger (Bushfire Brigade)	6,200	5,000	(1,200)
				P4225 2018 Toyota Hilux (Bridgetown Logistics)	10,070	13,000	2,930
				P4095 2007 Isuzu Fire Truck (Yornup BFB)	70,920	76,000	5,080
				P2051 2019 Mitsubishi Triton (Senior Ranger)	15,180	18,000	2,820
				P2082 2006 CAT Track Loader (Waste Site)	62,000	65,000	3,000
				P2285 2009 Bomag Refuse Compactor	33,720	30,000	(3,720)
8,967	12,727	3,760	(390)	P3010 2018 Nissan Xtrail (MDS)	5,850	10,000	4,150
				P2073 2015 CAT 432F Backhoe Loader	70,530	70,000	(530)
8,000	11,364	3,364	(0)	P2111 2013 Tennant Footpath Sweeper	8,000	11,364	3,364
				P2076 2000 JCB Robot Skid Steer Loader	5,000	5,000	0
14,686	20,000	5,314	(2,126)	P2045 2018 Nissan Navara (Works Coordinator)	12,560	20,000	7,440
10,221	16,364	6,143	(2,280)	P2220 2018 Mitsubishi Triton (Plant Mechanic)	8,850	17,273	8,423
10,221	15,455	5,234	(2,330)	P2270 2018 Mitsubishi Triton (Parks Crew)	8,800	16,364	7,564
2,508	0	(2,508)	(2,508)	54607 Howard pro cut mower (P&G)	0	0	0
54,603	75,909	21,306	(9,635)		394,450	444,001	49,551

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings						
Governance						
Shire Administration Building	07BU	47,855	24,226	7,445	(16,781)	Job continuing
Law, Order and Public Safety						
Greenbushes Bushfire Brigade	09BN	629,834	0	627	627	Purchase order raised
Wandillup Bushfire Brigade	10BN	730,544	0	5,793	5,793	Purchase order raised
Kangaroo Gully Bushfire Station	12BN	625	625	165	(460)	
Housing						
144 Hampton Street	38BU	40,000	40,000	36,920	(3,080)	Job continuing
146 Hampton Street	26BU	10,000	10,000	10,106	106	Job completed
Community Amenities						
Waste Site Recycle Shed	62BU	118,522	29,630	0	(29,630)	Job not yet commenced
Recreation and Culture						
Yornup Hall	01BU	10,000	0	0	0	
Bridgetown Civic Centre Revitalisation	02BU	998,073	443,584	184,230	(259,354)	Job continuing
Bridgetown Leisure Centre	16BU	76,536	42,094	16,500	(25,594)	Job continuing
Greenbushes Hall	20BU	164,027	5,800	5,783	(17)	
Greenbushes Golf Club	39BU	225,000	56,250	0	(56,250)	Purchase order raised
Bridgetown Sportsground horse stalls	56BU	4,978	4,978	0	(4,978)	Job not yet commenced
Bridgetown Lesser Hall	61BU	15,537	15,537	15,537	0	Job completed
Bridgetown Civic Centre wet areas and foyer	63BU	150,000	0	0	0	
Greenbushes Office toilets	TF02	145,200	24,200	0	(24,200)	Job not yet commenced
BLC court fans	TF07	106,140	106,140	86,993	(19,147)	Job completed
Bridgetown Regional Library	60BU	54,300	54,300	5,024	(49,276)	Job continuing
Bridgetown Railway Station restoration	57BU	103,135	103,135	80,105	(23,030)	Job continuing

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Land and Buildings (Continued)						
Recreation and Culture (Continued)						
Greenbushes Old Court House	TF12	330,000	55,000	0	(55,000)	Job not yet commenced
Transport						
Shire Depot Rebuild	08BU	661,796	33,920	33,920	0	
Economic Services						
154 Hampton Street	59BU	40,000	30,000	0	(30,000)	Job not yet commenced
Bridgetown Visitor Centre fit out	64BU	114,000	114,000	4,407	(109,593)	Job continuing
Other Property and Services						
Purchase of Land	1790040	17,500	0	0	0	
Land and Buildings Total		4,793,602	1,193,419	493,555	(699,864)	
Roads						
Transport						
Winnejup Road Regional Road Group 23/24	RR17	375,000	374,996	337,539	(37,457)	Job continuing
Winnejup Road Regional Road Group 22/23	RR21	174,697	174,696	135,120	(39,576)	Job continuing
Kerbing	KB01	10,000	5,250	6,246	996	
Eedle terrace	RC01	40,000	0	0	0	
Phillips Street	RC05	35,000	35,000	0	(35,000)	Job not yet commenced
Apex Grove	RC15	14,138	14,138	0	(14,138)	Job not yet commenced
Improvements Steere Street Intersections	RC52	22,500	22,500	0	(22,500)	Job not yet commenced
Emergency Works	RC53	30,000	14,998	0	(14,998)	No emergency works identified to date
Hester Cascades Road	RC55	49,426	49,426	0	(49,426)	Job not yet commenced
Blechynden Street	RC63	80,000	80,000	0	(80,000)	Job not yet commenced
Hackett Street	RC64	75,265	75,265	0	(75,265)	Job not yet commenced
Geegelup View	RC65	15,000	0	0	0	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Roads (Continued)						
Transport (Continued)						
Peninsula Road	RC66	29,425	29,425	0	(29,425)	Job not yet commenced
Mount Street	RC67	15,000	0	0	0	
Lakeview Crescent	RC68	140,000	140,000	0	(140,000)	Job not yet commenced
Somme Street	RC69	10,000	10,000	0	(10,000)	Job not yet commenced
Mirimiri Street	RC70	14,000	14,000	0	(14,000)	Job not yet commenced
Riverview Close	RC71	11,500	11,500	0	(11,500)	Job not yet commenced
Carnegie Close	RC72	11,000	11,000	0	(11,000)	Job not yet commenced
Blechynden Street/Roe Street	RC73	30,000	30,000	0	(30,000)	Job not yet commenced
Catterick Road	GS32	70,000	70,000	0	(70,000)	Job not yet commenced
Tweed Road	GS71	120,000	59,999	0	(59,999)	Job not yet commenced
Connell Road	GS72	85,000	85,000	0	(85,000)	Job not yet commenced
Donnelly Mill Road	GS22	145,000	0	0	0	
Crowd Wheatley Road	GS73	135,207	135,207	131,353	(3,854)	Job continuing
Klause Road	GS74	113,144	113,144	117,475	4,331	Job continuing
Walter Willis Road	GS75	64,229	64,229	63,729	(500)	Job continuing
Collins Road	TF13	38,500	38,500	2,943	(35,557)	Purchase order raised
Spring Gully Rod	TF14	308,000	308,000	0	(308,000)	Purchase order raised
Telluride Street	TF15	308,000	308,000	0	(308,000)	Purchase order raised
Galena Road section 1	TF16	33,000	33,000	0	(33,000)	Purchase order raised
Galena Road section 2	TF17	33,000	33,000	0	(33,000)	Purchase order raised
Diorite Street	TF18	82,500	82,500	0	(82,500)	Purchase order raised
Tourmaline Street section 1	TF19	33,000	33,000	0	(33,000)	Purchase order raised
Tourmaline Street section 2	TF20	44,000	44,000	0	(44,000)	Purchase order raised
Tourmaline Street section 3	TF21	44,000	44,000	0	(44,000)	Purchase order raised
Roads Total		2,838,531	2,543,773	794,405	(1,749,368)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Footpaths						
Transport						
Footpaths Accessibility Access	FP28	19,495	19,495	19,610	115	Job completed
Allnutt Street	FP38	14,040	14,040	0	(14,040)	Job not yet commenced
Footpaths Total		33,535	33,535	19,610	(13,925)	
Drainage						
Community Amenities						
Four Season Estate	DR24	4,652	4,652	0	(4,652)	Job not yet commenced
Peninsula Road	DR37	5,000	5,000	0	(5,000)	Job not yet commenced
Dairy Lane	DR38	46,307	46,307	36,304	(10,003)	Job completed, some savings made
Drainage Total		55,959	55,959	36,304	(19,655)	
Parks and Ovals						
Community Amenities						
Bridgetown Cemetery	01IN	20,000	0	0	0	
Recreation and Culture						
Four Seasons Estate POS Reserve	03IN	81,686	0	0	0	
Somme Park Fitness Trail Equipment	05IU	5,617	5,617	0	(5,617)	Job not yet commenced
Bridgetown Youth Precinct Development	16IN	161,000	161,000	31,879	(129,121)	Job continuing
Bridgetown Leisure Centre Wet Area	18IN	8,840	0	0	0	
Greenbushes Youth Precinct Development	22IN	417,041	417,040	244,114	(172,926)	Job continuing
Bridgetown Sportsground Water Supply	23IN	85,000	85,000	72,000	(13,000)	Purchase order raised
Bridgetown Sportsground Cricket Training Nets	24IN	55,618	55,617	56,365	748	Job completed
Bridgetown Sportsground	25IN	511,482	383,309	383,651	342	
Greenbushes Youth Precinct stage 2	26IN	160,000	26,666	0	(26,666)	Job not yet commenced
Greenbushes sportsground hard courts stage 1	TF08	164,700	164,700	45,455	(119,245)	Purchase order raised
Greenbushes sportsground hard courts stage 2	TF09	244,000	40,666	0	(40,666)	Job not yet commenced
Highland Bridgetown Estate	TF10	235,000	39,166	0	(39,166)	Job not yet commenced
Parks and Ovals Total		2,149,984	1,378,781	833,463	(545,318)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Bridges						
Transport						
Maranup Ford Road Bridge 3318A	BR06	87,420	0	0	0	
Bridges Total		87,420	0	0	0	
Infrastructure Other						
Other Governance						
Records Facility	20IU	6,732	0	0	0	
Housing						
144-146 Hampton Street fencing	19IU	40,000	2,148	2,147	(1)	
Community Amenities						
Bridgetown Landfill Liquid Waste Facility	WA01	69,953	39,976	39,876	(100)	
Recreation and Culture						
Bridgetown Sportsground car park	TF11	55,000	55,000	0	(55,000)	Job to be transferred at budget review
Transport						
Greenbushes CBD Parking	CP05	72,133	72,133	61,392	(10,741)	Job continuing
ACROD Parking Bay Hampton Street	CP06	19,562	0	0	0	
Infrastructure Other Total		263,380	169,257	103,415	(65,842)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
Plant and Equipment						
Governance						
Director Corporate Services vehicle	1055440	128,000	0	0	0	
Law, Order and Public Safety						
Fire Fighting Equipment (Brigades Funded)	1065540	5,000	0	0	0	
Fire Prevention - Equipment (Shire Funded)	1065740	15,000	15,000	0	(15,000)	Purchase order raised
Vehicles for Brigades	1065940	894,225	43,291	43,291	0	
Ranger vehicle	1070140	48,900	0	0	0	
CCTV Bridgetown Railway Station Carpark	1080340	98,349	98,349	0	(98,349)	Job not yet commenced
Community Amenities						
Tracked Loader	PL14	412,280	412,280	0	(412,280)	Purchase order raised
Waste compactor	PL10	400,000	400,000	0	(400,000)	Purchase to be deferred
Manager of Development Services vehicle	1305640	31,000	31,000	29,400	(1,600)	Vehicle purchased, some savings made
Recreation and Culture						
Indoor vertical lift	1346640	20,000	20,000	0	(20,000)	Job not yet commenced
BLC pool inflatable	TF04	16,125	16,125	16,659	534	Job completed
BLC pool blankets	TF05	114,000	114,000	0	(114,000)	Purchase order raised
Solar panels and batteries	TF06	660,000	109,999	0	(109,999)	Job not yet commenced
Transport						
Backhoe Loader	PL02	200,000	0	0	0	
Footpath Sweeper	PL06	140,900	140,900	140,900	0	Plant purchase completed
Skid Steer Loader	PL22	110,000	0	0	0	
Sundry Equipment	1403740	5,000	0	0	0	
Works and Services Fleet	1405040	146,903	146,903	154,583	7,680	Vehicle purchases completed
Plant and Equipment Total		3,445,682	1,547,847	384,833	(1,163,014)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 8: FIXED ASSET ACQUISITIONS

Assets	General Ledger/Job No.	Amended Annual Budget	YTD 31 Jan 2024			Comment
			Amended YTD Budget	YTD Actual	Variance (Under)/Over	
		\$	\$	\$	\$	
<i>Furniture and Equipment</i>						
Other Governance						
IT and Communication equipment	1055140	15,000	0	0	0	
Furniture and Equipment Total		15,000	0	0	0	
Capital Expenditure Total		13,683,093	6,922,571	2,665,584	(4,256,987)	

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 9: INFORMATION ON BORROWINGS AND LEASES

(a) Borrowing Repayments

Particulars	Principal 1/07/2023	New Loans	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Community Amenities									
Loan 115 Landfill Cell Extension	20,647			10,282	20,647	10,365	0	166	250
Loan 116 Liquid Waste Facility	62,324			4,920	9,887	57,404	52,437	611	1,173
Recreation and Culture									
Loan 112 Bridgetown Swimming Pool	1,183,783			38,817	78,419	1,144,966	1,105,364	23,912	47,041
Loan 117 Youth Precinct Redevelopment	153,819			9,087	18,242	144,732	135,577	1,147	2,227
Loan 118 Bridgetown Civic Centre Revitalisation	99,840			5,898	11,841	93,942	87,999	745	1,445
Loan 119 Youth Precinct Redevelopment (Stage 2)	175,000			7,027	14,212	167,973	160,788	3,932	7,706
	1,695,413	0	0	76,031	153,248	1,619,382	1,542,165	30,513	59,842

(b) New Borrowings

The Shire does not intend to undertake any new borrowings for the year ended 30th June 2024.

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 9: INFORMATION ON BORROWINGS AND LEASES

(c) Lease Liabilities

Particulars	Principal 1/07/2023	New Leases Actual	New Leases Budget	Principal Repayments		Principal Outstanding		Interest Repayments	
		\$	\$	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$
Recreation and Culture									
003 Gym Equipment	19,997		0	20,014	19,997	-17	0	229	229
007 Gym Equipment	0		111,781		6,456	0.00	105,325		1,116
Other Property and Services									
001 CESM Vehicle	471	3,838	2,344	3,838	3,296	471	0	60	46
002 Photocopies and printers	6,455		0	6,455	6,455	0	0	81	81
004 EHO Vehicle	8,340		0	3,065	5,259	5,275	3,081	17	24
005 2022 Toyota Hilux (CESM)	0	57,924	58,235	7,555	13,879	50,368	44,356	1,024	1,639
006 New Mitigation Vehicle	0	25,572	21,847	2,040	8,876	23,531	12,971	186	638
	35,263	87,333	194,207	42,967	64,218	79,629	165,733	1,596	3,773

(d) New Leases

Particulars	New Leases	New Leases	New Leases
	Term	Amended Budget	Actual
		\$	\$
Other Properties			
001 CESM Vehicle	6 months	2,344	3,838
005 2022 Toyota Hilux (CESM)	36 months	58,235	57,924
006 New Mitigation Vehicle	24 months	21,847	25,572
007 Gym Equipment	48 months	111,781	
		194,207	87,333

SHIRE OF BRIDGETOWN-GREENBUSHES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 January 2024

Note 10: RATING INFORMATION

RATE TYPE	Rate in Dollar	Number of Properties	Rateable Value	Rate Revenue	Interim Rates	Total Revenue	Amended Budget Rate Revenue	Amended Budget Interim Rate	Amended Budget Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$
Differential general rates or general rates									
Shire GRV	0.102727	1,840	28,708,192	2,949,107	15,672	2,964,780	2,949,107	67,000	3,016,107
Mining GRV	0.199767	1	820,000	163,809		163,809	163,809		163,809
Shire Rural UV	0.005187	465	258,884,000	1,342,832	3,202	1,346,034	1,342,831		1,342,831
Mining UV	0.068900	22	1,274,801	87,834	16,320	104,154	87,834		87,834
Sub-Totals		2,328	289,686,993	4,543,581	35,195	4,578,776	4,543,581	67,000	4,610,581
Minimum payments	Minimum \$								
Shire GRV	1,112.00	665	3,671,960	739,480	11,730	751,210	739,480		739,480
Mining GRV	1,112.00	0	0	0		0	0		0
Shire Rural UV	1,378.00	276	50,549,200	380,328	(5,132)	375,196	380,328		380,328
Mining UV	211.00	22	31,460	4,642		4,642	4,642		4,642
Sub-Totals		963	54,252,620	1,124,450	6,597	1,131,047	1,124,450	0	1,124,450
Total general rates and minimum payments						5,709,823			5,735,031

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
<u>MUNICIPAL FUND</u>				
DIRECT DEBITS				
DD17289.1	02/01/2024	MAIA FINANCIAL PTY LTD	FINAL QUARTERLY PHOTOCOPIER LEASE PAYMENT	2,879.96
DD17318.1	02/01/2024	GO GO MEDIA	MONTHLY ON HOLD MESSAGE SERVICE - JANUARY	75.90
DD17275.1	10/01/2024	AWARE SUPER	PAYROLL DEDUCTIONS	16,369.35
DD17275.2	10/01/2024	COLONIAL FIRST STATE SUPER	PAYROLL DEDUCTIONS	708.13
DD17275.3	10/01/2024	CARE SUPER	PAYROLL DEDUCTIONS	784.78
DD17275.4	10/01/2024	NETWEALTH SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	401.07
DD17275.5	10/01/2024	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	11.56
DD17275.6	10/01/2024	REST SUPER - ACUMEN	SUPERANNUATION CONTRIBUTIONS	203.33
DD17275.7	10/01/2024	AUSTRALIAN ETHICAL RETAIL SUPER	SUPERANNUATION CONTRIBUTIONS	597.13
DD17275.8	10/01/2024	AIA AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	325.03
DD17275.9	10/01/2024	WAIKAWA DREAMING SUPERANNUATION	PAYROLL DEDUCTIONS	790.97
DD17275.10	10/01/2024	PLUM SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17275.11	10/01/2024	TWU SUPER	SUPERANNUATION CONTRIBUTIONS	388.27
DD17275.12	10/01/2024	GUILD SUPER	PAYROLL DEDUCTIONS	565.44
DD17275.13	10/01/2024	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	281.46
DD17275.14	10/01/2024	ONEANSWER FRONTIER SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17275.15	10/01/2024	TRUBUD SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	229.98
DD17275.16	10/01/2024	AMP SUPER FUND	SUPERANNUATION CONTRIBUTIONS	359.98
DD17275.17	10/01/2024	UNISUPER	SUPERANNUATION CONTRIBUTIONS	823.01
DD17275.18	10/01/2024	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2,823.60
DD17275.19	10/01/2024	HESTA SUPER	SUPERANNUATION CONTRIBUTIONS	217.64
DD17275.20	10/01/2024	ANZ CHOICE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	390.02
DD17275.21	10/01/2024	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	327.91
DD17275.22	10/01/2024	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	283.99
DD17316.1	15/01/2024	FLEET PARTNERS PTY LTD	CESM VEHICLE LEASE FOR FEB & BRMO VEHICLE LEASE FOR JAN & FEB	4,113.16
DD17318.2	15/01/2024	SG FLEET AUSTRALIA PTY LTD	MONTHLY LEASE FOR SHARED EHO - FEBRUARY	484.22
DD17333.2	15/01/2024	FLEET PARTNERS PTY LTD	FUEL ON FLEET PARTNERS CARD FOR THE MONTH OF DECEMBER - B031	399.90
DD17318.3	23/01/2024	WA TREASURY CORPORATION	LOAN REPAYMENTS	5,979.86
DD17305.1	24/01/2024	AWARE SUPER	PAYROLL DEDUCTIONS	16,487.22

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
DD17305.2	24/01/2024	COLONIAL FIRST STATE SUPER	PAYROLL DEDUCTIONS	695.95
DD17305.3	24/01/2024	CARE SUPER	PAYROLL DEDUCTIONS	749.71
DD17305.4	24/01/2024	NETWEALTH SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	434.69
DD17305.5	24/01/2024	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	23.11
DD17305.6	24/01/2024	REST SUPER - ACUMEN	SUPERANNUATION CONTRIBUTIONS	203.33
DD17305.7	24/01/2024	AUSTRALIAN ETHICAL RETAIL SUPER	SUPERANNUATION CONTRIBUTIONS	560.37
DD17305.8	24/01/2024	AIA AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	309.35
DD17305.9	24/01/2024	WAIKAWA DREAMING SUPERANNUATION	PAYROLL DEDUCTIONS	790.97
DD17305.10	24/01/2024	PLUM SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17305.11	24/01/2024	TWU SUPER	SUPERANNUATION CONTRIBUTIONS	76.86
DD17305.12	24/01/2024	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	286.76
DD17305.13	24/01/2024	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	281.46
DD17305.14	24/01/2024	ONEANSWER FRONTIER SUPER	SUPERANNUATION CONTRIBUTIONS	281.46
DD17305.15	24/01/2024	TRUBUD SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	328.54
DD17305.16	24/01/2024	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	556.35
DD17305.17	24/01/2024	AMP SUPER FUND	SUPERANNUATION CONTRIBUTIONS	364.73
DD17305.18	24/01/2024	UNISUPER	SUPERANNUATION CONTRIBUTIONS	742.44
DD17305.19	24/01/2024	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,164.28
DD17305.20	24/01/2024	HESTA SUPER	SUPERANNUATION CONTRIBUTIONS	213.83
DD17305.21	24/01/2024	ANZ CHOICE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	385.55
DD17305.22	24/01/2024	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	344.71
DD17311.1	24/01/2024	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	11.99
DD17323.1	24/01/2024	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	411.30
B/S	02/01/2024	WESTPAC BANK	MERCHANT FEES	550.52
B/S	02/01/2024	WESTPAC BANK	MONTHLY BANK ACCOUNT FEES	1,173.40
B/S	11/01/2024	WESTPAC BANK	TOTAL WAGES FOR 28/12/2023 - 10/01/2024	161,612.27
B/S	15/01/2024	WESTPAC BANK	ONE-OFF PAYROLL PAYMENT - 15/01/2024	1,910.00
B/S	24/01/2024	WESTPAC BANK	TOTAL WAGES FOR 11/01/2024 - 24/01/2024	160,051.26
B/S	25/01/2024	WESTPAC BANK	ONE-OFF PAYROLL PAYMENT - 25/01/2024	86.48

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
WESTPAC CORPORATE CREDIT CARD - CEO				
B/S	04/12/2023	CHAT GPT	MONTHLY SUBSCRIPTION TO CHAT GPT PLUS	31.18
B/S	13/12/2023	BRIDGETOWN VIETNAMESE CAFE	REFRESHMENTS FOR STRATEGIC PLANNING FORUM	27.50
B/S	15/12/2023	LAW DEPOT	ANNUAL SUBSCRIPTION FOR LEGAL DOCUMENT TEMPLATES	74.03
B/S	02/01/2024	WESTPAC	MONTHLY CARD FEE	10.00
WESTPAC CORPORATE CREDIT CARD - DCS				
B/S	10/12/2023	MAILCHIMP	MONTHLY SUBSCRIPTION TO MAILCHIMP NEWSLETTER DISTRIBUTOR	41.63
B/S	02/01/2024	WESTPAC	MONTHLY CARD FEE	10.00
AMPOL FUEL CARD PURCHASES				
DD17264.1	07/01/2024	B031	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	60.11
DD17264.1	07/01/2024	B8880	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	463.16
DD17264.1	07/01/2024	1IBK177	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	156.06
DD17264.1	07/01/2024	B8598	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	624.34
DD17264.1	07/01/2024	B271	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	82.19
DD17264.1	07/01/2024	B0111	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	208.72
DD17264.1	07/01/2024	0B	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	366.17
DD17264.1	07/01/2024	B0010	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	388.91
DD17264.1	07/01/2024	B0100	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	732.06
DD17264.1	07/01/2024	B1158	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	127.31
DD17264.1	07/01/2024	B16240	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	138.88
DD17264.1	07/01/2024	1HNO351	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	80.52
DD17264.1	07/01/2024	B0103	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	142.07
DD17264.1	07/01/2024	25OK	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	101.38
DD17264.1	07/01/2024	B8924	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	105.85
DD17264.1	07/01/2024	B8834	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	99.36
DD17264.1	07/01/2024	1TKA760	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	2,136.27
DD17264.1	07/01/2024	B17105	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	250.21
DD17264.1	07/01/2024	B7949	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	72.82
DD17264.1	07/01/2024	B16182	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	52.50
DD17264.1	07/01/2024	B7930	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	320.71
DD17264.1	07/01/2024	122B	PURCHASES ON FUEL CARDS FOR THE MONTH OF DECEMBER	271.76

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
BPAY				
10012024	10/01/2024	TELSTRA	TELEPHONE & INTERNET CHARGES FOR DECEMBER	3,535.70
2012024	02/01/2024	WA TREASURY CORPORATION	LOAN REPAYMENTS	62,729.79
ELECTRONIC PAYMENTS				
EFT38265	04/01/2024	ALL-START ELECTRICAL	6 MONTHLY SERVICING FOR SHIRE ADMIN BUILDING LIFT	990.00
EFT38266	04/01/2024	ASHDAN WA PTY LTD	GRAVEL PURCHASE FOR WINNEJUP ROAD CONSTRUCTION WORKS	4,704.66
EFT38267	04/01/2024	BETTER TELCO SOLUTIONS PTY LTD	MONTHLY TELEPHONE CHARGES FOR DECEMBER	442.52
EFT38268	04/01/2024	BLACKWOOD PLUMBING AND GAS	REPLACE DRAINAGE SYSTEM FOR TOILET & RETIC AND MAINS REPAIRS	7,183.00
EFT38269	04/01/2024	BLACKWOOD PLANT HIRE	CROWD WHEATLEY RD, KLAUSE RD, & WALTER WILLIS RD GRAVEL RESHEETING	194,150.00
EFT38270	04/01/2024	BGBTA	PUZZLETOWN MAGNETS FOR VISITOR CENTRE STOCK	23.48
EFT38271	04/01/2024	BRIDGETOWN MITRE 10 & RETRAVISION	431L FRIDGE FOR MARANUP BFB	896.00
EFT38272	04/01/2024	BRIDGETOWN PAINT SALES	4LTR ULTRADECK JARRAH & PAINT EDGER	141.25
EFT38273	04/01/2024	EATS	WATER TESTING & REPORTING	2,189.00
EFT38274	04/01/2024	FAIRTEL PTY LTD	MONTHLY TELEPHONE & NBN CHARGES FOR SES FOR DECEMBER	179.62
EFT38275	04/01/2024	FRESHWATER IRRIGATION	REPAIRS TO THOMSON PARK RETICULATION SYSTEM	773.51
EFT38276	04/01/2024	GARVS AUTO ELECTRICS PTY LTD	BFB FLEET AVLS, JUMP STARTER FOR BFB, BATTERY SYSTEM & REPAIRS	5,442.00
EFT38277	04/01/2024	HARMONIC ENTERPRISES PTY LTD	MONTHLY MANAGED SERVICES - DECEMBER	2,640.00
EFT38278	04/01/2024	HAWKERS WA PTY LTD	REPLACE FAULTY SOLAR CONTROLLER UNIT	638.00
EFT38279	04/01/2024	HILLVIEW ELECTRICAL SERVICE	RCD TESTING FOR ALL SHIRE BUILDINGS, MINOR ELECTRICAL REPAIRS	8,387.50
EFT38280	04/01/2024	IKEA	WALL CLOCK FOR COUNCIL CHAMBERS	138.00
EFT38281	04/01/2024	JOHNSON'S FOOD SERVICES	FOOD AND BEVERAGES FOR RESALE AT THE BLC CAFE	428.95
EFT38282	04/01/2024	LANDGATE	LAND VALUATION ENQUIRY CHARGES	450.24
EFT38283	04/01/2024	MASTEC	25 X 240L RED BINS WITH GREEN LIDS	1,894.20
EFT38284	04/01/2024	MCLEODS	2023 AUDIT FEES	187.00
EFT38285	04/01/2024	MOVAT PTY LTD	MOVAT SOFTWARE HOSTING FOR 2024	200.00
EFT38286	04/01/2024	QUALITY SHOP	TRIPPLICATE ANIMAL IMPOUND REGISTERS FOR RANGER	298.00
EFT38287	04/01/2024	SEEK LIMITED	RECRUITMENT ADVERTISING	1,859.00
EFT38288	04/01/2024	SHIRE STAFF CLUB	STAFF SOCIAL CLUB DEDUCTIONS FOR JANUARY	144.00
EFT38289	04/01/2024	SIGMA CHEMICALS	WAVE 200 TRACK FOR POOL CLEANER REPAIR	486.75
EFT38290	04/01/2024	SOUTH WEST ISUZU	REPLACE FRONT SHOCK ABSORBERS FOR HEAVY FLEET VEHICLE	511.57
EFT38291	04/01/2024	STEWART & HEATON CLOTHING CO	DFES PPE UNIFORMS	252.65

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
EFT38292	04/01/2024	SYNERGY	ELECTRICITY CHARGES	7,277.55
EFT38293	04/01/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	187.74
EFT38294	04/01/2024	THE STABLES IGA	MONTHLY GROCERIES, COMMUNITY XMAS PARTY & SHIRE LUNCH SUPPLIES	518.25
EFT38295	04/01/2024	THE RIGHT STUFF FOR LANDHOLDERS	BRUSHCUTTER & MINOR PARTS	1,157.56
EFT38296	04/01/2024	LGRCEU	PAYROLL DEDUCTIONS	132.00
EFT38297	04/01/2024	TPG NETWORK PTY LTD	MONTHLY INTERNET CHARGE FOR LIBRARY & DEPOT FOR DECEMBER	290.40
EFT38298	04/01/2024	TUTT BRYANT EQUIPMENT	PARTS FOR BOMAG WASTE FACILITY COMPACTOR	2,733.10
EFT38299	04/01/2024	WA LIBRARY SUPPLIES	PROTECTIVE SUPPLIES & LABELS FOR LIBRARY BOOKS	319.68
EFT38300	04/01/2024	WESTRAC PTY LTD	FINAL DRIVE DISASSEMBLY AND REPAIRS TO TRACK LOADER	466.70
EFT38301	04/01/2024	WALGA	23/24 ANNUAL SUBSCRIPTION TO THE SW COUNTRY ZONE & STAFF TRAINING	1,298.00
EFT38302	04/01/2024	WILLCOX & ASSOCIATES PTY LTD	CONCEPT PLAN & COST ESTIMATE FOR DEPOT REBUILD - PART PAYMENT	9,900.00
EFT38303	04/01/2024	WILSON YORNUP SERVICES	TRANSPORT EXCAVATOR FROM BRIDGETOWN TO KANGAROO GULLY	356.13
EFT38304	04/01/2024	WINC AUSTRALIA PTY LTD	LAPTOP DOCK, BULK STATIONERY & CLEANING SUPPLIES	2,151.46
EFT38305	19/01/2024	ABLE SALES	7KVA DIESEL GENERATOR - WASTE SITE	4,781.00
EFT38306	19/01/2024	ARROW BRONZE	MEMORIAL PLAQUES	1,184.32
EFT38307	19/01/2024	AUSTRALIA POST	POSTAGE FOR THE MONTH OF DECEMBER	429.61
EFT38308	19/01/2024	AUSTRALIAN TAXATION OFFICE	BAS FOR DECEMBER 2023	122,735.00
EFT38309	19/01/2024	B & B STREET SWEEPING PTY LTD	MONTHLY DRAINAGE MAINTENANCE FOR DECEMBER	2,312.75
EFT38310	19/01/2024	DONNA BAKER	REIMBURSEMENT OF POLICE CLEARANCE	58.70
EFT38311	19/01/2024	BCE SURVEYING PTY LTD	FEATURE AND TOPOGRAPHICAL SURVEY OF THE SHIRE DEPOT	4,235.00
EFT38312	19/01/2024	BELIA ENGINEERING	TRANSPORT 6 X PALLETS OF E-WASTE TO PERTH FOR RECYCLING	990.00
EFT38313	19/01/2024	BLACKWOOD RURAL SERVICES	DAVEY FLOODFIGHTER 3 TRANSFER PUMP FOR SUNNYSIDE BFB	2,294.30
EFT38314	19/01/2024	BLACKWOOD FRESH	VARIOUS GROCERIES	38.97
EFT38315	19/01/2024	BLACKWOOD PAINTING CONTRACTORS	EXTERNAL PAINTING TO SHIRE HOUSE & PAINT CEO OFFICE	3,542.00
EFT38316	19/01/2024	BLUE ROSE QUILTING	SEW BADGES ON PPE FOR BFB	60.00
EFT38317	19/01/2024	BOOEASY PTY LTD	BOOEASY MONTHLY FEE FOR VISITOR CENTRE - DECEMBER	220.00
EFT38318	19/01/2024	BRC BUILDING SOLUTIONS PTY LTD	BRIDGETOWN CIVIC CENTRE PROJECT - STEELWORK REVISIONS & CLAIM 4	20,936.64
EFT38319	19/01/2024	BRIDGETOWN MEDICAL CENTRE	PRE-EMPLOYMENT MEDICAL ASSESSMENT	250.00
EFT38320	19/01/2024	BRIDGETOWN BULLDOZING PTY LTD	HIRE OF DOZER AND OPERATOR TO PUSH UP GRAVEL PITS	11,000.00
EFT38321	19/01/2024	BRIDGETOWN MITRE 10 & RETRAVISION	GAS BOTTLES, MINOR ITEMS & VARIOUS MAINTENANCE SUPPLIES	240.48
EFT38322	19/01/2024	BRIDGETOWN PAINT SALES	WEATHERPROOF BOX & MINOR ITEMS	66.15

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
EFT38323	19/01/2024	BRIDGETOWN NEWSAGENCY	STATIONERY SUPPLIES & MONTHLY NEWSPAPER CHARGES FOR DECEMBER	187.45
EFT38324	19/01/2024	BRIDGETOWN VIETNAMESE CAFE	CATERING FOR COUNCIL MEETING	268.00
EFT38325	19/01/2024	BRIDGETOWN TYRES	REPLACE TYRES FOR BFB LIGHT TANKER & SHIRE LIGHT FLEET VEHICLE	2,428.50
EFT38326	19/01/2024	BTOWN BOARDING KENNELS & CATTERY	MONTHLY KENNEL AND CATTERY IMPOUND CHARGES - DECEMBER	27.50
EFT38327	19/01/2024	BROOKS HIRE SERVICE PTY LTD	EXCAVATOR & MULCHER HIRE FOR MAF PROGRAM & MINOR MAINTENANCE	10,561.88
EFT38328	19/01/2024	BCITF	BCITF LEVIES COLLECTED FOR DECEMBER 2023	2,553.24
EFT38329	19/01/2024	CITY AND REGIONAL FUELS	BULK OIL & FUEL FOR DEPOT, GAS BOTTLE EXCHANGE & REFRESHMENTS	29,248.30
EFT38330	19/01/2024	CLEANAWAY PTY LTD	WASTE COLLECTION SERVICES FOR DECEMBER	57,445.84
EFT38331	19/01/2024	CLEANWAY XTRA CLEANING SERVICES	MONTHLY COURT CLEANING FOR BLC FOR DECEMBER	879.10
EFT38332	19/01/2024	CMMM PTY LTD T/A BUSSELTON SHEDS	REFUND OF BUILDING APPLICATION BCITF PAYMENT DUE TO OVERPAYMENT	79.94
EFT38333	19/01/2024	COASTMAC TRAILERS	7 X 5 BOX TRAILER INCLUDING 12MONTHS REGISTRATION	3,650.00
EFT38334	19/01/2024	CUSTOM SERVICE LEASING LTD	FINAL PAYMENT OF MONTHLY CESM VEHICLE LEASE	612.63
EFT38335	19/01/2024	CUTTS TRANSPORT PTY LTD	TRANSPORT OF NEW KERBSIDE BINS FROM PERTH TO BRIDGETOWN	550.00
EFT38336	19/01/2024	DATA#3	OFFICE 365 BUSINESS LICENSES FOR DECEMBER	1,956.24
EFT38337	19/01/2024	DMIRS	BSL'S COLLECTED FOR DECEMBER 2023	2,371.87
EFT38338	19/01/2024	EMERGE ASSOCIATES	PLANNING FOR THE GEEGELUP BROOK REHABILITATION PROJECT - STAGE 1	5,819.00
EFT38339	19/01/2024	FONTY'S HIRE	MONTHLY HIRE OF PORTABLE TOILETS FOR DEPOT & WINNEJUP ROAD WORKS	528.00
EFT38340	19/01/2024	FRESHWATER IRRIGATION	IRRIGATION TESTING & REPAIRS TO SHIRE FACILITIES	824.89
EFT38341	19/01/2024	FULTON HOGAN INDUSTRIES PTY LTD	BITUMEN SEALING WORKS FOR WINNEJUP ROAD	48,755.37
EFT38342	19/01/2024	GARAGE DOORS SOUTH WEST	REPLACE ROLLER DOOR LOCK & KEYS FOR BTOWN SPORTSGROUND SHED	132.00
EFT38343	19/01/2024	NICOLE JULIA GIBBS	REIMBURSEMENT FOR PROFESSIONAL DEVELOPMENT PROGRAM	3,520.00
EFT38344	19/01/2024	GREENBUSHES CRC	CUPPA WITH A COUNCILLOR ROOM BOOKING & REFRESHMENTS	96.80
EFT38345	19/01/2024	HARMONIC ENTERPRISES PTY LTD	ANNUAL FORTIGATE THREAT PROTECTION FOR FCC	1,112.10
EFT38346	19/01/2024	HILLVIEW ELECTRICAL SERVICE	MINOR ELECTRICAL WORK	302.50
EFT38347	19/01/2024	INDUSTRIAL AUTOMATION GROUP	6 MONTHLY CLOUD SERVER ACCESS FEE	718.85
EFT38348	19/01/2024	INTERPHONE	MONTHLY INTERNET CHARGES FOR ADMIN OFFICE - JANUARY	130.90
EFT38349	19/01/2024	IXOM OPERATIONS PTY LTD	MONTHLY RENTAL FOR 920KG CHLORINE GAS CYLINDER FOR DECEMBER	174.25
EFT38350	19/01/2024	JOHNSON'S FOOD SERVICES	FOOD ITEMS FOR RESALE AT THE BLC CAFE	1,341.71
EFT38351	19/01/2024	LANDGATE	LAND VALUATION ENQUIRY CHARGES	226.70
EFT38352	19/01/2024	MAMMOTH SECURITY PTY LTD	QUARTERLY ALARM MONITORING CHARGE JAN - MAR	660.40
EFT38353	19/01/2024	MCLEODS	PROVIDE LEGAL ADVICE	239.80

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
EFT38354	19/01/2024	MOORE AUSTRALIA AUDIT (WA)	2022-23 DEFERRED PENSIONER AUDIT	660.00
EFT38355	19/01/2024	NJ MECHANICAL	ANNUAL SERVICING FOR 3 X GENERATORS	4,759.70
EFT38356	19/01/2024	OFFICEWORKS LTD	PULL UP BANNER AND A-FRAME SIGNS	640.00
EFT38357	19/01/2024	OFFICE OF THE AUDITOR GENERAL WA	FEE FOR AUDIT FOR YEAR ENDED 30 JUNE 2023	38,049.00
EFT38358	19/01/2024	OMNICOM MEDIA GROUP AUSTRALIA	SHIRE ADVERTISING	859.28
EFT38359	19/01/2024	QUALITY SHOP	PRINTING OF RECEIPT PAPER, CALENDARS & VARIOUS STATIONERY	682.00
EFT38360	19/01/2024	REGIONAL DEVELOPMENT AUSTRALIA SW	SW REGION ECONOMIC & COMMUNITY PROFILING CONTRIBUTION	550.00
EFT38361	19/01/2024	RICHFEEDS AND RURAL SUPPLIERS	PPE, IRRIGATION PARTS, FENCING & VARIOUS MAINTENANCE SUPPLIES	681.95
EFT38362	19/01/2024	RICOH AUSTRALIA PTY LTD	RICOH PRINTER CARTRIDGE FOR SHIRE ADMIN FRONT COUNTER	191.40
EFT38363	19/01/2024	RURAL INFRASTRUCTURE SERVICES	ENGINEERING CONSULTANCY SERVICES	990.00
EFT38364	19/01/2024	SCAVENGER SUPPLIES PTY LTD	FIRE EQUIPMENT SERVICING IN SHIRE FLEET AND BUILDINGS	10,046.74
EFT38365	19/01/2024	SCHWEPPE AUSTRALIA PTY LTD	DRINKS FOR RESALE AT THE BLC CAFE	936.81
EFT38366	19/01/2024	SCOTT'S TAVERN	REFRESHMENTS & ICE FOR OUTSIDE WORKS CREW CHRISTMAS EVENT	443.91
EFT38367	19/01/2024	SCOPE BUSINESS IMAGING	MONTHLY PHOTOCOPYING AND PRINTING CHARGES - DECEMBER	759.07
EFT38368	19/01/2024	SHIRE OF BRIDGETOWN-GREENBUSHES	SHIRES COMMISSIONS COLLECTED FOR DECEMBER	204.00
EFT38369	19/01/2024	SOFT LANDING	RECYCLING OF 52 X MATTRESSES FROM THE WASTE FACILITY	2,262.52
EFT38370	19/01/2024	SOUTHERN LOCK AND SECURITY	PADLOCK & KEYS CUT TO RESTRICTED SYSTEM	138.65
EFT38371	19/01/2024	SUPACHOOK CARVERY	CATERING FOR SHIRE ADMIN & OUTSIDE WORKS STAFF CHRISTMAS LUNCHES	131.40
EFT38372	19/01/2024	SYNERGY	ELECTRICITY CHARGES	6,847.59
EFT38373	19/01/2024	LYNELL TARAMOEROA	REIMBURSEMENT FOR EXPENSES INCURRED DURING TRAINING ATTENDANCE	234.25
EFT38374	19/01/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	138.41
EFT38375	19/01/2024	THE STABLES IGA	GROCERIES & SUPPLIES FOR CHRISTMAS BBQ, BRIDGETOWN SHOW STALL	461.80
EFT38376	19/01/2024	THE RIGHT STUFF FOR LANDHOLDERS	BACKPACK BLOWER WITH ACCESSORIES, MINOR PARTS & MOWER SERVICING	2,066.85
EFT38377	19/01/2024	TOURISM COUNCIL WESTERN AUSTRALIA	2024 MEMBERSHIP RENEWAL FOR GOLDEN I VISITOR CENTRE	1,650.00
EFT38378	19/01/2024	TPG NETWORK PTY LTD	MONTHLY INTERNET CHARGE FOR LIBRARY & DEPOT FOR JANUARY	290.40
EFT38379	19/01/2024	TRAFFIC FORCE	TRAFFIC CONTROLLERS - WINNEJUP, KLAUSE & WALTER WILLIS ROAD WORKS	22,780.54
EFT38380	19/01/2024	TYRECYCLE PTY LTD	TYRE COLLECTION AND RECYCLING FROM THE BRIDGETOWN WASTE FACILITY	547.49
EFT38381	19/01/2024	WARREN BWOOD ALLIANCE OFCOUNCILS	8000 X COPIES OF SOUTHERN FORESTS & VALLEYS MAPS FOR VISITORS CENTRE	3,344.00
EFT38382	19/01/2024	DARREN A WILSON	REIMBURSEMENT FOR 50% OF PERSONAL MOBILE PLAN FOR JUL TO DEC 2023	344.25
EFT38383	19/01/2024	WINC AUSTRALIA PTY LTD	HP ZBOOK POWER G10 LAPTOP & MOUSE	3,945.81
EFT38385	25/01/2024	BARNEY & FLEUR	GRATUITY GIFTS FOR DEPARTING STAFF MEMBERS AS PER COUNCIL POLICY	450.00

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
EFT38386	25/01/2024	JULIA ANN BOYLE	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38387	25/01/2024	MIKKEL SKOU CHRISTENSEN	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38388	25/01/2024	MICHAEL JOHN FLETCHER	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38389	25/01/2024	TRACY LANSDELL	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38390	25/01/2024	SEAN MICHAEL MAHONEY	MONTHLY COUNCILLOR ALLOWANCE	1,507.13
EFT38391	25/01/2024	JENNIFER MARY MOUNTFORD	MONTHLY COUNCILLOR ALLOWANCE	3,416.00
EFT38392	25/01/2024	LYNDON GRAEME PEARCE	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38393	25/01/2024	ANTONINO PRATICO	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38394	25/01/2024	REBECCA REDMAN	MONTHLY COUNCILLOR ALLOWANCE	1,026.50
EFT38395	25/01/2024	WA COUNTRY BUILDERS BUNBURY	REFUND OF EARTHWORKS BONDS	16,743.29
DIRECT DEBITS - LICENSING				
27823	02/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 02/01/2024	5,621.25
27824	03/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 03/01/2024	5,366.90
27825	04/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 04/01/2024	4,717.55
27826	05/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 05/01/2024	6,830.00
27827	08/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 08/01/2024	3,888.20
27828	09/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 09/01/2024	2,990.40
27829	10/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 10/01/2024	4,543.60
27830	11/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 11/01/2024	3,351.90
27831	12/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 12/01/2024	3,939.05
27832	15/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 15/01/2024	6,840.80
27833	16/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 16/01/2024	2,680.90
27834	17/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 17/01/2024	3,592.35
27835	18/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 18/01/2024	2,716.50
27836	19/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 19/01/2024	4,266.35
27837	22/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 22/01/2024	3,352.20
27838	23/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FPR 23/01/2024	4,627.70
27839	24/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 24/01/2024	4,033.95
27840	25/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 25/01/2024	2,441.45
27841	29/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 29/01/2024	8,302.05
27842	30/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 30/01/2024	3,289.00

SHIRE OF BRIDGETOWN-GREENBUSHES
LIST OF ACCOUNTS PAID IN JANUARY TO BE RECEIVED

Cheque/ Voucher No.	Date of Payment	Payee	Payment Description	Payment Amount \$
27843	31/01/2024	DEPARTMENT OF TRANSPORT	LICENSING PAYMENTS FOR 31/01/2024	1,691.40
CHEQUES				
300272	25/01/2024	COMMISSIONER OF POLICE	ANNUAL CORPORATE FIREARMS LICENCE RENEWAL	166.00
				<u>1,307,577.50</u>
CHEQUES - GENERAL TRUST				
200005	29/01/2024	PHILLIP JOHN FREEMAN	HESTER BUSHFIRE FUNDRAISING DONATION	3,000.00
ELECTRONIC PAYMENTS - VISITOR CENTRE TRUST				
EFT38384	25/01/2024	BETHANY GOOD	ACCOMMODATION REFUND LESS CANCELLATION FEE	76.00
EFT38396	29/01/2024	BRIDGETOWN HISTORICAL SOCIETY INC.	CONSIGNMENT STOCK SOLD FOR THE MONTH OF DECEMBER 2023	112.50
EFT38397	29/01/2024	DJARLINY DESIGNS	CONSIGNMENT STOCK SOLD FOR THE MONTH OF DECEMBER 2023	36.00
EFT38398	29/01/2024	JENNIFER MARY MOUNTFORD	CONSIGNMENT STOCK SOLD FOR THE MONTH OF DECEMBER 2023	11.25
EFT38399	29/01/2024	PUBLIC TRANSPORT AUTHORITY OF WA	BUS TICKETS FOR THE MONTH OF DECEMBER	606.40
EFT38400	29/01/2024	SHIRE OF BRIDGETOWN-GREENBUSHES	SHIRES COMMISSIONS FOR THE MONTH OF DECEMBER 2023	173.69
EFT38401	29/01/2024	WUD	CONSIGNMENT STOCK SOLD FOR THE MONTH OF DECEMBER 2023	14.96
V300232	08/01/2024	WESTPAC	TOTAL ACCOMODATION FOR THE MONTH OF DECEMBER 2023	2,814.38
				<u><u>6,845.18</u></u>

This schedule of accounts paid for the Municipal Fund totalling \$1,307,577.50 and for the Trust Funds totalling \$6,845.18 which was submitted to each member of the Council on 29th February 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and castings.

Total creditor accounts outstanding as at 31/01/2024 is \$1,012,730.67



CHIEF EXECUTIVE OFFICER

29th February 2024

CS 1 – Library – Personal Use Computer

1 Objectives

To provide conditions of use and equity of access for the Library's Public Use Computers.

2 Policy

2.1 The Shire of Bridgetown-Greenbushes Public Library provides in-house public use computers for the following purposes:

- To search the library catalogue
- To provide access to the Internet
- Some word processing and other computer services

2.2 Users are required to "sign on" to use a computer at the Help Desk and to "sign off" at the end of the allocated session time.

2.3 A user may make an advanced booking for use of a computer at a predetermined time. If a user is more than 10 minutes late for a booking, the booking is forfeited and the remaining time may be allocated to another user.

2.4 Continuous access during the time booked cannot be guaranteed, due to the possibility of technical interruptions beyond the Library's control.

2.5 Users are not permitted to modify the installed hardware or software in any way, for example, removal of a tool bar or icon.

2.6 The Library will not be held responsible for the security or privacy of content left on the public use computers by users. It is the user's responsibility to remove any content at the completion of a booking session.

2.7 The following Disclaimer applies to the Library's Public Use Computer Facilities:

- The Shire of Bridgetown-Greenbushes has no control over the information accessed through the Internet and cannot be held responsible for its content.
- A person must not use a computer service to transmit, obtain possession of, demonstrate, advertise or request the transmission of an article knowing it to contain objectionable material (*WA Censorship Act 1996*, s.101). The Shire of Bridgetown-Greenbushes is not responsible for any access points reached.
- A person must not use a computer service to transmit restricted material to a minor or make restricted material available to a minor (*WA Censorship Act 1996*, s.3). Supervision or restriction of a minor's access is the responsibility of the parent or guardian.
- The Shire of Bridgetown-Greenbushes does not guarantee or accept any liability for the information's accuracy, authoritativeness, timeliness, or usefulness for a particular purpose. The Shire of Bridgetown- Greenbushes shall have no liability for any direct or indirect or consequential damages related to the use of the information contained therein.

(A Notice including the above Disclaimer will be displayed beside the Public Use Computer Facilities).

- 2.8 The written consent of the parent/guardian is required before a minor is permitted to make Internet facility bookings. A copy of the Consent Form is attached as Appendix A.
- 2.9 Library Membership is not a prerequisite for use of these facilities. 10. If insufficient space is available to enable groups to use the Library's Public Use Computers, a maximum of two (2) public users at any computer at one time is permissible. This policy may be varied at the discretion of the Library Officer on duty.
- 2.10 Clause 2.9 of this Policy notwithstanding, users are to respect the privacy of others using these facilities. Any user who disregards the privacy of another may be asked to leave the Library's Public Use Computer area without notice.
- 2.11 Any user who disregards this Policy may be prohibited from using the Library's Public Use Computer Facilities.

3 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies
Regulation	N/A
Local Law	N/A
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	31 October 2002
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023

**PARENT / GUARDIAN'S PERMISSION FOR A CHILD TO USE THE LIBRARY'S PUBLIC
USE COMPUTER FACILITIES**

Public-use Internet facilities are available at the Library to enable members of the public to access electronic information sources. This service is free of charge.

It should be noted, however, that the Library has no control over information accessed through the Internet and cannot be held responsible for its content.

Supervision or restriction of a child's access to the Library's Public Use Computer Facilities is the responsibility of the parent or guardian.

Your child has asked to use this facility. Prior to arranging bookings, we require your written consent as indicated below. We also encourage you to accompany the child when they visit the Library to use the facility. Children under the age of 6 must be supervised by an adult.

For further information, please contact the Library on Tel. 97612503.

Parent / guardian's consent	
For a minor (a person under 18 years of age) to use	
<u>Shire of Bridgetown-Greenbushes Library's Public Use Computer Facilities</u>	
Child's Name:	
Date of Birth:	
Address:	
(Print) Name of parent/guardian signing this form:	
Contact Telephone No.	
I hereby give my consent as parent/guardian for my child to use Shire of Bridgetown-Greenbushes Public Library's Public Use Computer Facilities	
Signed:	Date:

CS 2 – Library Membership

1 Policy

1.1 Introduction

The Shire of Bridgetown-Greenbushes Public Library is a member of the South West Library Consortia (SWLC). The SWLC is a group of Western Australian Local Governments who entered into a Participation Agreement around a common set of resourcing sharing goals. The SWLC provides a One-Card library service to residents by way of a fully shared single database Library Management System (LMS) and standardised policies.

1.2 Policy

The majority of physical and electronic collections in SWLC libraries are considered to be State Government assets. Therefore (under the provisions of the Library Board Regulations 1985) any person who lives in Western Australia should be able to use those assets. If the person has the pre-requisite Proof of Identity and Address and is reasonably contactable via mail, telephone or email then there is no barrier to membership.

Residents of the Shire of Bridgetown-Greenbushes are entitled to enrol for membership of the Bridgetown-Greenbushes Library. In addition (under the provisions of the South West Library Consortia, members of other member libraries are entitled to use the Bridgetown-Greenbushes Library services. Users are to adhere to the Shire of Bridgetown-Greenbushes Member Code of Conduct and Borrowing Guidelines. The proof of identity, membership types, membership conditions and membership expiry are determined by the Participation Agreement and addressed in the Borrowing Guidelines (see Attachment 1).

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies
Regulation	r.34 <i>Library Board (State Library) Regulations 1956</i> – Use of books from library
Local Law	N/A
Shire Policies	CS 2 – Library Loans
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	30 November 2017
Last Reviewed	28 April 2022

Scheduled Reviewed Date	27 April 2023
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*** ATTACHMENT 1**

BORROWING GUIDELINES

(1) Proof of Identity

Any person wishing to register as a member of the Shire of Bridgetown-Greenbushes Library must complete a Library Membership Application Form and provide proof of identity (1) from the following list:

- A valid Driver's License or Proof of Age Card
- Passport
- Birth certificate
- A Pension or Concession Card
- Other proof of identification
- In addition, proof of current address is required. If located on primary identification such as a Driver's License, this is sufficient. If address is not on the Proof of Identity then a current utilities bill or bank statement in the name of the applicant or similar can be used as proof of address.
- People who have no fixed address may join the library at the discretion of the Library Services Coordinator, if they have adequate Proof of Identity and can give evidence of the address and contact details of an agent or case worker or other responsible person who may be contacted to confirm they have regular contact with the applicant.
- People under 18 years of age are required to have a parent or guardian as guarantor for the account activities of the minor in their care, including any penalties incurred for overdue or lost/damaged items and must be informed of this on joining.
- Parents and guardians must provide Proof of Identity and Address as outlined for themselves and it is preferred that they provide some evidence of the identity of the underage applicant such as a Medicare Card with the name of the Parent/Guardian and the applicant or a birth certificate.
- Library staff must be satisfied that the identity and address of the applicant is correct before providing active membership.
- Library managers may exercise some discretion in special circumstances to either allow or disallow membership applications.

MEMBERSHIP

(1) Membership options include:

Full User	Adult, Junior, Student, Young Adult
Now 18	Join Online, Now 18, Online
Outreach Membership	College Staff, Home Delivery, Outreach
Temporary Membership Adult	Temporary Adult, Temporary Junior, Temporary Young
Lite Membership	Lite Adult, Lite Junior, Lite Young Adult
Book Clubs Membership	

FULL USER	NOW 18	OUTREACH MEMBERSHIP	TEMPORARY MEMBERSHIP	LITE MEMBERSHIP	BOOK CLUBS MEMBERSHIP
Borrowing Limits: 30 items across the consortia (limit to 10 DVD's)	Borrowing Limits: None – until ID is sighted and membership is updated to full user	Borrowing Limits: 50 items across the consortia (limit to 10 DVD's)	Borrowing Limits: 5 items across the consortia	Borrowing Limits: 2 items across the consortia	Borrowing Limits: 2 sets across the consortia
Lending Period: 21 Days	Lending Period: N/A	Lending Period: 42 Days	Lending Period: 21 Days	Lending Period: 21 Days	Lending Period:
Renewals: 1 unsighted renewal	Renewals: N/A	Renewals: 1 unsighted renewal	Renewals: 1 unsighted renewal	Renewals: 1 sighted renewal	Renewals:
Intra-Library Loans Limits: 20 items	Intra-Library Loans Limits: N/A	Intra-Library Loans Limits: 20 items	Intra-Library Loans Limits: 2 items from lending library	Intra-Library Loans Limits: Not permitted	Intra-Library Loans Limits:
Inter-Library Loans Limits: 4 items	Inter-Library Loans Limits: N/A	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits:

(2) Membership Conditions

When adding a user membership to the system the following fields are mandatory:

- Basic Info - First Name
- Basic Info - Last Name
- Basic Info - Library (Where user has joined)
- Basic Info - Profile Name (E.g. Adult, Junior, YA)
- Privilege – PIN (system automatically generates alpha-numeric / up to 20 characters)
- Demographics – Notify (How user is to be notified)
- Demographics – Council (Where user resides)
- Demographics – Birth Date (determines age in the system, dictates user privileges and provides data for reporting purposes).
- Address Information: Postal address (required for postal notifications) as per Australia Post Guidelines.
- Address Information: Email address (required for email notifications)
- Address Information: Mobile number (required for SMS notifications)

(3) User Status

User status carries into all libraries in the consortium. If the user status restricts use at one library, user is restricted at all libraries until the issues are resolved:

- OK: User in good standing, with no outstanding issues
- Overdue: User has overdue items. The user may still borrow subject to the renewal of overdue items
- Restricted: Restricted from using services until issues are resolved. May use online services
- Banned: Prohibited from using all services until issues are resolved

(4) Membership Expiry

Membership records require review and updating every 12 months. This will ensure user's details remain current throughout the consortia.

The membership privilege will automatically expire 24 months after registration. The membership record is retained an additional 12 months past the privilege expiry date. Should the user present to use the library service during that 12 month period, their ID and address may be confirmed and the membership reinstated.

If the membership is not reinstated, and if it has no outstanding fees or memos, it will be purged from the system 36 months after the initial registration. If a user has outstanding fees, memos, or other obligations, the home library may decide to retain or discard the user record subject to local rules.

CS 3 – Library Loans

1 Policy

As a member of the South West Library Consortia [SWLC], the Shire of Bridgetown-Greenbushes Public Library offers an array of resources and services for the education and enjoyment of its members. These resources, and those of other Consortia Libraries, are shared jointly between all Consortia member libraries. Whilst the exact membership of the Consortia may change with time, the founding members are:

Australind	Bunbury	Eaton	Pemberton
Balingup	Busselton	Greenbushes	Walpole
Binningup	Capel	Harvey	Waroona
Boyanup	Dalyellup	Manjimup	Withers
Boyup Brook	Dardanup	Nannup	Yarloop
Bridgetown	Donnybrook	Northcliffe	

Resources available are “owned” by the purchasing Library either through local stock budget or via State Library funding allocation.

- Most items in the collection will be available for loan by users
- Reference items and special collections deemed “not for loan” are to be used in the library only
- Age restrictions will apply to the borrowing of DVDs rated MA15+ and R Restricted
- Users may borrow items at any library within the consortium
- Users may return items to any participating library in the consortium

Library Loans

- The total number of items borrowed by users can be made up from a variety of formats.
- Lending and renewal limits (total number of items) are outlined in the table below.

FULL USER	NOW 18	OUTREACH MEMBERSHIP	TEMPORARY MEMBERSHIP	LITE MEMBERSHIP	BOOK CLUBS MEMBERSHIP
Borrowing Limits: 30 items across the consortia (limit to 10 DVD's)	Borrowing Limits: None – until ID is sighted and membership is updated to full user	Borrowing Limits: 50 items across the consortia (limit to 10 DVD's)	Borrowing Limits: 5 items across the consortia	Borrowing Limits: 2 items across the consortia	Borrowing Limits: 2 sets across the consortia
Lending Period: 21 Days	Lending Period: N/A	Lending Period: 42 Days	Lending Period: 21 Days	Lending Period: 21 Days	Lending Period:

Renewals: 1 unsighted renewal	Renewals: N/A	Renewals: 1 unsighted renewal	Renewals: 1 unsighted renewal	Renewals: 1 sighted renewal	Renewals:
Intra-Library Loans Limits: 20 items	Intra-Library Loans Limits: N/A	Intra-Library Loans Limits: 20 items	Intra-Library Loans Limits: 2 items from lending library	Intra-Library Loans Limits: Not permitted	Intra-Library Loans Limits:
Inter-Library Loans Limits: 4 items	Inter-Library Loans Limits: N/A	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits: Not Permitted	Inter-Library Loans Limits:

- Users must present their library cards to borrow from any library within the consortium.

Renewals

- Renewal period begins from the original due date. Items are eligible for renewal one week prior to the due date.
- Requests for renewals may be made by telephone, e-mail, on-line or by coming into the library.
- Items on hold for other library users may not be renewed.

Holds

- Items on loan, housed at a different location, or specified as display may be placed on hold by readers who will be notified when they become available.
- Items can be placed on hold by:
 - Accessing the online catalogue link
 - Completing hold slips available at the issue desk
- When available, the item will be placed on the hold shelf and kept there for a period of fourteen days.
If the item is not collected within the fourteen day period, it will be returned to general circulation

Overdue Items

- Item(s) not returned or renewed by the end of the loan period become overdue.
- Automated overdue notices will be delivered from the lending library via the Library Management System in text or email format to the borrower.
- Overdue notices for members who do not have text or email receiver capacity are printed and posted by the Library to the borrower.
- All overdue Notices will be sent from the lending library at intervals of 7 and 14 days.
- After 21 days of item/s being overdue they are deemed lost and an invoice is issued by the lending Library in printed form and posted. The invoice contains the purchase price of the item/s as entered into the Library Management System by the purchasing Library to cover replacement cost. The invoice details are automatically entered into the user's financial records on the Library Management System.
- If the items are returned to the Library, this amount is automatically removed from the user's records.

If items are not returned to the Library, borrowing privileges are then suspended until the items are returned or all outstanding issues resolved.. Members may continue to use the libraries facilities during this time with the exception of borrowing privileges.

Inter-Library Loans

Inter-library loans for items not held by SWLC libraries are sourced via the State Library of Western Australia's Lending Service with all conditions, fees, lending periods and other stipulations identified by the State Library of Western Australia.

2 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies
Regulation	r.34 <i>Library Board (State Library) Regulations 1956</i> – Use of books from library
Local Law	N/A
Shire Policies	CS 2 – Library Membership
Related Documents	N/A
Related Procedure	N/A

3 Administration

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