



Shire of Denmark

Policy Manual



Adopted by Council - ~~2010~~2012
Major review - September ~~2012~~2014

~~includes amendments to September 2012~~

BACKGROUND TO POLICY MANUAL

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process. Written policies also enable the ~~community-Community~~ to be aware of the reasoning behind administrative and Council decisions and to be familiar with the philosophy behind individual decisions. Policy statements enable much of the day-to-day business of Council to be handled by the Administration, freeing up the time of the Elected Members in determining major policy and strategic direction.

It is important to note that this manual contains the policy statement of the Council and does not contain procedural matters.

A current policy manual of any organisation proves to be a valuable tool in improving the decision making process. This manual should be that for the Shire of Denmark.

The policies contained within this manual are those that project a corporate image and are not controlled by individual ~~directorates~~Directorates. The development of ~~the policies~~each policy involves input from staff across the organisation and ~~elected-Elected members~~Members.

A policy statement is not binding on Council but provides a guideline for Elected Members and ~~staff~~Staff in determining individual applications or requests. Generally, policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is also possible for members of the community to seek an early review of a specific policy.

This Policy Manual forms part of Shire's public documentation. The ~~policy-Policy manual-Manual~~ is available for public inspection on Council's website and during office hours, at the Council office, on request.

Policy framework

Each policy is developed in order to address specific matters. They relate to objectives ~~to-of~~ the Shire of Denmark, and, in some instances, as required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation. These are that the Shire;

- Will work with the ~~community-Community~~ in a way which is friendly, helpful, professional and inspires confidence;
- ~~That the~~ Council and Council ~~staff-Staff~~ are honest, dedicated and show respect for others;
- Will aim for equity and fairness in all we do; we will focus on the needs of the customer; and strive for continuous improvement;
- Will be dynamic, flexible and innovative, with strong team spirit – a great place to work and a welcoming place for the community to visit;
- Is committed to the principles of transparency, accountability and Freedom of Information.

Essentially, policies developed by the Shire of Denmark are aimed at ensuring and encouraging equity, fairness, access to information and decision making and effective management of community resources.

Each policy should include:

An objective statement (what the policy aims to achieve);

A policy statement (what the policy is);

A nominated person responsible for the policies implementation;

The date of adoption, including Council resolution number.

POLICY INDEX

GENERAL PURPOSE FUNDING

RATES

P030101 Council Rating Equity Policies

OTHER GENERAL PURPOSE FUNDING

P030201 Reserve Fund Interest

P030202 Denmark Co-operative Stakeholding

GOVERNANCE

MEMBERS OF COUNCIL

P040101 Ordinary Council Meetings

P040102 Meetings of Council

P040103 Locality (ward Meetings)

P040104 Officer Recommendations

P040105 Reports to Council

P040106 Senior Employees

P040107 Organisation Chart

P040108 Employee Primary & Annual Returns

P040109 Codes of Conduct & Required Plans

P040110 Policy Manual

P040111 Public Relations - Media Releases

P040112 Political / Election Campaign Signs

P040113 Citizens & Sportsperson of the Year

P040114 Naturalisation Ceremonies

P040115 Election of President, Deputy President, Committees & Delegates
(Repealed by Res: 250110 / 27 January 2010)

P040116 Council Photographs

P040117 Shire Crest

P040118 Public Question Time, Presentations, Deputations and Petitions

P040119 Meetings of Council & Committees - Distribution & Release of Minutes

P040120 Use of Council Chamber

P040121 Community Organisations - Purchase of Goods

P040122 Civic Receptions - Approvals / Rejections of Requests

P040123 Community Consultation Policy

P040124 Legal Representation for Council Members & Employees

P040125 Community Financial Assistance Program

P040126 Honorary Freeman of the Municipality

P040127 Councillor Communication / Information Distribution

P040128 Officers & Elected Members Code of Conduct

P040129 Reimbursement of Elected members Travel Expenses

P040130 Biennial Community Needs & Customer Satisfaction Survey

P040131 Councillor Service & Farewell Policy

P040132 Privacy Policy

P040133 Sustainability Checklist

P040134 Standing Orders Procedures

P040135 Elected Members iPads – Option to Purchase

ADMINISTRATION (OTHER GOVERNANCE)

P040201 Insurance

P040202 Shire Administration Office & Library Opening Hours
P040203 Budget Preparation Programme
(Repealed & Replaced by Res: 120908 / 23 September 2009 – Refer P040223)
P040204 Enrolment of Non-Resident Owners & Occupiers
P040205 Gratuitous Payments to Employees
(Repealed & Replaced 23 September 2009 – refer P040225)
P040206 Staff Uniforms
P040207 Common Seal of the Shire of Denmark
P040208 Insurances - Professional Indemnity - Use of Disclaimers
P040209 Conferences - Study Tours
P040210 Staff Training
P040211 Staff - Medical Examination
P040212 Sexual Harassment
Workplace Bullying
P040213 (Repealed & Replaced 27 October 2009 – refer to Human Resources Manual)
P040214 Complaints Management Policy
P040215 Complaints/Grievance Procedure
P040216 Regional Price Preference Policy
P040217 CEO Performance Review
Interest of Sundry Debtors
P040218 (Repealed 24 August 2010 – refer to Policy P040227)
P040219 Education & Study Assistance
P040220 Purchasing Policy
P040221 Fines & Infringements
P040222 Material Variances in Budget & Actual Expenditure
P040223 Ten Year Financial Plan & Municipal Budget Policy
P040224 Recognition of Service Policy
P040225 Gratuity Payments Policy
P040226 Asset Management Policy
P040227 Debt Collection Policy
P040228 Annual Financial Report & Annual Report
P040229 Investment Policy
Investment – Federal Government Guarantee on Deposit
P040230 (Repealed 24 August 2010)
P040231 Customer Service Charter
P040232 2009/10 Municipal Budget Policies
P040233 Designated Senior Staff Appraisals
P040234 Human Resource Management Policies

LAW, ORDER & PUBLIC SAFETY

FIRE PREVENTION

P050101 Burning of Garden Refuse
P050102 Camping & Cooking Fire
P050103 Burning on Sundays
P050104 Property Ownership Details for Fire Control Officer
P050105 Brigade Units Inspection
P050106 Bushfire Vehicle Fuel Facilities
P050107 Brigade Numbers & Advisory Committee Structure
P050108 Donkey Motored Pump Fire Truck Procurement Policy
P050109 Red Flag Warnings

ANIMAL CONTROL

P050201 Attending to Kangaroos

- P050202 Attending to Snakes
OTHER LAW, ORDER & PUBLIC SAFETY
- P050301 Graffiti Policy
- P050302 Mayors for Peace
- P050303 Donation of Funds to Emergency and Disaster Recovery

HEALTH

- MATERNAL & INFANT HEALTH**
- PREVENTATIVE SERVICES - IMMUNISATION**
- PREVENTATIVE SERVICES - MEAT INSPECTION**
- PREVENTATIVE SERVICES - HEALTH ADMINISTRATION**

- P070401 Smoke Free
- P070402 Noise Management
PREVENTATIVE SERVICES - PEST CONTROL
PREVENTATIVE SERVICES - OTHER

- P070601 Genetically Modified Organisms
OTHER HEALTH

EDUCATION & WELFARE

- PRE-SCHOOLS**
- OTHER EDUCATION**

- P080201 Denmark Agricultural College Scholarship
- P080202 Shire of Denmark Leadership Award
- P080203 Shire of Denmark Year 7 & Year 10 Student Awards

- CARE OF FAMILIES & CHILDREN**
- P080301 Provision of Youth Services
AGED & DISABLED - SENIOR CITIZENS CENTRES
AGED & DISABLED - MEALS ON WHEELS
AGED & DISABLED - OTHER

- P080601 Seniors Policy
OTHER WELFARE

HOUSING

- STAFF HOUSING**

- P090101 Designated Senior Staff Housing Policy
HOUSING OTHER

COMMUNITY AMENITIES

- SANITATION - HOUSEHOLD**

- P100101 Rubbish Removal Services
(Repealed by Res: XXX / 25 September 2012)
- P100102 Strategic Waste Minimisation Plan 2008-2013
- P100103 Provision of Rubbish Service for the Disabled/Infirmed
- P100104 Compulsory Waste Collection Services

- SANITATION - OTHER**
- SEWERAGE**

- P100301 Licensing of Liquid Waste Drivers & Carriers
URBAN STORMWATER DRAINAGE
PROTECTION OF THE ENVIRONMENT

- P100501 Caged Performing Animals
- P100502 Cat Control
(Repealed by Res: 040912 / 4 September 2012)
- P100503 Environment Policy

Formatted Table

Formatted: Font: 9 pt

Formatted: Font: 9 pt, Highlight

Formatted: Font: 9 pt

- P100504 Picking of Native Vegetation
- P100505 Tree Removal/Lopping
- P100506 Wilson Inlet Foreshore
A Study into the Risk of Phytophthora Dieback in Ten Peri-Urban Reserves within the Shire of Denmark
- P100507 Green/ANCAP Rated & Fleet Emissions Policy
- P100509 Wilson Inlet Foreshore Reserves Management Plan 2008
- P100510 Friends of Reserves Strategy
- P100511 Litter Prevention Policy
- P100512 WALGA Declaration on Climate Change

TOWN PLANNING & REGIONAL DEVELOPMENT

- P100601 Scheme Amendment Requests
- P100602 Consultation Privacy Policy
- P100603 Road & Reserve Naming Within the Shire
- P100604 Subdivision – Fire Risk Assessment
- P100605 Subdivision Fire Condition Clearances
- P100606 Payment of Planning & Building Fees by Not For Profit Community Organisations
- P100607 Peaceful Bay Pre-Feasibility Servicing Report
- P100608 Town Planning Scheme No. 3 – Colour Interpretations
- P100609 Peaceful Bay Holiday Cottage Full Time Occupancy Approvals
- P100610 Peaceful Bay Leasehold – Legal Advice (Demolitions & Inspections)

OTHER COMMUNITY AMENITIES

- P100701 Denomination Signs - Denmark Cemetery
- P100702 Shrubs & Trees - Denmark Cemetery
- P100703 Privately Conducted Funerals & Plot/Niche Reserve Holders
- P100704 Plot & Niche Compartment Reserve Holders
- P100705 Installation of Memorial Furniture & Plaques
- P100706 Cemetery Income
- P100707 Relaxation of Headstone Only Policy at the Denmark Cemetery

RECREATION & CULTURE

PUBLIC HALLS, CIVIC CENTRES

- P110101 District Halls
(Repealed 27 October 2009 – refer to P110102)
- P110102 Leasing of Land and/or Buildings to Community Groups

SWIMMING AREAS & BEACHES

- P110201 Ocean Beach Vehicular Access

OTHER RECREATION & SPORT

- P110301 Recreation Centre Opening Hours
Fund Raising Events - Waiver of Recreation Centre Function Room & Kitchen Hire Fees
- P110302 Recreation Centre Refunds
- P110304 Sustainability & Collocation (Sport & Recreation Facilities)
- P110305 Monitoring Participation Numbers For Bowling, Tennis & Golf
Fee Setting Policy for Sport & Recreation Facility Usage
(Repealed by Res: 190211 / 22 February 2011 – consolidated with P110307)
- P110306 Fee Setting Policy for McLean Park & High School Ovals & Recreation Facility Usage
- P110307 Fee Setting Policy for the Denmark Recreation Centre

TELEVISION & RADIO RE-BROADCASTING

LIBRARIES

- P110501 Library Opening Hours

- P110502 Library Charges
HERITAGE
OTHER CULTURE
- P110701 Functions in Recognition of Volunteers
P110702 Cultural Development Fund
P110703 Returned Services League - Budget Allocation
P110704 Cultural Heritage & Historical Strategic Plan
P110705 Art Collection Management
P110706 Aboriginal Heritage
P110707 Recognition of Local Centenarians

TRANSPORT

- STREETS, ROAD, BRIDGES, DEPOTS**
- P120101 Street Trees
P120102 Roadside memorials (Erection, Maintenance & Removal)
ROAD PLANT PURCHASES
PARKING FACILITIES
TRAFFIC CONTROL (VEHICLE LICENSING)
AERODROMES
- P120501 Denmark Airfield Land Use Strategy
WATER TRANSPORT FACILITIES
- P120601 Multi-Owned Private Jetties

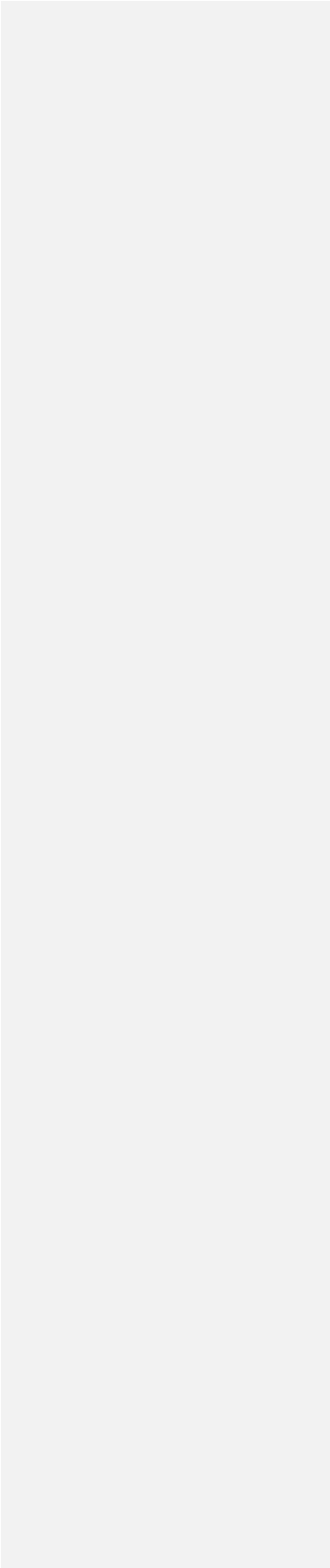
ECONOMIC SERVICES

- RURAL SERVICES**
TOURISM & AREA PROMOTION
- P130201 Tourism Policy
P130202 Parry's Beach Management
P130203 Denmark Market Days
P130204 Tourism Planning Strategy
P130205 Geocache Friendly Council
BUILDING CONTROL
- P130301 Guidelines for Temporary Accommodation
P130302 Building Statistics
SALEYARDS & MARKETS
PLANT NURSERIES
ECONOMIC DEVELOPMENT
- P130601 Retail Trading Hours Exemption Order
PUBLIC UTILITY SERVICES
OTHER ECONOMIC SERVICES

OTHER PROPERTY & SERVICES

- PRIVATE WORKS**
- P140101 Private Works Policy
ADMIN OVERHEADS
PUBLIC WORKS OVERHEADS
- P140301 Staff - Protection from the Sun for Outdoor Work
(Repealed & Replaced 27 October 2009 – refer to Human Resources Manual)
P140302 Occupational Safety & Health Policy
PLANT OPERATION COSTS
- P140401 Council Tools & Equipment

**SALARIES & WAGES
BUSINESS UNIT OPERATIONS
UNCLASSIFIED
TOWN PLANNING SCHEMES**



GENERAL PURPOSE FUNDING - 03

RATES - 0301

P030101 COUNCIL RATING EQUITY POLICIES

In implementing suitable rating systems and procedures, Council seeks to observe the principles of objectivity; fairness and equity; consistency; transparency; and administrative efficiency. To achieve this;

1. Where the land is used predominantly for rural purposes, the Unimproved Valuation (UV) of the land will be used; and
2. Where the land is used predominantly for non-rural purposes, the Gross Rental Value (GRV) of the land will be used.

To give effect to these broad principles the Council's administration is required to;

- a) *Ensure that any rural (UV) property less than 20 hectares (existing and new which has been created through subdivision) is assessed to determine whether the use of the property is "predominantly rural". Those properties that are considered to be predominantly used for non-rural purposes be referred to the Minister for Local Government with sufficient information to allow a determination on the basis of rates to be made.*
- b) *Advise applicants that propose a significant non-rural development on rural land (note – this does include housing for personal use) that Council will on completion of the development, review the method of rating valuation applied for that lot and determine, in consultation with the landowner, the lots predominate use (for example a boutique brewery or processed food production factory on an otherwise predominantly non rural produce block).*
- c) *Apply the GRV on rural (UV) land used predominantly for non-rural purposes or assess the viability of a spot/split valuation rate on those UV properties that have a significant non-rural activity being conducted on the land (for example a cellar door sales winery that sources little of its source grapes from that same property).*
- d) *Seek revaluation of any land rated UV, to GRV, immediately upon its rezoning from a rural zoning to a non-rural purpose zoning (with effect from the date of that rezoning) (for example rural to special rural).*
- e) *Ensure that appeal rights are made clear to affected landowners.*

ADDED by Res: 210709 / 28 July 2009

OTHER GENERAL PURPOSE FUNDING - 0302

P030201 RESERVE FUND INTEREST

Reserve fund interest earnings in any year be transferred from the Municipal Fund to the Reserve Account on which the interest was earned.

P030202 DENMARK CO-OPERATIVE SHAREHOLDING

With respect to Councils minor shareholding in "The Denmark Cooperative Company Limited", that it not participate in responding to voting on matters affecting the Company out of respect for other businesses operating within the Shire. Nothing in this policy prevents the Council from accepting its rights of dividend, trading bonuses or other entitlements due to it as a result of becoming a shareholder in 1993.

ADDED by Res: 150508 / 27 MAY 2008

GOVERNANCE - 04

MEMBERS OF COUNCIL - 0401

P040101 ORDINARY COUNCIL MEETINGS

The Council shall meet every three (3) weeks on a Tuesday with a Briefing Session beginning at ~~10.00am-00pm~~ and the Ordinary Council meeting commencing at 4.00pm, and/or as determined by the Chief Executive Officer in conjunction with the Shire President.

10DEC02
AMENDED by Res: 220708 / 22 July 2008
AMENDED by Res: 221211 / 20 December 2011

P040102 MEETINGS OF COUNCIL - LOCATION (MARCH)

The location of Council's first meeting in March will be alternated every year between the Tingledale Hall and the Nornalup Hall and it will be widely advertised prior to the meetings.

AMENDED by Res: 240408 / 22 APRIL 2008
AMENDED by Res: 221211 / 20 December 2011

P040103 LOCALITY (KENT/NORNALUP WARD) MEETINGS

Council will host a meeting of citizens and community organisations at least once a year in at least 2 of the communities of Tingledale, Nornalup and Peaceful Bay and it will be widely advertised prior to the meetings.

AMENDED by Res: 230408 / 22 APRIL 2008

P040104 OFFICER RECOMMENDATIONS TO COUNCIL OR COMMITTEE MEETINGS

Officer recommendations can be:

- a) adopted as they are
- b) not adopted
- c) adopted with amendment
- d) referred to a Committee for further consideration, stating the issues to be addressed by the Committee and whether the ultimate decision is to be made by the Committee or by full Council
- e) substantially altered or an alternative motion proposed
- f) deferred until the following ordinary Council meeting or to a Special meeting of Council, stating the reasons for such deferment.

Wherever possible, a Member should give notice of his/her intention to move a motion pursuant to (b), (d), (e) and (f) or to move an amendment pursuant to (c), by providing it to the CEO by 4pm on the Thursday prior to the Ordinary Council meeting of the month. Reasons for the change to be included within the notice, to be recorded in the minutes on the adoption of an amended or changed officer recommendation.

ADDED 18 November 2006
AMENDED by Res: 221211 / 20 December 2011

P040105 **REPORTS TO COUNCIL OR COMMITTEE MEETINGS**

In order to ensure adequate and informed decision making, reports to meetings of the Council or its Committees, by Councillors and Officers will contain information relating to the following prompts;

REPORT NAME:
FILE REFERENCE:
SUBJECT LAND / LOCALITY:
REPORT DATE:
APPLICANT / PROPONENT:
OFFICER DISCLOSURE OF INTEREST:
AUTHOR:
AUTHORISING OFFICER:
ATTACHMENTS:
PURPOSE OF REPORT / SUMMARY:
BACKGROUND:
COMMENT:
CONSULTATION:
POLICY IMPLICATIONS:
STATUTORY IMPLICATIONS:
STRATEGIC IMPLICATIONS:
SUSTAINABILITY IMPLICATIONS:
<input type="checkbox"/> Environment
<input type="checkbox"/> Economic
<input type="checkbox"/> Social
BUDGET / FINANCIAL IMPLICATIONS:
VOTING REQUIREMENTS:
OFFICER RECOMMENDATION:

ADDED by Res: 457/07 / 18 DEC 07

P040106 **SENIOR EMPLOYEES**

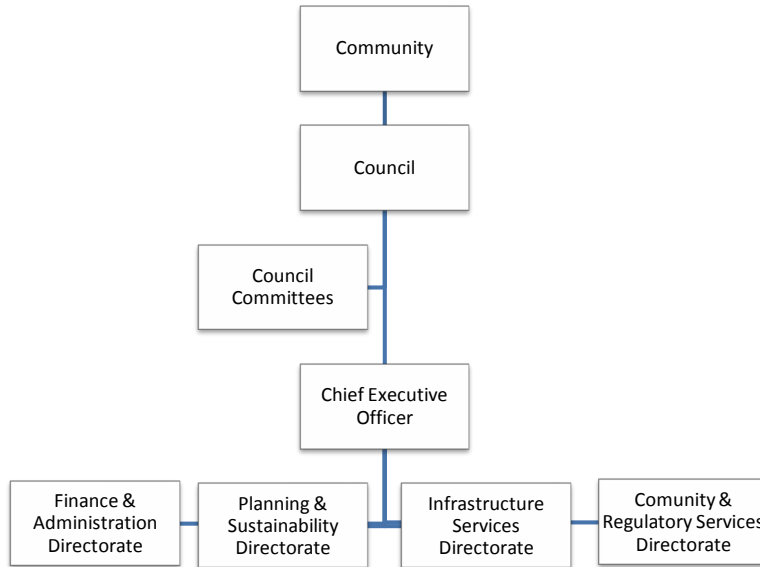
The following are designated senior employees for the purposes of S.5.37 of the Local Government Act 1995 -

- Director of Finance & Administration;
- Director of Planning & Sustainability;
- Director of Infrastructure Services, and;
- Director of Community & Regulatory Services.

P040107

ORGANISATION CHART

The administrative structure pursuant to Policy 040106 is therefore depicted in the following chart:



P040108

EMPLOYEE PRIMARY & ANNUAL RETURNS

The objective of this policy is to clearly identify employees who are deemed to be 'Designated Employees' pursuant to the provisions of the Local Government Act 1995 S5.74(1) for the purpose of completing a Primary Return and Annual Return.

In essence this section of the Local Government Act 1995 provides that a "Designated Employee" is an employee of Council who has a power or duty delegated to them under Division 4 of the Local Government Act 1995.

Policy

The following positions are considered to be a 'Designated Employees';

- Chief Executive Officer
- Director of Finance & Administration
- Director of Infrastructure Services
- Director of Planning & Sustainability
- Director of Community & Regulatory Services
- Any other officer that has a delegated function or authorised to purchase goods or services.

The designated employees must lodge with the Chief Executive Officer a primary return within three months of the start day pursuant to Section 5.75 of the Local Government Act 1995. In addition, each year the designated officers must lodge an annual return with the Chief Executive Officer by 31 August of that year.

ADDED by Res: 220708 / 22 JULY 2008

P040109

CODES OF CONDUCT & REQUIRED PLANS

Objective

To have current, accurate and effective Codes of Conduct and adopted Plans as required by Legislation or Best Practice.

Policy

Council will adopt Codes of Conduct, Plans as required by legislation and other Strategic Plans / Guides as required, in accordance with legislative or best practices requirements as follows;

	Date Last Reviewed	Date for next Review
Codes of Conduct		
Electoral Code of Conduct		Next election, by RO within 12 months after an Ordinary Election
Council & Officers Code of Conduct (refer Policy P040128)	April 2008 <u>March 2010</u>	
Plans Required by Legislation		
Municipal Heritage Inventory (MHI)	2011	4 years from last
Disability Services, Access & Inclusiveness Plan 2007-2011	<u>2007</u>	<u>2011</u>
Plan for the Future 2007-2011	September 2007	
Record Keeping Plan	2009	5 years
Local Emergency Management Plans	May 2005 <u>2012</u>	5 <u>3</u> years
Water Management Plan	being developed	
Equal Employment Opportunity Management Plan (S145 EEO Act 1984)	30 June 2008 <u>2012</u>	<u>Annually</u>
Freedom of Information Statement	<u>2010</u>	<u>2012</u>
Public Interest Disclosure Procedures	August 2009	
Annual Budget	Annually	
Plans Desired as Best Practice		
Local Health Plan	1999 - 2002	5 years
OHSW incl Evacuation Plans	wish list <u>February 2010</u>	5 years
State of the Environment Report	wish list	5 years
Risk Management Plan	wish list	5 years
Bush Fire Prevention Plan	23 October 2001 & 22 March 2005	5 years
Shire of Denmark Development & Subdivision Guide 2008	24 June 2008 (Res: 200608)	
Asset Management Plan	being developed	
Corporate Plan	being developed	
Business Continuity Plan	being developed <u>July 2012</u>	<u>2 years</u>
Developer Contributions/Community Infrastructure Plan	being developed	
Town Planning Scheme 3	Government Gazette - 25 April 1994	
Local Planning Strategy (draft)	4 October <u>being developed</u> <u>2011</u>	<u>5 years</u>
Rural Settlement Strategy	August 1998	
Settlement Strategy	June 1998	
Strategic Planning for the Future	2006	

Formatted: Centered

Cultural Heritage & Historical Strategic Plan (refer Policy P110704)	January 2007	
A Study into the Risk of Phytophthora Dieback in Ten Peri-Urban Reserves within the Shire of Denmark (refer Policy P100507)	August 2008	
Wilson Inlet Foreshore Reserves Management Plan 2008 (see Policy P100509)	November 2008	November 2018
Great Southern Group of Councils Strategic Waste Minimisation Plan 2008-2013	December 2008	2013
Owingup Swamp - A Reconnaissance Study of its Stratigraphy, Hydrology and Ecology	July 2001	
Energy Emissions Final Report comprising of; <ul style="list-style-type: none"> • Energy Emissions Information Needs Analysis; • Greenhouse Gas Emission Inventories (Corporate and Community for 2007-2008 financial year); and • Energy Emissions Information Management Action Plan. 	June 2009	
Bow River Floodplain Management Study	23 February 2010 (Res: 120210)	
Friends of Reserves Strategy (see Policy P100510)	27 April 2010	

Responsibility for implementation

The Chief Executive Officer is responsible for implementation of this policy.

Note: refer to the Councils Delegations Register for Officers delegated under those policies/plans.

ADDED by Res: 220708 / 22 JULY 2008
AMENDED by Res: 290808 / 26 August 2008
AMENDED by Res: 111108 / 25 November 2008
AMENDED by Res: 191208 / 23 December 2008
AMENDED by Res: 070609 / 23 June 2009
AMENDED by Res: **XXX** / 25 September 2012

Formatted: Highlight

P040110

POLICY MANUAL

1. It is the policy of Council to maintain a manual, recording the various policies of the Council.
2. Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
3. 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 on which to act in accordance with Council's wishes;
 - c) to enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
 - d) to enable Councillors to adequately handle enquiries from ~~electors~~ Electors without undue reference to the staff or the Council.
 - e) to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
 - f) to enable ratepayers to obtain immediate advice on matters of Council Policy.
4. The Policy Manual will be maintained in a loose-leaf binder and updated as and when a policy is varied by the Council.
5. The Council will ~~review approximately one twelfth (by program) of the Policy Manual every month via regularly scheduled Council Briefing Sessions ordinarily conducted prior to the first Council meeting~~ carry out a total review of all policies in September of each even year, being the year between each Election Year (ie. Biennially).
6. 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.
7. Changes to Council Policy shall be made only on:
 - a) Notice of Motion; or
 - b) an agenda item clearly setting out details of the amended policy.

AMENDED by Res: 291009 / 27 October 2009

AMENDED by Res: XXX / 25 September 2012

P040111

PUBLIC RELATIONS – MEDIA RELEASES

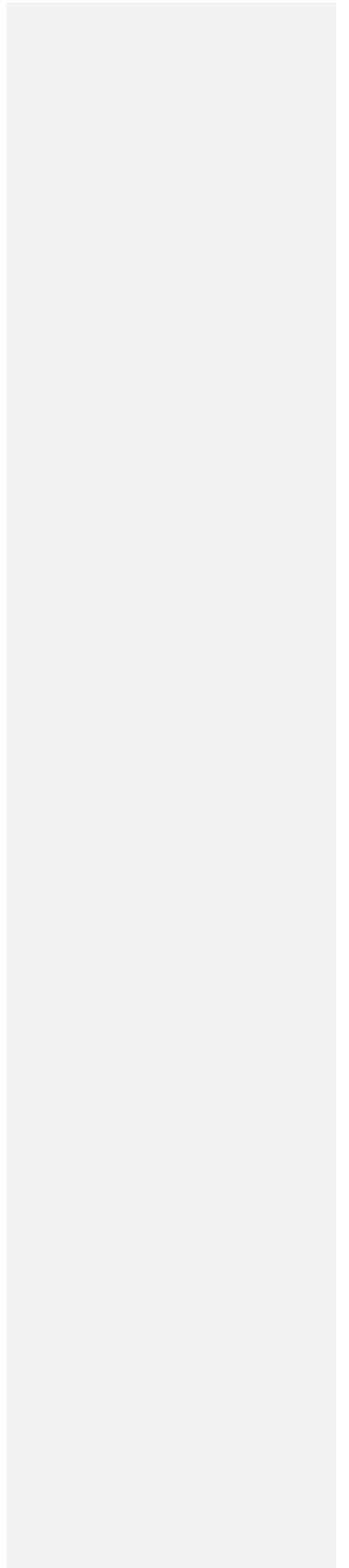
1. The Local Government Act 1995 provides that the Shire President is to speak on behalf of the Local Government and accordingly, the Shire President is the official spokesperson for the Council. If approached by the media for formal comment on any issue, Councillors and staff are in the first instance, to suggest that the media make direct contact with the Shire President as the Council's official spokesperson.
2. When the media does not make direct contact with the Shire President and a member of staff is asked to respond/comment to the media, the staff member will direct the enquiry to the Chief Executive Officer who will, where appropriate and practical, liaise with the Shire President to determine who will respond/comment and the nature of the response/comment.
3. Without express authority from the Shire President or the CEO, staff and Councillors are not to offer a Council view, attitude, stance, etc on any issue.
4. A Councillor's right to express a personal opinion on any issue of public interest is recognised.
- 4.5. Nothing in this policy shall act to prevent the CEO proactively authorizing, preparing and distributing written Media Releases, which shall be copied to all Councillors for information.

P040112

POLITICAL/ELECTION CAMPAIGN SIGNS

Council not allow the erection of roadside political/election campaign signs on Shire controlled land.

|



P040113

CITIZENS & SPORTSPERSONS OF THE YEAR

A. Premier's Australia Day Active Citizenship Awards

The Citizenship Awards be advertised in September, inviting community groups and private citizens to submit nominations for awards in the following categories:

- a person of 25 years or older;
- a person under 25 years;
- a community group or event.

Nominations to close the last week in November.

A person may only be nominated for one category on a Nomination Form. A person may be nominated more than once on separate Nomination Forms.

Winners to be chosen at a meeting of the Council, and the results kept strictly confidential until presentation.

Presentation to be at a local function celebrating Australia Day (January 26th).

B. Sportspersons of the Year

The Sportspersons of the Year Awards are to be advertised commencing in September, inviting sporting organisations, community groups & organisations, schools and individuals to submit nominations for awards for the year ending 30 September, in the following categories;

- Junior Sportsperson of the Year (under 18 years of age)
- Senior Sportsperson of the Year
- Service to Sport Award

Nominations to close the last week in November.

A person may only be nominated for one category on a Nomination Form. A person may be nominated more than once on separate Nomination Forms.

Winners are to be chosen at a meeting of the Council and be kept strictly confidential until the presentation.

Winners are to receive a suitable gift at a value determined annually by Council during the budget process (GL1160752) and a grant of \$100.00 will be awarded for the winner's club or a local club nominated by the winner (should the winner not be a member of a club).

Presentation of the Awards to be at a function held no later than February. Sporting organisations are to be given the opportunity to facilitate the function with the assistance of Council or in the absence of interest from sporting organisations to do so, Council will organise the function which will include a small attendance fee to cover costs.

AMENDED by Res: 180308 / 25 MARCH 2008
AMENDED by Res: 310309 / 24 MARCH 2009
AMENDED by Res: 250110 / 27 JANUARY 2010
AMENDED by Res: XXX / 25 September 2012

Formatted: Highlight

P040114

NATURALISATION CEREMONIES

1. Where possible the ceremonies be conducted on National Citizenship Day and Australia Day however should an urgent ceremony be required then it should be conducted on a Council meeting day, prior to the scheduled meeting.
2. Afternoon tea be provided for those involved.
3. A small gift be presented to the recipients of citizenship - preferably a plant, of a variety relevant to Australia.
4. Citizenship Ceremonies may be conducted by the Shire President, Deputy Shire President or the Chief Executive Officer pursuant to the Delegation issued by the Minister for Immigration & Citizenship (refer Council Delegation D040114).
5. The Ceremony is to be facilitated in accordance with the Australian Citizenship Ceremonies Code.

AMENDED by Res: 241209 / 22 DECEMBER 2009
AMENDED by Res: XXX / 25 September 2012

Formatted: Highlight

P040115

ELECTION OF PRESIDENT, DEPUTY PRESIDENT, COMMITTEES & DELEGATES

REPEALED by Res: 250110 / 27 JANUARY 2010

P040116

COUNCIL PHOTOGRAPHS

A photograph of Council, as a group and of individual Councillors is to be taken within six months following the biennial election, by a professional photographer, framed and hung in the vicinity of the Council Chambers.-

AMENDED by Res: 291009 / 27 October 2009
AMENDED by Res: XXX / 25 September 2012

Formatted: Highlight

P040117

SHIRE CREST

1. The Council records having adopted a design as its official crest which is to be shown on letterheads, envelopes and other Council material and stationery, as and when considered appropriate.



2. Any application for the use or reproduction of the crest is to be considered on its merits and such applications shall be determined by the Chief Executive Officer. As a policy, Council supports the use of the crest by local organisations seeking to identify geographically with the district.
- 2-3. When approvals are given for on off publications, productions or advertising the CEO shall ensure that the organisation utilising Council's crest is to ensure that the message, content and accuracy of the material is in keeping with Council's expectations.

AMENDED by Res: XXX / 25 September 2012

Formatted: Highlight

Formatted: Font: 9 pt

Formatted: Indent: Left: 2.5 cm

P040118

PUBLIC QUESTION TIME, PRESENTATIONS, DEPUTATIONS AND PETITIONS

In accordance with The Local Government Act Section 5.24, Local Government (Administration) Regulations Sections 5, 6 and 7 and Council's Standing Orders Local Law Section 3.3 and 3.13, the procedure for the Presiding Officer of a Council or Committee Meeting dealing with Public Questions or Presentations, Deputations and Petitions shall be as follows;

Formatted: Indent: Left: 2.54 cm,
Tab stops: Not at 1.27 cm + 2.54 cm
+ 3.81 cm

1. Presentations and Deputations

- a. Where the subject matter is one of general information for all Councillors, Council supports the scheduling of guest speakers, deputations and presentations based on the following guide;
 - i. Where it is likely, or intended to take longer than 15 minutes (inclusive of question time) the presentation or deputation will be scheduled prior to a Council meeting on a scheduled Council meeting day, whether relevant to the agenda on that day or not.
 - ii. Where it is likely, or intended to take less than 15 minutes (inclusive of question time), and subject to the proponent noting it is likely that it will be conducted with members of the public present, the presentation or deputation will be scheduled during a Council or Committee Meeting, but only if relevant to the particular agenda on that day.
- b. The Shire President, or CEO in conjunction with the Shire President, is authorised to approve or disapprove requests to address Council.
- c. The Presiding Officer, or CEO in conjunction with the Presiding Officer, is authorised to approve or disapprove requests to address a Council Committee.
- d. A deputation invited to attend a Council or Committee meeting –
 - i. In the case of a Council Meeting
 - is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from the members; and
 - is not to address the Council for a period exceeding 10 minutes, plus 5 minutes for question time without the agreement of the Council.
 - ii. In the case of a Committee Meeting
 - is not to exceed five persons, only two of whom may address the Committee, although others may respond to specific questions from the members; and
 - is not to address the Committee for a period exceeding 30 minutes, plus 5 minutes for question time without the agreement of the Committee.
- e. Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or that committee until the deputation has completed its presentation.

2. Petitions

Petitions shall be dealt with in accordance with Section 3.4 of the Council's Standing Orders Local law and be referred to the first available Council meeting after which it is received.

3. Public Question Time

The procedure for public question time is as follows:

- a. A minimum time of 15 minutes is allocated for public question time. Council does not set a maximum time, however to enable all speakers to address Council or ask questions Council does restrict each speaker to 5 minutes. A buzzer will sound at 4 minutes to indicate to the speaker that they have one minute to conclude their address.
- b. A member of the public who raises a question or wishes to address Council is to state his/her name and address.
- c. A question may be taken on notice for a later response.
- d. When a question is taken on notice a response is to be given to the member of the public in writing by the CEO and a copy or summary of the question and response is to be included in the agenda for the information of the public and

- Councillors (as to the response) for the next ordinary meeting of the Council or Committee.
- e. Every question or address shall relate to the business of Council (or relevant Committee), but need not be restricted to items on the relevant agenda, but must be submitted as briefly and concisely as possible. If more than one question/issue is to be raised by a member of the public, the questions/issues are to be asked individually to allow the presiding person to respond.
 - f. In responding to issues/questions raised the presiding person may invite other Councillors and/or the CEO or relevant staff member to make comment.

AMENDED by Res: 250110 / 27 JANUARY 2010

P040119 **MEETINGS OF COUNCIL AND COMMITTEES - DISTRIBUTION AND RELEASE OF MINUTES**

1. A copy of the minutes of all Council meetings, which include a Disclaimer relating to unconfirmed Minutes, are to be made available for perusal by members of the public at the Council Office and 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 of any page or pages of any Council 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 - "Subject to Confirmation".
3. Copies of the minutes of all Council meetings, with a Disclaimer relating to unconfirmed Minutes are to be included on the Shire of Denmark's website.
4. That the administration ensures that there is at least one copy of the current month's agenda and minutes of each ordinary or special Council meeting available and retained for that month at the front counter and ~~library~~ Library for reading by the public.

AMENDED by Res: 250110 / 27 JANUARY 2010

P040120 **USE OF COUNCIL CHAMBER/RECEPTION ROOM**

Objective

To ensure this meeting venue is available for Council purposes at the times and dates required.

Policy

That ~~thee~~ Council Chamber and/or Reception Area be used only for meetings of the Council, Council Committees, and otherwise at the discretion of the Shire President or the Chief Executive Officer.

P040121 **COMMUNITY ORGANISATIONS – PURCHASE OF GOODS**

Under no circumstance is Council to become involved in the purchase of goods or assets on behalf of any group or organisation, unless those bodies are procuring fixed assets of a non removable nature, which become the property of Council.

P040122 **CIVIC RECEPTIONS – APPROVALS / REJECTIONS OF REQUESTS**

1. 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 authority exists.
2. Arrangements for civic receptions (format, invitation list, etc) are to be made by the Shire President and Chief Executive Officer without referral to Council.

COMMUNITY CONSULTATION POLICYObjectives

To ensure appropriate and effective community consultation is an integral part of the development and implementation of all of the Shire of Denmark's projects, programmes and policies.

Policy

1. The Shire of Denmark is committed to community consultation in its decision-making processes.
2. The Shire of Denmark, whilst agreeing to involve the community wherever appropriate in its decision-making processes, acknowledges that it may not be possible ultimately to carry out the total wishes of the community on every occasion, the Council nonetheless wishes to discover a broad range of community views on as many aspects of its business as possible.

Statutory Implications

The Local Government Act 1995 contains certain requirements in the area of "community consultation". The Act requires the Council to advertise a variety of different things via "local public notice" or "statewide public notice"; both of which are defined in sections 1.7 and 1.8 of the Act. These include, but are not limited to advertising local laws, differential rating, Plan for the Future, business plans and the annual report.

This policy is designed to provide for consultation additional to that provided for in the Act.

Guidelines

1. This policy provides for community consultation on operational issues, being functions of the CEO, and Council related issues.
2. The CEO is expected to establish staff operational guidelines to ensure a high level of community consultation takes place, where appropriate, on operational issues. Operational issues, for the purposes of this policy includes:
 - a) Carrying out of significant works contained within Council's annual works programme that have not been subjected to prior community consultation when being considered as part of Council's earlier decision-making processes.
 - b) Implementation of services, programmes, projects, etc provided for on Council's budget that have not been subjected to prior community consultation when being considered as part of Council's earlier decision-making processes.
 - c) Consideration of planning and building applications.
 - d) Other operational issues as determined from time to time by the CEO and/or the Council.
3. All new projects, new programmes, new policies and significant reviews of existing projects, programmes and policies, when being submitted for consideration by Council shall be accompanied by a "community consultation plan" (CCP).
4. A CCP shall detail:
 - a) The objectives of the community consultation exercise.
 - b) The stakeholders to be consulted.
 - c) The timing and duration of the consultation.
 - d) The method of consultation to be used to achieve the objectives.
 - e) How the stakeholders may be supported in their consultation.
 - f) Estimated cost of the consultation and budgeted funds available.
 - g) Post consultation review process.
5. The Council will, after consideration of the CCP, determine the level and extent of community consultation to be carried out.
6. The Council recognises the following as appropriate methods of consultation to be considered in any CCP:
 - a) Individual letters

- b) Householder mailings
 - c) Advertising in addition to statutory requirements
 - d) Public or stakeholders meetings/workshops
 - e) Public displays
 - f) Formal questionnaires or surveys
 - g) Use of specialist consultants
7. Following each community consultation exercise a post consultation review is to be carried out as provided for in the CCP. The purpose of this review is to examine the effectiveness and appropriateness of each consultation exercise with the view to implementing continual improvement.

P040124 LEGAL REPRESENTATION COSTS INDEMNIFICATION

Objective

This policy is designed to protect the interests of council members, employees and council committee members (including past members and former employees) where they become involved in the civil legal proceedings because of the official functions. 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.

Policy

EXPLANATION OF KEY TERMS

approved lawyer is to be –

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

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

legal proceedings may be civil, criminal or investigative.

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

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

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

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

payment by the Shire of Denmark of legal representation costs may be either by –

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

1. PAYMENT CRITERIA

There are four major criteria for determining whether the Shire of Denmark will pay the legal representation costs of a council member or employee. These are –

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

2. EXAMPLES OF LEGAL REPRESENTATION COSTS THAT MAY BE APPROVED

2.1 If the criteria in clause 1 of this policy are satisfied, the Shire of Denmark may approve the payment of legal representation costs -

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

2.2 The Shire of Denmark will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

3. APPLICATION FOR PAYMENT

3.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.

3.2 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 council 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 of Denmark for payment to be made.

3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that

constitutes improper conduct in relation to the matter to which the application relates.

- 3.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.
 - 3.5 The application is to be accompanied by a signed written statement by the applicant that he or she –
 - a) has read, and understands, the terms of this Policy;
 - b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - c) undertakes to repay to the Shire of Denmark any legal representation costs in accordance with the provisions of clause 7.
 - 3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the Policy.
 - 3.7 An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.
4. LEGAL REPRESENTATION COSTS – LIMIT
- 4.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
 - 4.2 A council member or employee may make a further application to the council in respect of the same matter.
5. COUNCIL'S POWERS
- 5.1 The council may –
 - a) refuse;
 - b) grant; or
 - c) grant subject to conditions,an application for payment of legal representation costs.
 - 5.2 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
 - 5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire of Denmark council members or employees insurance policy or its equivalent.
 - 5.4 The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
 - 5.5 The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
 - a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - b) given false or misleading information in respect of the application.

- 5.6 A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the Shire of Denmark are to be repaid by the council member or employee in accordance with clause 7.
6. DELEGATION TO CHIEF EXECUTIVE OFFICER & URGENT PAYMENTS
- 6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 An application approved by the CEO or the Shire President under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 5.4.
7. REPAYMENT OF LEGAL REPRESENTATION COSTS
- 7.1 A council member or employee whose legal representation costs have been paid by the Shire of Denmark is to repay the Shire of Denmark –
- a) all or part of those costs – in accordance with a determination by the Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire of Denmark paid the legal representation costs.
- 7.2 The Shire of Denmark may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

Responsible Officer

The Chief Executive Officer is the responsible officer for implementing this policy.

Note: this Policy has been modelled from the Department of Local Government Guideline no. 14.

AMENDED by Res: 250310 / 23 March 2010

P040125

COMMUNITY FINANCIAL ASSISTANCE PROGRAM

Objectives

1. To provide financial assistance for organisations and/or projects which benefit the community.
2. To assist community based (not for profit) organisations to develop and maintain facilities.
3. To provide community based (not for profit), organisations with relief from Council imposed fees and charges.
4. To provide urgent or emergency financial assistance where required.
5. To provide guidelines for the consideration and approval, or otherwise, of financial assistance applications.
6. To minimise out of budget, ad hock requests.

Policy

That the Council at least annually advertise its intention to consider applications for financial assistance from community groups within the shire based on application forms and guidelines endorsed the Council's Community Financial Assistance Grants Committee.

Recommendations arising from such applications are to be made by this Committee to Council no later than May of each year for consideration by Council in the following financial year budget.

Proponents requesting financial assistance from Council, that cannot be accommodated under staff delegations or which are not included in the Council's ~~budget~~ Budget or assessed under an advertised round, will be advised of Council's funding procedures and be requested to apply for the next round of the appropriate funding. Any such advice will be included in Council's monthly Information Bulletin.

Nothing in this policy prevents the CEO, where that officer deems appropriate, ~~from referring to refer~~ a request for financial assistance to Council for determination.

Responsible Officer

The Director of Finance & Administration is the responsible officer for implementing this policy.

AMENDED JUN07

Ad Hoc Out of Budget Expenditure added as a result of Res: 160108 / 22JAN08

AMENDED by Res: 320310 / 23 March 2010

P040126

HONORARY FREEMAN OF THE MUNICIPALITY

NOMINATION PROCEDURE

Background

Section 619A of the Local Government Act 1960 prescribed that, Council may, by absolute majority, pass a resolution which confers the title of 'Honorary Freeman of the Municipality' on any person. This does not confer any right or privilege on that person other than the right to use the title so conferred.

Although the Local Government Act 1995 does not provide for conferring this title, Council has resolved to introduce the award.

Statement of Intent

This Policy stipulates the procedures for the nomination, selection and induction of persons designated as 'Freeman of the Municipality'.

Policy

Subject to the eligibility and selection criteria of this policy being met, Council may, by an absolute majority decision, confer the title of 'Honorary Freeman of the Municipality' on any person. The title shall be reserved for persons who have rendered exceptional service to the community. The process for nomination and selection of persons for the title are as follows:

1. Eligibility Criteria
Nominees for the conferring of the title 'Honorary Freeman of the Municipality' should be residents of the Shire of Denmark who have given distinguished service to the Shire, preferably in more than one capacity.

2. Selection Criteria

Formatted: Font: 11 pt

Nominees will be judged on their record of service to the community. –The selection criteria are to include:

- a) Length of service in a field (or fields) of activity.
- b) Level of commitment to the field (or fields) of activity.
- c) Personal leadership qualities.
- d) Benefits to the community of the Shire of Denmark and/or State of Western Australia resulting from the nominee's work.
- e) Special achievements of the nominee.

3. Nomination Procedure

- a) Nominations for the Award may be made by individuals or organizations and are to be sponsored by a Councillor of the Shire of Denmark. They are to be submitted to the Chief Executive Officer on the Official Nomination Form (as appended to this policy) for consideration by the Council.
- b) Nominations are to be made in the strictest confidence without the knowledge of the nominee.
- c) On receipt of a nomination the Chief Executive Officer shall circulate a copy of the nomination and any supporting information to all Councillors.
- d) On receipt of the information, Councillors shall have at least two weeks to consider the proposal. If a Councillor is not in favour of the proposal then he/she should either submit his/her views;
 - (i) In writing to the CEO, who will provide a copy to all Councillors; or
 - (ii) Verbally at the relevant Council meeting.

Councillors who do not formally respond will be presumed not to object to the nomination.
- e) If it is considered by Council that it would not be appropriate to pursue such nomination, then no record is to be made in the Minutes and if the Councillor sponsoring the nomination is not in attendance, the Shire President shall verbally advise that Councillor that the nomination has not been supported.

Formatted: Indent: Left: 3.5 cm, Tab stops: Not at 2.54 cm

Formatted: Indent: Left: 0.63 cm

Formatted: Indent: Left: 4.12 cm, Tab stops: Not at 4.76 cm

Formatted: Indent: Left: 4.12 cm

Formatted: Indent: Left: 4.14 cm

Formatted: Indent: Left: 3.5 cm, Tab stops: Not at 2.54 cm

4. Awarding the Title

Once a nomination has been accepted by Council, the nominee and any person(s) or organization(s) involved in the nomination are to be informed of the decision and a suitable press statement is to be released.

The formal conferring of the title is to be carried out at a reception held by Council. This may be a special reception for this purpose, or the ceremony may form the focal point of any other suitable reception hosted by Council. The decision on the occasion and format of the ceremony shall rest with the President, in consultation with the Chief Executive Officer.

The successful nominee shall receive a framed certificate and lapel pin which confirms his or her status and shall be invited to attend all civic functions.

Photographs of the Honorary Freeman of the Municipality will be displayed in the Council Chambers which will show pertinent information identifying the recipient and their service to the community.

5. Current Awardees

Percy Berridge (*deceased*) November 1973) and Mrs Eileen Lunan (February 2006).

COUNCILLOR COMMUNICATION / INFORMATION DISTRIBUTION

Objective

- 1. To define a communication of information process for Councillors and Staff.
- 2. To define a reciprocal communication process between local groups / organisations, general community and Council.

Policy

- 1. An item "Announcement by the Person Presiding" be included on the Council meeting agenda to enable the Shire President to advise/report to Councillors matters of cCivic interest.

The Councillors have a period of 10 minutes to discuss matters raised by the Presiding Person.

- ~~2.~~ 2. The Shire President and Councillors are encouraged where relevant to provide, in writing, a list of meetings/functions attended during the month on behalf of Council. Councillors wishing to report on meetings/functions attended must do so in writing. Written reports are to be given to the Chief Executive Officer for inclusion on the next Councillors' Information Bulletin.

Formatted: Indent: Left: 0 cm

- ~~2.~~ 3. When a Councillor as a Councillor or a Council delegate to an organisation requires a decision from Council, a request should be put to the Chief Executive Officer for an appropriate officer to prepare a written report, on behalf of the Councillor, to have it included on the Council agenda. The views of the Councillor must be expressed in the report, however the officer should reflect his or her professional opinion on the subject.

Formatted: Indent: Left: 3.14 cm, No bullets or numbering, Tab stops: Not at 3.14 cm

- ~~3.~~ 4. When a Councillor raises matters as a delegate on an external Committee, or matters are raised with the Councillor, which require action by a Councillor acting on behalf of Council, such action must be authorised by a resolution of Council or the Chief Executive Officer, as appropriate.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

- ~~4.~~ 5. Local groups and organisations, to which Council provides a delegate, are encouraged where relevant to submit a copy of all their meeting minutes to the Chief Executive Officer unless commercially sensitive material is contained in the meeting minutes.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

- ~~5.~~ 6. The Chief Executive Officer is to include matters of interest to Councillors ~~on~~ in the monthly Councillor Information Bulletin. The Chief Executive Officer is to determine matters of interest.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

Formatted: Tab stops: Not at 2.54 cm

- ~~6.~~ 7. A copy of the Councillor's Information Bulletin is to be placed in the ~~public~~ Denmark Library and on Council's website.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

- ~~7.~~ 8. The Administration recognises the voluntary and part-time nature of Councillors involvement and the need to provide Councillors with documents well in advance of decision making.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

- ~~8.~~ 9. The Administration supports Councillors ~~in~~ being as informed as possible about the nature and functions of Council.

Formatted: No bullets or numbering, Tab stops: Not at 3.14 cm

OFFICERS & ELECTED MEMBERS CODE OF CONDUCTPreamble

The Model Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Model Code is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

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

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

Definition

'Committee Members' means; The term Committee members in the Code of Conduct refers to Councillors elected to represent the community and not community members appointed as a member of a Council Committee.

Statutory environment

The Model Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

Rules of conduct

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

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

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

"A Councillor —

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

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995 : -

"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;*
- b) ensure that advice and information is available to the council so that informed decisions can be made;*
- c) cause council decisions to be implemented;*
- d) manage the day to day operations of the local government;*
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- f) speak on behalf of the local government if the mayor or president agrees;*
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- h) 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."*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995 :

"(1) The council —

- a) directs and controls the local government's affairs; and*
- b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- a) oversee the allocation of the local government's finances and resources; and*
- b) determine the local government's policies."*

1.4 Relationships between Council Members and Staff

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

To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following :

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

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

"interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
 - i. in a written notice given to the CEO before the meeting; or
 - ii. at the meeting immediately before the matter is discussed.
- b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not

- attended by the person is required to disclose the nature of any interest the person has in the matter -
- i. in a written notice given to the CEO before the meeting; or
 - ii. at the time the advice is given.
- c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
- i. the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - ii. the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
- i. before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - ii. immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
- i. to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - ii. a disclosure is made as described in item (d)(ii) at a meeting; or
 - iii. to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

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

3.2 Intellectual Property

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

3.3 Improper or Undue Influence

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

3.4 Gifts

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

a. that cannot be undertaken without an authorisation from the local government; or

b. by way of a commercial dealing with the local government;

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

a. a gift from a relative as defined in S 5.74(1); or

b. a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or

c. a gift from a statutory authority, government instrumentality or non-profit association for professional training;

“notifiable gift”, in relation to a person who is an employee, means -

a. a gift worth between \$50 and \$300; or

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

“prohibited gift”, in relation to a person who is an employee, means -

a. a gift worth \$300 or more; or

b. a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

Formatted: Font: (Default) Arial

- a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -
 - i. is undertaking or seeking to undertake an activity involving a local government discretion; or
 - ii. it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- b) A person who is an employee and who accepts a notifiable gift from a person who -
 - i. is undertaking or seeking to undertake an activity involving a local government discretion; or
 - ii. it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.
- c) The notification of the acceptance of a notifiable gift must be in writing and include -
 - i. the name of the person who gave the gift; and
 - ii. the date on which the gift was accepted; and
 - iii. a description, and the estimated value, of the gift; and
 - iv. the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - v. if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift”(whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - a description; and
 - the estimated value; and
 - the date of acceptance,of each other gift accepted within the 6 month period.
- d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

- e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF

4.1 Personal Behaviour

- a) Council Members, Committee Members and staff will:
 - i. act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - ii. perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - iii. act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - iv. make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - v. always act in accordance with their obligation of fidelity to the Local Government.
- b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

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

4.4 Compliance with Lawful Orders

- a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution can not be achieved, with the Chief Executive Officer.

- b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

a) Standard of Dress

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

- i. Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- ii. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

b) Communication and Public Relations

- i. All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- ii. As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- iii. Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

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

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

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and staff will:

- a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

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

5.2 Travelling and Sustenance Expenses

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

5.3 Access to Information

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

ADDED by Res: 110408 / 22 APRIL 2008
AMENDED by Res: 320310 / 23 March 2010

P040129 REIMBURSEMENT OF ELECTED MEMBERS TRAVEL EXPENSES POLICY

Council shall pay to the Shire President, Deputy Shire President and Councillors travelling expenses for attending Ordinary and Special Meetings of Council and for attending meetings of Committees when acting in the capacity of a member of that Committee.

In addition, travel expense will be reimbursed for attendance at the following:

- Annual Meetings of Electors.
- Special Meeting of Electors.
- Civic receptions hosted by the Shire.
- Visits by a Minister of the Crown.
- Council inspection tours.
- Council workshops & briefing forums.
- Attendance at training and conferences authorised in advance by Council or the CEO.
- Other meetings and events authorised in advance by Council, the Shire President or the CEO.
- Attendance at meetings of community organisations where the elected member is Councils appointed delegate.
- Attendance at onsite inspections in their capacity as a Council member with such claims to be cross referenced in the Members Reports submitted for inclusion in the Information Bulletin on a monthly basis.

Expenses shall be paid on a recoup basis, with a formal claim required to be submitted that details the number of kilometres travelled from the Elected Members place of residence to the end destination and return.

The rate per kilometre that is to be reimbursed pursuant to the relevant employment award applying to local government officers, as amended from time to time.

Where practical, Elected Members are encouraged to use the existing administration vehicles for attendance at a meeting etc that is located outside of the Shire of Denmark boundary.

A Claim Form is to be prepared by the Director of Finance and Administration that contains a declaration to the effect that the expenses being claimed were in fact incurred by the Elected Member.

Council recognises Elected Members personal circumstances and will pay additional mileage where additional travel time is required to arrange for the care of children and other dependants.

ADDED by Res: 420808 / 26 August 2008
AMENDED by Res: 320310 / 23 March 2010
AMENDED by Res: ~~XXX~~ / 25 September 2012

Formatted: Highlight

P040130 **BIENNIAL COMMUNITY NEEDS & CUSTOMER SATISFACTION SURVEY**

1. In November of every even numbered year, Council is to conduct an in house prepared Community Needs & Customer Satisfaction survey.
2. The Survey is to be sent to 1,000 randomly selected electors of the Shire, drawn from the most recent Shire of Denmark consolidated Electoral Roll.

ADDED by Res: 530808 / 26 August 2008

P040131 **COUNCILLOR SERVICE & FAREWELL POLICY**

Objective

To show appreciation to Councillors who have served the Council and the Community in a volunteer capacity.

Policy

Upon resignation of a Councillor midterm, and for a length of service not less than 2 years, an official presentation function shall be held to recognise the Councillor's service to the Council as part of an evening meal following a Council Meeting.

Upon retirement of office or failure to secure an additional term of office as a continuing Councillor, an official presentation and partners function shall be held to recognise the Councillor's service to the Council. The reception to include former Councillor(s) and their partner(s) as well as new Councillor(s) and their partner(s).

At either of the functions mentioned above a suitable gift shall be presented to the Councillor based on the following;

1. 0-4 years of Service: Certificate of Service;
2. 5-8 years of Service: Certificate of Service Plaque and a gift to the value of \$200;
3. 9 + years of Service: Certificate of Service Plaque and a gift to the value of \$400 & a recommendation to WALGA of the issue of a meritorious service or similar award.

The CEO is to consult with the Shire President and Deputy Shire President to determine a suitable gift for a Councillors service.

Note: Minister for Local Government Regional Director's exemption from Financial Interest provision required in adopting or reviewing this policy.

Note: Local Government Act 1995, section 5.100A and the Local Government (Administration) Regulations 1996, Regulation 34AC relates.

Responsibility for Implementation

The Chief Executive Officer is responsible for ensuring that the necessary arrangements are made to ensure that this policy is enacted.

ADDED by Res: 130908 / 23 September 2008

P040132

PRIVACY POLICY

Objective

To provide Shire of Denmark employees guidance as to the provision of information for public, private or business use that clearly identifying property owners and their postal addresses.

Policy

Council produce and make available a Privacy Statement pamphlet to ensure people are advised of how the Council holds and handles personal information about individuals.

The Privacy Statement reads as follows;

FREEDOM OF INFORMATION

The Freedom of Information Act 1992 (WA) ('FOI Act') requires that certain information concerning the Shire of Denmark' operations be kept confidential.

YOUR PERSONAL INFORMATION

Personal information as defined by the FOI Act "...means information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead – whose identity is apparent or can reasonably be ascertained from the information or opinion, or who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample". The FOI Act allows you to access your personal information held by the Shire for the purpose of ensuring that the information is accurate, complete, up to date and not misleading.

HOW WE COLLECT PERSONAL INFORMATION

The Shire collects information in the following manner.

- You provide information by phone, documents submitted for processing and letters received by the Shire from you.
- From third parties eg. government agencies, the Electoral Commission or your representatives.
- From publicly available sources of information - Internal records

PRIVACY OF INFORMATION OF COMPLAINANTS

To ensure confidentiality to the community details ie: name and address, are not divulged to any person when a complaint is received, however, any person who makes a complaint to the Council must provide their name and address so as to ensure the validity of their information. Details of the complaint are to remain confidential to the Council. (Subject to compliance with the FOI Act where applicable.)

WHY DO WE COLLECT PERSONAL INFORMATION?

Personal information is received and collected by the Shire for the purpose of providing services normally delivered by a local government.

DOCUMENTS CONTAINING YOUR PERSONAL INFORMATION

The Shire will generally not provide a third party with a document which contains your personal information without first deleting that personal information or taking steps as are reasonably practicable to obtain your views as to whether the document contains matter that is exempt from disclosure under the FOI Act.

THE FREEDOM OF INFORMATION ACT DOES NOT APPLY TO INFORMATION THAT IS:

- Available for inspection under legislation;
- Available for purchase by the public or free distribution to the public;
- Available for inspection at State archives;
- Publicly available library material held by agencies for reference purposes;
- Made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes.

WHEN WE DISCLOSE YOUR PERSONAL INFORMATION

Your personal information may be disclosed if it appears in documents that are required to be publicly available for disclosure under the provisions of the Local Government Act 1995 or any other legislation. For example, section 5.94 of the Local Government Act and Section 29 of the Local Government (Administration) Regulations, provides that a person may attend the office of a local government and inspect free of charge documents including:

- Rates record
- Confirmed minutes of council or committee meetings
- Minutes of electors meetings
- Register of owners and occupiers under section 4.32(6) and electoral rolls
- Other information relating to local government: - required by the Local Government Act to be available for public inspection; or
- As may be prescribed by legislation.

PRIVACY STATEMENT

By using the Shire of Denmark Web Services clients will from time to time provide information to the Shire in order to ensure the most effective provision of services. Some of this information will be collected automatically by website equipment and some will be specifically requested by client input. This statement seeks to provide clear advice as to how such personal information shall be utilised by the Shire.

USAGE LOGS

Every time an element is downloaded from a Shire of Denmark website a record is recorded of the event including IP Address of the requesting client's machine, time and date of request, size and name of files sent and received, and type of web browser used. No attempt will be made to identify individual users or their browsing activities except, in the event of an investigation, where a law enforcement agency may exercise a warrant to inspect the service provider's logs.

COOKIES

From time to time the Shire of Denmark will load simple, brief information (cookies) onto users computers in order to provide more effective online services. Such cookies shall never contain personal details of individuals and will only be linked back to any server-based databases after specific approval of each user for each project. Users can choose not to allow such information to be uploaded by turning the cookie feature off on their web browser software.

WEB SPECIFIC DATABASES

The Shire of Denmark maintains a number of databases specifically to store information utilised by its web services and which include some personal details of individuals. These include Online Directories, Community Information, and Events. Entries will only be made to these databases with the express permission of any named individuals, and such personal information will normally be added directly into the databases by the individuals involved via online forms. Information entered in these databases may be used in the provision of public web services, including the direct display of such details upon the Shire of Denmark websites in various formats.

ONLINE AND OTHER SURVEYS

Where personal information is requested for the purpose of accepting answers to online or other surveys, that information shall never be publicly displayed in any way that identifies individual users.

EXTERNAL USE OF PERSONAL INFORMATION

Unless specifically noted at the time of gathering personal information, or required by law (for example the Australian Bureau of Statistics) the Shire of Denmark will never knowingly distribute such details to third parties, other than that displayed as part of the normal web services or as aggregated datasets.

REFUSAL OF ACCESS

The Shire may refuse access to a document where the document is not a document of the Shire or where the document is an exempt document. For example, the FOI Act exempts from disclosure commercial or business information that contains sensitive commercial information where disclosure will destroy or diminish that commercial value or reveal trade secrets. Alternatively, the Shire may provide an edited copy of the document.

HELP US TO ENSURE WE HOLD ACCURATE INFORMATION

The Shire of Denmark takes all reasonable precautions to ensure that any personal information held or disclosed by it is accurate, complete and up to date. An individual may ask to see their personal record to ensure that data is correct, and to have incorrect information changed. The accuracy of this information depends on information that is provided by you.

WE REQUEST THAT YOU:

- Inform us if there are any errors in your personal information.
- Keep us up to date with changes to personal information such as your name and address.

YOU MAY ACCESS YOUR PERSONAL INFORMATION BY:

Applying in writing providing your name, address and sufficient information to identify the documents sought.

BEFORE ALLOWING ACCESS TO PERSONAL INFORMATION THE SHIRE WILL TAKE REASONABLE STEPS TO:

- Satisfy itself as to the identity of the applicant; and
- Ensure that only the applicant or applicant's agent, nominated in writing, receives the document.

APPLYING TO AMEND INFORMATION

You may apply to amend your personal information if the information is inaccurate, incomplete, out of date or misleading. You apply in writing providing your name, address, details to enable the relevant document to be identified, sufficient details of the matters in relation to which you believe the information needs updating, the reasons for holding this belief and how you wish the amendments to be made.

Responsibility for Implementation

The Chief Executive Officer is responsible for ensuring that the necessary arrangements are made to ensure that this policy is enacted.

Refer also to Policy P130302 - BUILDING STATISTICS & Policy P100602 - CONSULTATION PRIVACY POLICY which relate.

ADDED by Res: 120109 / 27 January 2009
AMENDED by Res: 320310 / 23 March 2010

P040133

SUSTAINABILITY CHECKLIST

Objective

To ensure that Council is operating and planning in a sustainable manner.

Policy

Councillors & Staff are to annually conduct a self assessment of Councils sustainability using the recommended Sustainability Checklist (see below) and include the results in the Annual Report.

Note: The Sustainability Checklist is reviewed regularly by a Working Party consisting of the Department of Local Government & Regional Development, Local Government Managers Association (WA) and the Western Australian Local Government Association (WALGA).

Responsibility for Implementation

The Director of Finance & Administration is responsible for ensuring that the necessary arrangements are made to ensure that this policy is enacted.

FINANCIAL PLANNING & MANAGEMENT					
		Yes	No	Comment	Review Date
1	Have a 5 Year Strategic Plan in place, with a supporting 5 Year Financial Plan and Asset Management Plan				
2	Publish a 5 Year Community Infrastructure Plan, linked to the financial plan				
3	Ensure debt management indicators are published and are consistent with Industry benchmark ratios				
4	Have an industry standard asset management system in place, against which performance is regularly monitored				
5	Apply whole of life costing principles to major capital projects				
6	Re-value all assets in accordance with industry best practice				
REVENUE RAISING					
7	Apply the WA Local Government Cost Index as the basis for calculating cost movements to be reflected in its revenue collection strategies				
8	Adopt best practice processes as the basis for its rate setting (as outlined in Section 6.2.1 of The Journey)				
9	Fully cost functions and services used as the basis for setting fees and charges				
10	Review fees and charges annually for cases of revenue leakage				
11	Explore the use of trading entities to secure service delivery and revenue collection				
SERVICE DELIVERY					
12	Advise Council of alternative service delivery options with an overview of the implications for the community of				

	each when reviewing and approving the Local Government's Strategic Plan, business or operational plans				
13	Measure and report increasing community satisfaction with service delivery in its Annual Reports				
14	Measure and report reducing environmental impact resulting from activities				
15	Regularly benchmark performance against contemporary Local Governments				
CAPABILITY AND WORKFORCE DEVELOPMENT					
16	Include a documented Human Resource Plan as a feature of your Strategic Plan				
17	Prepare a workforce planning strategy in consultation with other local governments within a regional network				
18	Benchmark salary costs against Industry Standards				
19	Provide funding for professional development and training for all employees and Elected Members to increase skills and knowledge				
LEADERSHIP					
20	Actively engage in sector reform processes and discuss their implications with other local governments within your region				
21	Have a process to review this Sustainability Checklist annually				

Checklist version correct as at March 2009.

ADDED by Res: 280209 / 24 February 2009

P040134

STANDING ORDERS PROCEDURES

Standing Orders Procedures have been adopted by Council from time to time to assist guide the Presiding Person of a Council Meeting or Council Committee Meeting and should be read in conjunction with the Shire of Denmark Standing Orders Local Law 2000. These policies cannot however override clause 18.2 (individuals determinations by the Presiding Person and or Council / Committee) of this Local Law.

1. QUESTIONS ON AGENDA ITEMS – COUNCIL MEETINGS

Objective

This Policy aims to enable Councillors to ask questions on Agenda Items, prior to moving motions or debating, without the need to Suspend & Resume Standing Orders, notwithstanding that the Shire of Denmark Standing Orders Local Law does not specifically provide for this practice.

Policy

Councillors are permitted to ask questions on particular items at the commencement of the debate on that item at Council meetings.

Responsibility for Implementation

The Shire President (or the Presiding Person) is responsible for implementing this Policy.

ADDED by Res: 170212 / 28 February 2012

P040135 **ELECTED MEMBERS iPADS – OPTION TO PURCHASE**

Objective

The provision of iPads to Elected Members will enable access to the latest technology that contributes towards timely, effective and efficient decision making as well as decreasing the environmental impacts and costs associated with the physical printing, distribution and record management of Council related documents and information.

Policy

This policy applies where an Elected Member has chosen to receive an iPad from Council.

An Elected Member who retires, resigns or is not re-elected must **either**:

- a) Return the iPad to the Council immediately after ceasing to become an elected member; or
- b) Purchase the iPad at its depreciated value based on the following formula:
 - i. Between 0 and 12 months – 75% of the purchase price.
 - ii. Between 12 and 24 months – 50% of the purchase price.
 - iii. Between 24 and 36 months – 25% of the purchase price.
 - iv. Greater than 36 months - Nil.

The depreciated value of the iPad is to be determined by calculating the time (in completed months) that an Elected Member has received an iPad through to the date of resignation, retirement or end of term (whichever happens first).

Responsibility for Implementation

The Chief Executive Officer is responsible for implementing this Policy.

ADDED by Res: 320212 / 28 February 2012

For administrative purposes the following table shows Councillors who are recorded as having received their iPads.

Elected Member	Date iPad Received
<u>Cr Ross Thornton</u>	<u>2012</u>
<u>Cr John Sampson</u>	<u>2012</u>
<u>Cr Kelli Gillies</u>	<u>2012</u>
<u>Cr Adrian Hinds</u>	<u>2012</u>
<u>Cr Jan Lewis</u>	<u>2012</u>
<u>Cr David Morrell</u>	<u>2012</u>
<u>Cr Ian Osborne</u>	<u>2012</u>
<u>Cr Dawn Pedro</u>	<u>2012</u>
<u>Cr Belinda Rowland</u>	<u>2012</u>
<u>Cr Roger Seeney</u>	<u>2012</u>
<u>Cr Alex Syme</u>	<u>2012</u>

**The above table is included in this Policy Manual purely for administrative purposes and can be amended as required without the need for a resolution of Council.*

ADMINISTRATION (OTHER GOVERNANCE) - 0402

P040201 **INSURANCE**

Council shall procure insurance contracts to provide:

- Adequate professional indemnity cover for elected and appointed personnel of the Shire of Denmark.
- Workers' Compensation cover in accordance with Workers' Compensation Legislation.
- Replacement value cover for all fixed assets.
- Protection against public liability.
- Protection to employees and volunteers undertaking duties in accordance with the Bush Fire Act.
- Adequate motor vehicle accident cover.
- Personal Accident (for volunteers).
- Fidelity Guarantee (theft).
- Any other cover deemed necessary to protect elected members and employees from suffering personal loss whilst engaged on official business.

Such insurance contracts are to be reviewed by staff each year and a report on the review to be submitted to a relevant Council Budget Workshop or Councillors via the Monthly Information Bulletin.

Refer also Policy P040208.

AMENDED by Res: 260610 / 22 June 2010

P040202 **SHIRE ADMINISTRATION OFFICE & LIBRARY OPENING HOURS**

The office of the Shire of Denmark is to be open to the public on normal working days as follows;

Monday to Friday 9.00am to 4.00pm

The Denmark Library is to be open to the public on normal working days as follows;

Monday, Tuesday, Thursday & Friday	10.00am to 4.30pm
Wednesday	1.00pm to 7.00pm
Saturday	9.00am to 12.00pm

The Shire Administration Office and Library are to be closed on Public Holidays that fall on normal working days. Nothing in this policy prevents the Chief Executive Officer to temporarily permit short term variations to hours on these normal working days should it be required for operational reasons, subject to prior and/or appropriate notice where practical."

Refer also Policy P110501

ADDED by Res: 220708 / 22 July 2008
AMENDED by Res: 260610 / 22 June 2010

P040203 **BUDGET PREPARATION PROGRAMME**

REPLACED with 040223 by Res: 120908 / 23 September 2008

P040204 **ENROLMENT OF NON-RESIDENT OWNERS & OCCUPIERS**

That occupiers currently enrolled on Council's electoral roll be given a reminder, at the expiry of their enrolment, of the need to re-apply to be included on the local government electoral roll in order to participate in the elections.

That a biennial invitation be forwarded to all non resident ratepayers who are not currently on the roll (last prepared 2010).

AMENDED by Res: 260610 / 22 June 2010

P040205 **GRATUITOUS PAYMENTS TO EMPLOYEES**

This Policy has been repealed pursuant to Council Resolution 140908 / 23 September 2009.
Replaced with new Policy P040225 – Gratuity Payments Policy.

P040206 **STAFF UNIFORMS**

1. Council supports the wearing of uniforms by staff.
2. Council provide all new participating inside staff (including Library staff) with a subsidy towards the initial purchase of staff uniforms (value \$400 ex GST).
3. Council provide an annual subsidy to all participating inside staff (including Library staff) for the purchase of uniforms (value \$200 ex GST).

P040207 **COMMON SEAL OF THE SHIRE OF DENMARK**

Objective

This policy covers the proper use of Council's common seal, on what documents it can be applied and under what circumstances. In addition, the policy streamlines the decision making process relating to the affixation of the seal by not requiring such use to be presented to Council on all occasions when the sealing of a document may be necessary.

Policy

The Chief Executive Officer is to have charge of the common seal, and it is to be responsible for the safe custody and proper use of it.

The President and Chief Executive Officer are authorized to sign and affix the common seal to documents where such action is necessary to protect Council's interest, to give effect to a Council resolution, or to complete a legal document.

In the absence of the President and Chief Executive Officer, as the case may be, and the Deputy President and a senior employee authorized by the CEO are authorized to affix the common seal on their behalf.

Details of all transactions where the common seal has been affixed shall be recorded in a register and this is to include the date on which the common seal was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed via the monthly Information Bulletin.

Details of the use of the common seal shall be reported to the Council in the monthly Information Bulletin and the register shall be available for inspection by Councillors upon request to the Chief Executive Officer during normal office hours.

Execution of Documents

It is Council's Policy that, for a document to be validly executed, the common seal is to be affixed to the document and the Shire President and the Chief Executive Officer attest to the affixing of the seal.

P040208 **INSURANCES - PROFESSIONAL INDEMNITY - USE OF DISCLAIMERS**

Council adopts as policy the use of disclaimers (where appropriate) when providing advice or information to the public or other statutory bodies. The wording of such

disclaimers is to be as recommended from time to time, in consultation with Council's insurers.

Refer also to Policy P040201

P040209

CONFERENCES - STUDY TOURS

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 professions.
 - 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) Funds for attendance at State and Federal Professional Conferences are to be provided in each annual budget under the provision for staff training.
 - d) 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 funding arrangements 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 only because the conference happens to be held overseas.
 - v. If it is considered beneficial for a Councillor or Councillors to accompany the senior 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 funds are available for that purpose.
2. ANNUAL STUDY TOURS
 - a) A study tour is designed to enable Councillors and staff to travel intrastate, interstate and/or overseas to research and study specific issues confronting Council.
 - b) Details of study tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of study tours have been arranged or arrangements are incomplete, an appropriate amount is to be included in the budget to cover the cost of the study tour.
 - c) The Chief Executive Officer in consultation with the Shire President may approve attendance at study tours but shall apply the following guidelines:
 - i. The maximum attendance at any intrastate study tour is to be all Councillors and two Staff.
 - ii. The maximum attendance at any interstate or overseas study tour is to be two Councillors and two staff.
 - iii. Attendance at a study tour shall only take place where there are appropriate funds provided for in the annual budget.
 - iv. A detailed report including recommendations on each study tour is to be submitted to Council.

v. Budget authority and funding arrangements are to be considered.

3. CONFERENCES

The Chief Executive Officer, Senior Employees and Councillors are encouraged to attend intra and interstate conferences in accordance with the following guidelines:

- a) Budget authority and funding arrangements are to be considered.
- b) The Chief Executive Officer is to approve attendance and ensure that attendance at the conference will be beneficial to Council and the community.
- c) The Shire President is to approve the Chief Executive Officer's attendance at conferences.
- d) Officers or Councillors attending are to provide a written report on the issues, outcomes of the conference to all Councillors.
- e) In the case of air travel Council will pay economy class. Councillors and Staff may upgrade at their own cost.

P040210

STAFF TRAINING

Council has adopted the following as its policy on staff training:

1. Council has a responsibility to organise its labour resources in the most efficient manner possible so as to maximise the services provided in an effective, economic and efficient manner.
2. Council's workforce is its most important resource necessary for the achievement of Council's objectives and the skills of the workforce are of the most fundamental significance.
3. a) Education (being the acquisition of general tertiary and professional skills and qualifications) is the responsibility of the individual employee. This does not preclude Council from assisting an employee (eg study leave) but such assistance extended at the discretion of the Council is not an employee right.
b) Training (being an extension and/or enhancement of skills and knowledge to enable employees to be more effective in their jobs and/or to provide for future progression) is the joint responsibility of Council and the employee.
4. Council recognises the need for attention to and investment in staff training and authorises the allocation on each year's draft budget of amounts totalling at least 1.5% of the Council's gross payroll towards staff training.
5. The Chief Executive Officer is responsible for the management of the funds allocated for staff training in each department and any expenditure may, subject to provision being made in the budget, be endorsed by the Chief Executive Officer without reference to the Council.
6. Funds allocated by Council for staff training may be directed towards any "training expenditure" and without limiting the generality of this clause, may include:
 - a) Cost of salaries, registration fees, travelling and accommodation involved in attending training courses and where appropriate seminars or conferences.
 - b) The wages and overheads associated with the employment of training officers and similar appropriate persons for the provision of internal training courses and on the job side by side training.
 - c) Purchase of videos, books and other appropriate training aids.
 - d) Other appropriate training initiatives at the Chief Executive Officer's discretion.
7. As a general guide Council's preferences for staff training activities are:
 - a) Utilisation of any local courses.
 - b) Co-ordination with other local training exercises (eg with local businesses and with government departments).
 - c) In-house training activities.

Refer also Policy P040219

P040211

STAFF - MEDICAL EXAMINATION

Objective

To ensure that new employees are fit to undertake the duties associated with their particular position and that any pre-existing medical condition is identified.

1. Prior to employment, potential new employees are required to obtain a medical certificate prior to their initial appointment to Council's workforce. The certificate is to be in a format suitable to the Chief Executive Officer and may include audiometric testing.
2. If the Medical Certificate is deemed to be satisfactory by the Chief Executive Officer, a contract of employment may be entered into.
3. The costs of the medical examination is to be met by Council, but the doctor or medical practice to be used is to be nominated, from time to time by Council, having regard to price, proximity and past performance.

Responsibility for Implementation

The Chief Executive Officer is responsible for the implementation of this Policy.

Formatted: Underline

Formatted: Indent: Left: 2.5 cm

P040212

SEXUAL HARASSMENT

Objective

To facilitate the prevention of sexual harassment in the workplace.

Policy

The Shire of Denmark strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Shire, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

Council recognises sexual harassment to be an unlawful and unacceptable form of behaviour, which will not be tolerated and recognises that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual and /or sexist nature (whether physical, verbal or non verbal), which is unwelcome and unsolicited, rejection of which may disadvantage (or be perceived to disadvantage) a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public.

1. Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.
2. Subtle or explicit demands for sexual activities or molestation.
3. Intrusive enquiries into a person's private life.
4. Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.
5. Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.
6. Electronic mail messages, graphics and documents of a sexual nature.

Council recognises that sexual harassment can undermine health; performance and self esteem of an individual and has the potential to create a hostile and intimidating environment.

Council is therefore committed to any action, which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific

training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated.

Any person/s making claim of sexual harassment will be protected at all time. No transferring of staff or face-to-face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

Any employee who has a complaint/grievance of sexual harassment nature should refer to Council's Complaints/Grievance Policy – and take the necessary steps to resolve the complaint.

Responsibility for implementation

The Chief Executive Officer, Directors, Managers and Supervisors are responsible for ensuring that this policy is adhered to.

AMENDED by Res: 220708 / 22 JULY 2008

P040213 WORKPLACE BULLYING

ADDED by Res: 220708 / 22 JULY 2008

REPEALED by Res: 291009 / 27 October 2009

P040214 COMPLAINTS MANAGEMENT POLICY

Objectives

The objectives of this policy are:

1. To develop a structured systematic approach to dealing with complaints received by the Shire of Denmark from external persons.
2. To assure the community that complaints may be made without fear of recrimination and that all complaints will be promptly dealt with and a (written if required) response will be given setting out the answer to the complaint providing reasons, where appropriate.
3. To have complaints dealt with efficiently by an appropriate employee with minimal referral.
4. To use complaints statistics to improve the effectiveness and efficiency of Council's operations.

Policy

1. The Shire of Denmark recognises the right of its customers to make complaints about services or service delivery, and will make it a priority to address those complaints and rectify unsatisfactory consequences.
2. The Council and its staff will be open and honest in its dealings with customers, and will explain in "plain English" why, for legislative/legal reasons, cost constraints or some other matter beyond its control, it is unable to act in accordance with a complainant's request.
3. The Council recognises that good complaints handling is an integral part of customer service and provides an effective way of reviewing performance and monitoring standards.

Guidelines

1. Any person or their representative can lodge a complaint.
2. Complaints will be accepted in writing, in person, by facsimile transmission, by email or by telephone. If a verbally received complaint alleges a criminal offence, corruption or other serious matter, the receiving officer is to advise the complainant that the matter must be submitted in writing.
3. Complainants are to be advised that anonymous complaints may not be processed as it is possible that they may be mischievous or vexatious. Depending on the nature of the complaint, it will be at the discretion of the receiving officer to act or refer the complaint or not to deal with the complaint.
4. Complaints that are to be dealt with under this policy include, but are not necessarily limited to, expressions of dissatisfaction regarding;
 - a) decisions made by Council or staff;
 - b) inappropriate behaviour of staff or members such as rudeness, discrimination or harassment;
 - c) the standard of works or services provided by Council.
 - d) the standard or condition of a facility provided by Council.
 - e) failure of Council to comply with the Local Government Act, Council policies, Council's local laws and other laws administered by Council.
5. The following issues shall not be regarded as complaints and shall not be dealt with under this policy:
 - a) requests for services;
 - b) requests for information or explanations of policies and/or procedures;
 - c) the lodging of a formal objection or appeal in accordance with the Local Government Act and other Acts or in accordance with Council policies or standard procedures;
 - d) the lodging of a submission in response to an invitation for comment.
6. Complaints regarding elected members are to be directed to the CEO. The CEO is responsible for the initial investigation and administrative responses. Matters that may require disciplinary action are to be referred to the Shire President and dealt with under the Council's Code of Conduct.
7. Complaints from Councillors, the Ombudsman, the Local Government Department or from Members of Parliament shall be referred to, and dealt with by, the CEO unless the complaints relates to the CEO whereupon the complaint will be dealt with by the Shire President.
8. When any complaint is made, other than a complaint referred to in clauses 6 and 7, the designated receiving officer shall, within the limit of their authority, attempt to satisfy the complainant as soon as possible. If a complainant cannot be satisfied immediately, or on the same day, the designated receiving officer shall immediately issue to the complainant a written acknowledgement of the complaint and if need be, refer to the complaint and a copy of the acknowledgement to a senior employee, or the CEO, as is appropriate, for investigation and determination of the complaint.
9. The following standard response times shall, ideally, be adhered to by all staff when dealing with complaints:
 - a) Dealing with complaints lodged verbally in person or over the telephone – immediately, or within one (1) working day or issue an acknowledgement and explanation for any delay.
 - b) Dealing with complaints lodged by letters, facsimile, email, etc – within five (5) working days or issue an acknowledgement and explanation for any delay.

Where a complainant is advised of a likely delay to the handling of the complaint and the complaint is not finalised within a reasonable period of time, the complainant is to be provided with status reports from time to time until the complaint is satisfied.

10. Where a complaint has been investigated and found to be justified, the relevant officer who dealt with the complaint will ensure that the remedy is carried out, will advise the complainant that the Shire does acknowledge substance in the complaint and the specific action that will be taken by the Shire to respond to the circumstances of the complaint. The officer will, if appropriate, make follow-up contact with the complainant to ensure that the complaint has been resolved satisfactorily.
11. Where a complaint may identify the need for a review of procedures to prevent re-occurrences, relevant staff are to implement any required changes which they feel appropriate. If the matter cannot be easily remedied by the officer, he or she must liaise with his/her Manager or the CEO to agree on a course of action.

Where the complaint identifies a need for a change of Council policy in a particular area or a need for additional resources, the matter shall be referred to Council as early as practicable.

12. The CEO shall establish and maintain an appropriate central record of all complaints. The record will provide the following:
 - a) nature of each complaint
 - b) services or facilities about which the complaints are made
 - c) time taken to conclude complaint investigations
 - d) outcomes
 - e) trends
 - f) other relevant information.
13. The designated receiving officer of any complaint shall be responsible for ensuring that all details pertaining to the complaint are recorded in the system established under clause 12.
14. The CEO shall submit half-yearly reports to Council on the recorded complaints received together with a report on the operations of this Complaints Handling Policy.

AMENDED by Res: 260610 / 22 June 2010

COMPLAINTS/GRIEVANCE PROCEDUREObjective

To provide a mechanism where the Councils employees can have any complaint or grievance formally reviewed.

Policy

All complaints will be treated confidentially and resolved promptly.

Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser is victimized.

It is recognised that complaints may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for in this procedure.

Procedure

A complaint may be lodged with any of the following persons:-

1. Immediate Supervisor (except where this person is the alleged harasser)
2. Divisional Manager (except where this person is the alleged harasser)
3. Chief Executive Officer
4. Union Shop Steward
5. President (only if the alleged harasser is the Chief Executive Officer)

A person receiving a complaint will:-

- a) Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management.
- b) Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure.
- c) Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow up reports are provided until the matter is resolved.
- d) Ensure no information regarding the complaint is discussed outside this procedure
- e) In a case where a shop steward receives the complaint, the Chief Executive Officer (except where this person is the alleged harasser) or the President (only if the alleged harasser is the Chief Executive Officer) is to be advised of the details of the complaint.

The person handling the complaint, whether it is the person who received the complaint or a more senior person will, with the approval of the complainant:-

- a) As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for the person to comment. Where appropriate the alleged harasser would be requested to discontinue any perceived unwelcome behaviour.
- b) Advise the alleged harasser of the right to contact their Union for advice and representation.
- c) Keep simple, brief notes of the facts of the interviews held with both the complainant and the alleged harasser.

If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser:-

- a) The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union will be party to the investigation.
- b) All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or request from the Commission of Equal Opportunity.

During the period of investigation of a case of serious sexual harassment:-

- a) If requested by either party or by management, alternative working arrangements may be made.

If, following the investigation and resolution a complaint is judged to have foundation:-

- b) Appropriate remedial action will be taken including where appropriate disciplinary/counselling action appropriate to the circumstances and/or seriousness of the matter.
 - c) A record of the details of the disciplinary action will remain on the employee's personal file for a period of 12 months, whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.
- d) If following investigation, a complaint is judged to have no foundation:-
- e) The complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action maybe taken against the complainant.

Further reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

Responsibility for implementation

The Chief Executive Officer is responsible for ensuring that this policy is disseminated to all staff and the overall responsibility for ensuring that the complaints/grievance procedure is adhered to when an employee makes a complaint or grievance.

ADDED by Res: 220708 / 22 JULY 2008

P040216

REGIONAL PRICE PREFERENCE POLICY

Objective

To provide price preference to regional suppliers tendering for contracts with Council.

Policy

1. Price preference will apply to all tenders invited by Council for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular tender.
2. The following levels of preference will be applied under this policy:
 - a) Goods and Services up to a maximum price reduction of \$50,000
10% to businesses located within the Shire of Denmark
5% to businesses located within the City of Albany and Shires of Plantagenet and the Walpole Ward of the Shire of Manjimup.
 - b) Construction (Building) Services up to a maximum price reduction of \$50,000.
5% to businesses located within the Shire of Denmark
2.5% to businesses located within the City of Albany and Shires of Plantagenet and the Walpole Ward of the Shire of Manjimup.
 - c) Goods and Services, including Construction (Building) Services up to a maximum price reduction of \$500,000, if Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by Council.
10% to businesses located within the Shire of Denmark
5% to businesses located within the City of Albany and Shires of Plantagenet and the Walpole Ward of the Shire of Manjimup.
3. The levels of preference outlined in 2.2 above, will only apply to businesses that have been located within the local government areas specified for at least 6 months prior to the closing date of tenders.

4. Only those goods or services identified in the tender as being from regional sources will be included in the discounted calculation that forms a part of the assessment of a tender.

Formatted: No bullets or numbering

5. It should be noted that price is only one of the factors to be assessed when Council decides to accept the tender it thinks would be the most advantageous to accept.

Refer also to Policy P040220

P040217 CEO PERFORMANCE REVIEW

1. That the performance of the CEO be reviewed annually on the employment commencement anniversary date.
2. That time on the day of an ordinary Council meeting, prior to a review, be closed to enable all Councillors to have input into the review of the CEO's performance.
3. That the task of conducting the performance review in a closed meeting with the CEO be delegated to the Shire President and Deputy Shire President, using the performance criteria as mutually agreed upon.
4. That a record of proceedings be prepared by the CEO and when confirmed by the President and Deputy Shire President, be provided to all Council members on a confidential basis.

AMENDED by Res: 250109 / 27 January 2009
AMENDED by Res: 240810 / 24 August 2010

P040218 INTEREST ON SUNDRY DEBTORS

REPEALED by Res: 240810 / 28 September 2010. Replaced with Policy P040227 Debt Collection.

P040219 EDUCATION AND STUDY ASSISTANCE

Policy

Employees may be assisted to undertake courses of study at tertiary education institutions such as universities, technical colleges, accredited organisations and private companies. The pre-requisites are that the course(s) complement the organisation's goals and strategies; and are relevant to the work of the employee.

Objective

To encourage studies for employees in courses relevant to their positions and to the Local Government.

Procedure

1. Eligibility For Assistance

To be considered for assistance employees need to satisfy the following criteria:

- a) Approved courses shall be such that they will improve employees' qualifications and be appropriate to their current classification or advancement.
- b) Employment must be of a continuing nature.
- c) The subjects involved shall not be repeat subjects. Repeated subjects must normally be completed in own time, although submissions for time off for repeated subjects without pay or with such time to be made up, will be considered on merit.

2. Time off for Lectures

Employees may be permitted time off with pay up to five hours per week, including travelling time, providing the equivalent period of time attending lectures is incurred in the employee's own time, subject to:

- a) the number of staff attending courses of study at any one time shall not unduly interfere with work of the Local Government or any one department; and
 - b) study release may, at the Chief Executive Officer's discretion, be waived from time to time under extreme workload conditions.
3. Examination Leave
Employees undertaking examinations arising from an approved course of study may apply to the Chief Executive Officer for time off with pay to sit for examinations that are scheduled during working hours.
4. Reimbursement of Fees
An employee who undertakes an approved course of study may apply to the Chief Executive Officer to have compulsory fees (other than for supplementary examinations, higher education contribution scheme and late enrolment or late entry fees) reimbursed, after successful completion of the semester/term. Employees must have prior approval for courses that would be considered for reimbursement prior to undertaking the course.
- Expenditure for books, stationery, equipment, parking and travel are not reimbursed, although such expenses may be eligible deductions for taxation purposes.
- Claims for payment shall be accompanied by official receipts for fees paid, together with an official statement from the educational organisation, indicating passes in those subjects.
5. Continuity
To continue to qualify for assistance under the education policy, employees will need to successfully complete each semester's subjects.
6. Withdrawal of Support for Unsatisfactory Progress
Support may be withdrawn subject to:
 - a) Review of semester results,
 - b) Behaviour and progress of the employee,
 - c) The educational requirements of the educational organisation, or
 - d) Repeated subject failures associated with any study course.
7. Promotion
The successful completion of any approved course shall not necessarily entitle an employee to a higher classification or grading.
8. Accumulation of Assistance
Education and study assistance is not accumulative.

Responsibility

Each individual staff member is required to ensure that their eligibility for education and study assistance is maintained. The relevant Director must ensure that this procedure is adhered to.

Refer also Policy P040210

26NOV02
AMENDED by Res: 240810 / 24 August 2010

Objectives

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Denmark.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Denmark operational areas.

Why do we need a Purchasing Policy?

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

- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Denmark receives value for money in its purchasing.
- Ensures the Shire of Denmark is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.

Ethics & Integrity

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

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

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Denmark policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- Council reserves the right to give preference to local suppliers in accordance with Councils adopted Regional Price Preference Policy (refer Policy P040216).
- all processes, evaluations and decisions shall be transparent, free from bias;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and

Value for Money

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Denmark. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability and life cycle costing.

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.

- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default.
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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

Sustainable Procurement

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

The Shire of Denmark is committed to sustainable procurement where appropriate and shall endeavour to provide a preference to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with these objectives.

Purchasing Thresholds

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

AMOUNT OF PURCHASE	POLICY
Up to \$5,000	Direct purchase from suppliers requiring only verbal quotations.
\$5,001 - \$19,999	Obtain at least two verbal or written quotations.
\$20,000 - \$39,999	Obtain at least two written quotations
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

Up to \$5,000

Where the value of procurement of goods or services does not exceed \$5,000, purchase in accordance with the budget and value for money principles. The use of verbal quotes is recommended. It is recommended to use professional discretion and occasionally undertake market testing by obtaining quotes to ensure competitiveness and best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk. Purchase orders should be issued for all purchases with the exception of items purchased via petty cash and/or through a resolution of Council.

\$5,001 to \$19,999

Formatted: Indent: Left: 2.54 cm

Formatted: Indent: Left: 2.54 cm, Space Before: 6 pt

Formatted: Indent: Left: 2.54 cm

Formatted: Indent: Left: 0.81 cm

Formatted: Indent: Left: 2.54 cm

At least two verbal or written quotations (or a combination of both) are required. – On occasion this may not be practical e.g. due to limited suppliers.

Formatted: Indent: Left: 2.54 cm, Space Before: 6 pt

The general principles for obtaining verbal quotations are:

Formatted: Indent: Left: 2.08 cm

- Ensure that the requirement / specification is clearly understood.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.

Formatted: Indent: Left: 2.54 cm

Formatted: Indent: Left: 2.54 cm, Tab stops: 3.17 cm, List tab + Not at 3.63 cm

Purchase orders should be issued for all purchases.

Formatted: Indent: Left: 2.71 cm

Formatted: Indent: Left: 2.54 cm

\$20,000 to \$39,999

Formatted: Underline

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least two written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

Formatted: Indent: Left: 0.81 cm

Notes: The general principles relating to written quotations are;

Formatted: Indent: Left: 2.54 cm

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- Invitations to quote should be issued where practical at the same time.
- Responses should be assessed for compliance and then value for money and all quote retained for record keeping purposes.
- The successful respondent should be advised in writing by the issue of a purchase order as soon as possible after the final determination is made and approved.

Formatted: Indent: Left: 2.54 cm, Tab stops: 3.17 cm, List tab + Not at 3.63 cm

\$40,000 to \$99,999

Formatted: Indent: Left: 0.81 cm

Formatted: Indent: Left: 2.54 cm

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Formatted: Indent: Left: 2.54 cm, Space Before: 6 pt

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

Formatted: Indent: Left: 2.54 cm

Notes: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- Invitations to quote should be issued where practical at the same time.
- Responses should be assessed for compliance and then value for money and all quote retained for record keeping purposes.
- The successful respondent should be advised in writing by the issue of a purchase order as soon as possible after the final determination is made and approved.

Formatted: Indent: Left: 2.54 cm, Tab stops: 3.17 cm, List tab + Not at 3.63 cm

For this procurement range, the selection should not necessarily be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Formatted: Indent: Left: 2.54 cm

*Refer also Policy P040216
Refer also Delegation D040211*

P040221

FINES & INFRINGEMENTS

Objective

To ensure that Council clearly states that it does not condone any action that does not conform to the Road Traffic Act 1974 and associated codes and regulations, including Local Authority or other Agencies Parking Local Laws.

Policy

Council does not condone any action that does not conform to the Road Traffic Act 1974, associated codes and regulations including parking or other infringements against other local authorities or agencies local laws, and accordingly do not pay any subsequent fines.

Responsibility for implementation

The Chief Executive Officer is responsible for implementation of this policy.

ADDED by Res: 220708 / 22 JULY 2008

P040222

MATERIAL VARIANCES IN BUDGET AND ACTUAL EXPENDITURE

For the purposes of Local Government (Financial Management) Regulation 34 regarding levels of variances for financial reporting, Council adopt a variance of 10% or greater of the annual budget for each program area in the budget, as a level that requires an explanation or report, with a minimum dollar variance of \$5,000.

The material variance is calculated by comparing budget estimates to the end of month actual amounts of expenditure, revenue and income to the end of the month to which the financial statement relates.

This same figure is also to be used in the Annual Budget Review to be undertaken after the first six months of the financial year to assess how the budget has progressed and to estimate the end of the financial year position.

ADDED by Res: 020808 / 19 August 2008

P040223

TEN YEAR FINANCIAL PLAN & MUNICIPAL BUDGET POLICY

The following programs and/or Plans are required to be produced by the nominated dates to ensure the timely preparation of the Shire of Denmark Ten Year Financial Plan and Municipal Budget.

TEN YEAR FINANCIAL PLAN

NAME OF PLAN	DUE DATE FOR ANNUAL REVIEW	RESPONSIBLE OFFICER
ASSET MANAGEMENT PLANS		
ROAD ASSET MANAGEMENT		
10 Year Bridge Program	31 March	Director of Infrastructure Services
10 Year Road Reseal Program	31 March	Director of Infrastructure Services
10 Year Footpath Construction Program	31 March	Director of Infrastructure Services
10 Year Road Reconstruction program	31 March	Director of Infrastructure Services
10 Year Road Improvement program	31 March	Director of Infrastructure Services
10 Year Regional Road Program	31 March	Director of Infrastructure Services
10 Year Culvert Replacement Program	31 March	Director of Infrastructure Services
10 Year Drainage Plan	31 March	Director of Infrastructure Services
OTHER INFRASTRUCTURE ASSET MANAGEMENT		
10 Year Airfield Management Plan	31 March	Director of Infrastructure Services
Parks and Reserves Management Plan	31 March	Director of Infrastructure Services
LAND ASSET MANAGEMENT		
10 Year Land Acquisition and Development Program	31 January	Director of Planning and Sustainability
BUILDING ASSET MANAGEMENT		
10 Year Building Maintenance Program	31 March	Director of Community and Regulatory Services
10 Year Building Construction Program	31 March	Director of Community and Regulatory Services
PLANT & EQUIPMENT ASSET MANAGEMENT		
10 Year Plant & Equipment Program	31 January	Director of Infrastructure Services
10 Year Minor Plant & Equipment Program	31 January	Director of Infrastructure Services
10 Year Bushfire Plant & Equipment Program	31 January	Director of Community and Regulatory Services
10 Year Information Technology Program	31 January	Director of Finance and Administration
SUSTAINABILITY PLANS		

10 Year Environmental Protection Plan	31 January	Director of Planning and Sustainability
Waste Management Strategy	31 January	Director of Infrastructure Services
Zero Waste Strategy	31 January	Director of Infrastructure Services
Local Planning Strategy	31 January	Director of Planning and Sustainability
Community Infrastructure Plan	31 January	Director of Planning and Sustainability
FINANCIAL PLANS		
10 Year Operating Programs	31 March	Director of Finance and Administration
10 Year Community Obligations Financial Program	31 March	Director of Finance and Administration
10 Year Reserve Accumulation Program	31 March	Director of Finance and Administration
10 Year Loan Minimisation and Debt Program	31 March	Director of Finance and Administration
10 Year Human Resources Plan	31 March	Director of Finance and Administration

It is intended that the above plans and programs are to be submitted to Council for formal adoption for inclusion in the Ten Year Financial Plan by the due dates.

It should be noted that the magnitude of the above tasks would mean that the deadlines stated are not likely to be achievable in the short term and that the responsible officers will be working towards the completion of the initial plan in the first instance and then reviewing and updating in an annual basis by the nominated dates thereafter.

MUNICIPAL BUDGET PREPARATION

DESCRIPTION	DUE DATE FOR ADOPTION	RESPONSIBLE OFFICER
Closing date for receipt of public submissions for budget projects, including Councillors and staff.	31 March	Director of Finance and Administration
Adoption of Draft Ten Year Financial Plan for the purposes of public advertising.	4 th Tuesday of April	Director of Finance and Administration
Draft Budget 1 Workshop	3rd Tuesday of May	Director of Finance and Administration
Draft Budget 2 Workshop and adoption of Ten Year Financial Plan.	4th Tuesday of June	Director of Finance and Administration
Adoption of Municipal Budget	1 st Tuesday of July	Director of Finance and Administration

Note:

Council will;

1. Consider the annual WA Local Government Cost Index as part of the annual budget determination of costs and fees and charges calculations.
2. Utilise the Rate Setting Process as outlined hereunder (from the WALGA Systemic Sustainability Study 2008 Report) as an example of best practice in rate setting.

Rate Setting Process

Having established the principles of best practice it follows that consideration of how those principles can be applied to the rate setting process is needed. The following process incorporates the above four principles:

1. Establish the opening position

Establish the actual/estimated carried forward surplus or deficit from the immediate preceding budget year. Identify the unfinished projects from the preceding year and re-cost the projects to reflect current costs. Identify any unspent grants and restrict the cash in the balance sheet or transfer to a cash reserve. In the budget, identify the opening funds separated into the discretionary and carryover funding (if any) components. While taking into account cash flow needs, consider applying the discretionary surplus in part or entirely to:

- a cash reserve for strategic projects
- repay past borrowings
- future operating or capital projects.

2. Create/Review service standards

Create/review formal service levels as determined appropriate.

3. Establish expenditure estimates

Create expenditure estimates based upon formalised service levels, the strategic plan and long-term plans using the WA Local Government Cost Index as a guide where appropriate. Establish optimum maintenance levels for major asset classes as per a formal asset management plan. Establish the amount of the capital renewal program based upon the asset management plan. Establish the new service capital program based upon the long-term financial plan and/or community infrastructure plan. Add unfinished carryover projects from the previous year(s). Determine the level of transfers to cash reserve to meet strategic, long term and asset management plans.

4. Determine asset renewal levels

Establish any gap between the current budget net asset renewal program (BARP) and the net long-term asset renewal program (LTARP) adopted in the asset management plan. If $BARP > LTARP$ source the deficiency from cash reserves (if previous established) or other sources, if $BARP < LTARP$ use the LTARP quantity as the yearly estimate and increase transfers to cash reserves to equalize the gap. If the deficit gap between the long term renewal need and current budget program cannot be sourced from past savings or borrowings then Local Governments will need to rationalise assets, reset priorities and/or adjust service levels.

5. Set Fees and Charges

Determine the full cost of relevant outputs to calculate the appropriate level of fees and charges in accordance with a formal pricing policy and readjust pricing if required. Check any discretionary annual lease revenue to the market or a community facilities discount policy for fairness. Review the level of fees and charges comparable to other like Local Governments for fairness.

6. Establish non-rate revenues

Identify non-rate revenue sources ensuring reconciliation to expenditure for any grant revenue (or restricted cash from unspent grants) that requires matching expenditure.

7. Determine financing options

Determine the capital and commercial projects to be funded by financing options such as borrowings and/or cash reserves in accordance with a formal financial management policy.

8. Establish proposed rate levels

Calculate the revenue to be sourced from rates to meet the revenue gap and determine the preliminary percentage increase from the previous year. Adopt preliminary rate

levels and any changes to the current rate distribution model in accordance with a formal rate revenue policy.

9. *Consider ratepayer capacity to pay*

Councillors will inherently consider the issue of the ratepayers' willingness and capacity to pay any rate increase as part of their deliberations.

10. *Overall considerations*

As part of the above process, it may be necessary to:

- adjust the service levels to reduce estimated expenditure.
and/or
- adjust the fees and charges level to increase non-rate revenue to achieve an acceptable budget outcome considering the proposed rate revenue. While doing so, it is helpful to determine the base level of services necessary to maintain significant assets at their optimum maintenance/renewal level and determine the minimum operational statutory compliance level.

These two areas should be quarantined from any service level adjustments.

Assess the feedback from the community consultation process and determine the service level and rate percentage increase deemed appropriate by iteration through the above process.

ADDED by Res: 120908 / 23 September 2008
AMENDED by Res: 280209 / 24 February 2009

P040224 **RECOGNITION OF SERVICE POLICY**

Objective

To recognise the length of service of employees.

Policy

Council will recognise employees with continuous service in accordance with the following;

- a) 10 years of service – function with employees and a certificate of service.
- b) 20 years of service – function with Councillors, employees and partners and an engraved memento to the value of \$500.
- c) 30 years of service – Civic Reception with Councillors, employees and partners and an engraved memento to the value of \$1000.

Responsibility for Implementation

The Chief Executive Officer and all Directors are responsible for implementation of this policy.

ADDED by Res: 140908 / 23 September 2008

Formatted: Font: 11 pt

Formatted: Font: 11 pt

P040225

GRATUITY PAYMENTS POLICY

Objective

To ensure all Local Government staff are familiar with the legislative requirements regarding gratuities for the formal recognition of satisfactory and extended service by Local Government employees.

Policy

Where the Chief Executive Officer or a valued employee leaves their employment or is made redundant, they will be given a token of appreciation in the form of a good or service in order to thank the employee for their past commitment to the Local Government.

The aim of this policy is to establish guidelines for the consideration of Gratuity Payments to employees in accordance with s. 5.50 of the Local Government Act 1995 ('the Act').

Pursuant to s. 5.50 of the Act, this gratuity policy outlines the circumstances in which gratuity payments may be made to an employee. These payments, when made, are in addition to any amount which the employee is entitled to under a contract of employment, enterprise agreement or award. This policy shall not be considered as a contractual entitlement under the employment relationship.

NOTE: As required by s 5.50 of the Act this policy was advertised through Local Public Notice and prior to adoption and the Local Government has not made any payments to employees prior to the giving of the public notification.

Reg 19A Restrictions on gratuity payments to employees (operates from 1 January 2010)

- A new regulation is proposed to limit the monetary value of gratuities paid to employees who are finishing employment with a Local Government to \$5,000, or where the person accepts voluntary severance by resigning, the amount of the person's final annual remuneration.
- This limit shall only apply to employees whose employment with a Local Government finishes after 1 January 2010. This provides a five-year phase in for this limitation.

Procedure

Eligibility to Gratuity Payments

It is the position of the Local Government that when an employee's services are ceasing with the Local Government for any of the reasons identified below, the employee will be entitled to a gratuity payment as outlined within this policy based on the completed years of service:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

The Gratuity Payment identified within this policy does not apply to an employee who has been dismissed by the Local Government for any reason other than redundancy.

Number of Years Service	Amount of Gratuity
Continuous service less than 2 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$40 (based on \$20 per year)
Continuous service greater than 2 years and up to 5 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$100 (based on \$20 per year)
Continuous service greater than 5	Certificate of Appreciation and a gift to the value

Formatted Table

years and up to 10 years	of \$300 (based on \$30 per year) Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a function to be determined by the Chief Executive Officer.
10 to a maximum of 15 Years Continuous Service	\$40 per year of continuous service up to a maximum of \$600 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.
15 to a maximum of 20 Years Continuous Service	\$50 per year of continuous service up to a maximum of \$1000.00 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.
Above 20 Years Service	\$60 per year of continuous service up to a maximum of \$2,000.00 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.

The Chief Executive Officer is authorised to approve Petty Cash claims in accordance with the limits prescribed by this policy. Funds will be allocated as part of the Local Government's budget preparation process and unexpended amounts will be returned to general revenue.

Prescribed Amounts for Gratuity Payments

The Local Government acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by the appropriate award, legislation or industrial instrument and that the Local Government has considered these provisions when setting the prescribed amount.

Determining Service

For the purpose of this policy, continuous service shall deem to include:

- a) Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave and public holidays.
- b) Any period of authorized paid absence from duty necessitated by sickness or or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay or parental leave.
- c) Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- a) Any period of unauthorised absence from duty unless the Local Government determines otherwise.
- b) Any period of unpaid leave unless the Local Government determines otherwise.
- c) Any period of absence from duty on Parental Leave unless the Local Government determines otherwise.

Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on the Gratuity Payment, and agrees to fully indemnify the Local Government in relation to any claims or liabilities for taxation in relation to the Gratuity Payment.

Payments in addition to this Policy

The Local Government agrees not to make any payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and caused local public notification to be given in relation to the variation.

Financial Implications

The Local Government acknowledges that at the time of the policy's introduction they were fully aware of the financial implications to the Local Government and that the financial implications had been investigated based on the current workforce position.

Variation to Policy

This policy may be varied or cancelled from time to time at the discretion of Chief Executive Officer after the endorsement by Council.

The Local Government is committed to taking reasonable action to ensure that any variation or cancellation to this policy is notified to all employees prior to the variation taking effect, including (but not limited to) notifying all employees via normal correspondence of the variation including the proposed reasons for such variation.

Responsible Officer

The Chief Executive Officer is the responsible officer for implementing this policy.

ADDED by Res: 140908 / 23 September 2008
Last advertised in the Denmark Bulletin 23 October 2008

P040226

ASSET MANAGEMENT POLICY

Objective

To ensure that services delivered by the Shire of Denmark continue to be sustainably delivered by ensuring that all classes of Assets are used to support the service delivery, continue to function to the level of service determined by Council.

It will also provide clear direction as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework.

Policy

To achieve the policy objective, the Shire of Denmark is committed to ensuring that Asset Management is recognised as a major corporate function within Council and staff committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of Asset Management practices across the organisation with the major outcome being the adoption by Council of a Service & Asset Management Plan for all classes of assets;

Service & Asset Management Plans will form part of the Shire's day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing asset or dispose of existing assets to support service delivery.

Service & Asset Management plans will be prepared in accordance with the IPWEA's International Infrastructure Manual recommended format and will include long term (20 year) financial modelling of the renewal profile of each asset class and will be underpinned by long term financial plans.

The Shire of Denmark has limited resources and is custodian of a large number of assets, many of which have reached or gone beyond their economic life.

In making informed decisions in relation to assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the intended service for which the asset was originally acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
 - Need for facility (short and long term);
 - Legislative requirements;
 - Opportunities for rationalisation;
 - Future liability including ultimate retention/disposal;
 - Opportunities for multiple use;
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost (“whole of life” cost assessment).
- Manage its assets utilising a team approach supported by the multi discipline cross-functional asset management working group.
- Developing and implementing a 10 year “rolling” financial plan that incorporates the asset renewal requirements as identified within various Service & Asset Management Plans.

The Shire of Denmark is committed to determining the Level of Service required for infrastructure assets in a collaborative manner with asset stakeholders.

Linkage to Strategic Plan (Plan For The Future)

This policy links to the Strategic Plan as follows;

To be reviewed after the completion of the Shire of Denmark Strategic Plan.

Linkage to Other Council Policy

This policy links to other Council policies as follows;

- Ten Year Financial Plan and Budget Preparation (P040223)

Responsibility and Reporting

Council - is responsible for approving (including amendments to) the following documents;

- Asset Management Policy
- Asset Management Improvement Strategy
- Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to ensure that Council's AM Policy, AM Improvement Strategy, AM Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.

Executive Management Group (EMG) – is responsible for monitoring the implementation of asset management across the organisation. The EMG will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Executive Management Group reports to the CEO on all matters relating to Asset Management.

Asset Management Working Group (AMWG) – is responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Service & Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's AM Policy, Improvement Strategy or Plans are identified, the AM Working Group is responsible for reporting this to the EMG for consideration. Where aspects of Council's Policy, Improvement Strategy or Plans are not being achieved or adhered to, the SAM Working Group is responsible for reporting non-compliances to the EMG for corrective action. The Asset Management Working Group reports to the Executive Management Group on all matters relating to Asset Management.

Director Finance and Administration (DFA) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The Director of Finance & Administration reports to the CEO in relation to Asset Management resource allocation.

Accountant/Asset Management Co-ordinator (AAMC) – is responsible for supporting the AM Working Group and ensuring that resources are commissioned (where appropriate) to assist the AM Working Group achieve its objectives. The Asset Management Co-ordinator reports to the Director of Finance & Administration on all matters relating to Asset Management.

All Directors – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Working Group. All Directors report to the CEO on all matters relating to Asset Management under their area of control.

Policy Review

This policy is to be reviewed by the AM Working Group on a bi-annual basis with recommendation for amendment made to the Executive Management Group.

Policy Definitions

"Asset" means a physical item that is owned or controlled by the Shire of Denmark, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

"Asset Management" means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council's priorities for service delivery.

"Asset Management Plan" means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

"Council" means the elected council (comprising Councillors) of the Shire of Denmark.

"Infrastructure Assets" are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Play Equipment.

"Level of Service" means the combination Function, Design and Presentation of an asset. The higher the level of service, the greater to cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire of Denmark organisation. The Chief Executive Officer of the Shire of Denmark is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

ADDED by Res: 261008 / 28 October 2008

P040227

DEBT COLLECTION POLICY

Objective

To provide clear direction to staff as to how outstanding debts should be managed.

1. This policy shall be utilised when dealing with outstanding monies.
2. This policy shall be implemented on a day to day basis by the Chief Executive Officer.
3. Records shall be kept to ensure continuity of information for historical purposes.
4. All provisions of the Local Government Act relating to recovery of unpaid rates and service charges shall be adhered to at all times.
5. This policy shall form part of the information sheet enclosed with all rate notices each year.

Policy

1. All monies owed to Council are deemed to be overdue following a period of 35 days from the date of the original invoice (excluding instalment options).
2. At the expiration of the 35 day period Council shall issue first reminder giving the debtor a further 14 days to rectify the debt.
3. At the expiration of the 14 day period, if payment has not been forthcoming, then Council will issue a final notice demanding payment within 14 days.
4. At the expiration of the 14 day period, if payment has not been forthcoming, then Council will issue a letter of demand for payment, advising of Council's ability to, in the case of rates, resume property for the purposes of recovering any outstanding monies.
5. The matter is then handed to a debt collection agency (or Fines Enforcement Registry), and all costs associated with debt collection action will be borne by the debtor.
6. Prior to commencing any action to sell land under the provisions of the Local Government Act 1995, the matter is to be referred to Council for consideration.
7. Interest on outstanding monies shall be calculated on a daily basis at a level set at Council's annual budget for monies outstanding for a period greater than 35 days in accordance with Section 6.13(6) of the Local Government Act.
8. In cases where the owner of a leased or rented property on which municipal rates are outstanding cannot be located or refuses to settle rates owed, notices may be served on the lessee or tenant under the provisions of Section 6.60 of the Local Government Act requiring the lessee or tenant to pay to the Council the rent due under the lease/tenancy agreement as it becomes due until the amount in arrears has been paid.

Arrangements to Pay Off Debt:

1. All requests for deferment and/or payment by instalments must be made in writing;
2. The ratepayer must, when making application for deferment or payment by instalments, provide in writing:
 - details to support their payment;
 - advice as to the date payment will be finalised;
 - date of and amount of instalment payment schedule (including date of final instalment).

Note:

Ratepayers who have made written contact with Council seeking deferment of payment of rates and/or payment by instalment method or are the subject of a separate agreement, be exempt from legal action for recovery of outstanding monies unless the payment schedule has been defaulted.

Applications from pensioners be considered individually and be exempt from default procedures.

Footnote:

Each debtor's right to appeal in accordance with the provisions of the Local Government Act shall not be relinquished by anything in this policy.

ADDED by Res: 341108 / 25 November 2008

P040228 ANNUAL FINANCIAL REPORT & ANNUAL REPORT

That it be a Policy of Council that the Council complete its Annual Financial Report & Annual Report to enable convening of an annual Electors meeting in November of each year.

Added by Res: 061208 / 23 December 2008

P040229 INVESTMENT POLICY

Objectives

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

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

Legislative Requirements

All investments are to comply with the following:

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

Delegation of Authority to Invest

The authority is to be delegated to the Chief Executive Officer to make investment decisions and sign investment lodgements and withdrawals. Pursuant to the provisions of Section 5.45 of the Local Government Act 1995. The CEO may in turn delegate the day-to-day management of the Shire's investments.

Prudent Person Standard

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

Approved Investments

Without approvals from Council, investments are limited to:

State/Commonwealth Government Bonds;

Interest bearing deposits;

Bank accepted/endorsed commercial bills;

Commercial paper:

Bank negotiable Certificate of Deposits;

Bank issue Senior Fixed/Floating Rate Notes which have a minimum long term Standard & Poor (S&P) or equivalent rating of "A";

Managed Funds with a minimum long term Standard & Poor (S&P) or equivalent rating of "A" and

Shire of Denmark major land transactions.

Prohibited Investments

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

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

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

Risk Management Guidelines

Investments obtained are to comply with three key criteria relating to:

- a) Portfolio Credit Framework: limit overall credit exposure of the portfolio
- b) Counterparty Credit Framework: limit exposure to individual counterparties/institutions
- c) Term to Maturity Framework: limits based upon maturity of securities.

In light of the recent Federal Government Guarantee on all retail and wholesale deposits with Australian Authorised Deposit Taking Institutions (ADIs) i.e. Banks, Building Societies and Credit Unions until 11th October 2011, any investment in such institutions to this date shall be considered to be AAA or A-1+ rated in line with the Federal Government's credit rating.

Further to this, any investment in an ADI which allows for Council to demand early repayment (prior to maturity) at no penalty shall be considered to be money "at call".

(a) Overall Portfolio Limits

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

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum%
AAA	A-1+	100%	100%
AA	A-1	60%	80%
A	A-2	40%	80%

(b) Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum%
AAA	A-1+	50%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

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

Investments fixed for greater than 12 months are to be reviewed on a regular basis and invested for no longer than 5 years.

(c) Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Return to Maturity		
Portfolio % <1 year	Min 40%	Max 100%
Portfolio % >1 year	Min 0%	Max 60%
Portfolio % >3 year	Min 0%	Max 50%
Portfolio % >3 year < 5 year	Min 0%	Max 25%

Investment Advisor

The Shire of Denmark does not use an investment advisor to assist in the investment decision making process, however, if such advice was to be sought any advisor must be licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to recommend the most appropriate product within the terms and conditions of the investment policy.

The investment return for the portfolio is to be regularly reviewed by the investment advisor by assessing the market value of the portfolio. The market value is to be assessed at least monthly to coincide with monthly reporting.

The investment advisor should meet with the responsible staff and review the Shire's investment portfolio no less than every six months.

Benchmarking

The performance of the investment portfolio shall be measured against the UBS Warburg 90 Day Bank Bill Index and/or the Cash Rate.

Reporting and Review

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value. This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

Documentary evidence must be held for each investment and details thereof maintained in an investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

Added by Res: 210309 / 24 March 2009

REPEALED by Res: 240810 / 24 August 2010. Redundant due to legislative changes.

P040231

CUSTOMER SERVICE CHARTER

Objective

To set minimum customer service standards to be met by all staff of the Denmark Shire Council.

Policy

All Denmark Shire Council employees are to use the Shire of Denmark Customer Service Charter as a guide to minimum customer service standards to ensure a consistent level and quality of service for its customers.

Responsibility for Implementation

The Chief Executive Officer and all designated Senior Officers are responsible for the implementation of this Policy.

CUSTOMER SERVICE CHARTER

Our Customer Service Charter states our commitment to you in providing quality services and gives you standards to measure our performance by and provides staff with clear standards to aim for.

OUR CUSTOMERS

- Residents, ratepayers, electors, members of the business community and community groups.
- Future generations who will be affected by today's planning decisions.
- Government departments and non-government agencies.
- Shire of Denmark staff, management and councillors.
- Visitors to the Shire.
- Contractors and suppliers.

SERVICE STANDARDS YOU CAN EXPECT

Regardless of your method of enquiry, in person, by telephone, email or letter:

- We will acknowledge your information request, including sending out any standard information packages, within two (2) working days.
- We will respond to your enquiry of general correspondence, including standard response letters, within seven (7) working days.
- If your enquiry is complex and will require greater research, we will acknowledge your request within seven (7) working days to advise you of our progress and an expected response date.

In Person:

- We will welcome you to our offices and other facilities in a professional, polite and attentive manner and identify ourselves by name.
- Staff will wear a name badge and uniform where issued.
- We will listen to your requests and discuss fully your requirements.
- We will endeavour to satisfy your request at the time of your visit.
- When enquiries of a technical nature are made at our offices, a technical officer will be called to the desk within five (5) minutes or, if officers are unavailable or located elsewhere or the enquiry is of a complex nature, a tentative appointment will be made. The technical officer will contact you to confirm the appointment time.

On the Telephone:

- We will answer your call within five (5) rings during opening hours at all Shire offices and facilities.
- We will introduce ourselves using at least first names.
- We will strive to take personal responsibility for your enquiry to reduce transferred calls.
- If we are not available to personally answer your call, we will prove an alternative contact and/or the facility to leave a message where the facility is available.
- We will return your telephone enquiry within one (1) working day.

Via Email:

- We will acknowledge your email request by the close of business on the following working day advising you of our course of action.
- For Building And Planning Applications:
- We will process standard building and development applications within thirty (30) working days where all information required for us to properly assess your applications is available.
- We will acknowledge complex building and planning applications within thirty (30) working days and keep you informed at each stage as the application progresses.
- Process clearances for subdivisions within 30 working days following the completion of all conditions.

In writing:

- We will write to you in clear, concise language that is easily understood.
- We will respond to W APC requests, ABS, and other government agency requests for information within the statutory/requested timeframes.

In dealing with your financial matters and accounts:

- We will provide appropriate paperwork with all payments highlighting what the actual monies refer to.
- We will attend to financial enquiries at the time of the enquiry, and if this is not appropriate we will deal with it before the close of business on that same day, informing you of our finding.
- In order to pay your accounts on time we encourage EFT payments where practical and will provide you with a remittance advice via email or fax on the same day of the payment being made.
- By meeting your accepted trading terms.

SERVICE DELIVERY

- We will notify changes to operating hours or procedures on various public noticeboards, publications and our website.
- We will keep appointments and attend them on time.

PRIVACY ACT AND CONFIDENTIALITY

Whilst not equally bound by the Privacy Act staff will deal with individual matters in accordance with our adopted Privacy Policy.

We will maintain appropriate confidentiality about dealings we have with you.

FREEDOM OF INFORMATION

The Freedom of Information Officer is required to deal with FOI requests in accordance with the Principles of Administration set out in Sections 4 of the Freedom of Information Act, /992. The FOI Officer will:

- Assist customers to obtain access to documents

- Allow access to documents to be obtained promptly and at lowest reasonable cost.
- Assist customers to ensure that personal information contained in documents is accurate, complete, up-to-date and not misleading.

HOW WILL WE ACHIEVE OUR COMMITMENT TO YOU?

- By including in our staff selection criteria a requirement for a positive attitude toward customer service.
- By conducting customer service training programmes.
- By incorporating customer service improvements and team building strategies into our various strategic plans.
- By making the development of positive customer service attitudes part of the performance review program for all staff.
- By formally acknowledging staff who provide excellent customer service.
- By conducting regular market research to ensure we are meeting the needs of our customers, such as via a customer feedback survey available at our Shire offices.
- By progressively reviewing and improving forms, systems and procedures from a customer's perspective and ensuring that cultural differences are respected.
- By progressively improving access to our services for people with special needs.
- By improving access to Shire information by producing a regular newsletter to residents, a New Resident Welcome Kit available year-round, an Annual Report and an informative, current Website.

HELPING US TO HELP YOU

You can help us to meet these commitments by:

- Having a notepad and pen by the telephone when you phone the Shire.
- Providing accurate and complete details when telephoning us with any queries and requests.
- Telephoning to make an appointment if you have a complex enquiry, need to see a specific officer or need to discuss your enquiry with officers from more than one service area.
- If telephoning as a result of correspondence from the Shire, telephone directly to the officer nominated on the correspondence and quoting the reference number on the letter or your assessment number on your rates notice.
- Providing all information required for assessing planning and building applications.

CUSTOMER SATISFACTION COUNTS

If there is something that you feel unhappy about please utilise our simple complaints resolution process.

This process involves senior officers and will ensure a thorough investigation of your complaint.

See a Customer Service officer for assistance in the process.

Please give us the opportunity to improve our service to you. Comments, suggestions and compliments all provide an effective means by which to assess the existing service you receive.

We will monitor our performance and publish the results in our Annual Report.

ADDED by Res: 200609 / 23 June 2009

CUSTOMER SERVICE CHARTER

Our Commitment to You

MUNICIPAL BUDGET POLICIES**SIGNIFICANT ACCOUNTING POLICIES**

The significant accounting policies which have been adopted in the preparation of the financial report are:

a. Basis of Accounting

The budget has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), other mandatory professional reporting requirements, the Local Government Act 1995 and accompanying regulations. The budget has also been prepared under the convention of historical cost accounting.

b. The Local Government Reporting Entity

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

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

All monies held in the Trust Fund are excluded from the financial statements, but a separate statement of those monies appears at Note 16 to this budget document.

c. Actual Balances

Balances shown in the budget as Actual are as forecast at the time of budget preparation and are subject to final adjustments.

d. Rounding Off Figures

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

e. Rates, Grants, Donations and Other Contributions

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

f. Goods and Services Tax

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

g. Superannuation

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

h. Cash and Cash Equivalents

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

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

i. Trade and Other Receivables

Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

j. General

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

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

Land Held for Resale

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

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

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

k. Fixed assets

Initial Recognition

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

Revaluation

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulate depreciation calculated on a basis to reflect the already consumed or expired future economic benefits.

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment.

Losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

Land Under Roads

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

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

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

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

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

l. Depreciation of Non-Current Assets

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use.

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

Buildings	30 to 50 years
Furniture and Equipment	3 to 15 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	5 to 15 years
clearing and earthworks	Not depreciated
construction/road base original surfacing and major re-surfacing	50 years
- bituminous seals	20 years
- asphalt surfaces	25 years
Gravel Roads	
clearing and earthworks	not depreciated
construction/road base	50 years
gravel sheet	12 years
Formed roads (unsealed)	
clearing and earthworks	not depreciated
construction/road base	50 years
Footpaths - slab	40 years

m. Investments and Other Financial Assets Classification

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

(i) Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the

purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

ii) Loans and receivables

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

(iii) Held-to-maturity investments

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

(iv) Available-for-sale financial assets

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

Recognition and derecognition

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

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

Subsequent measurement

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

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value.

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

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

Impairment

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

n. Estimation of Fair Value

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

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

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

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

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

o. Impairment

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

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

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

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

At the time of adopting the budget, it is not possible to estimate the amount of impairment losses (if any) as at 30 June.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on this budget document.

p. Trade and Other Payables

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

q. Employee Benefits

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

- (i) **Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)**
The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.
- (ii) The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

r. Interest-bearing Loans and Borrowings

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

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings. Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

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

s. Provisions

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

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

t. Superannuation

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

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

u. Current and Non-Current Classification

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

P040233

DESIGNATED SENIOR STAFF APPRAISALS

The CEO is to table for Councillors information on the annual performance appraisals of all designated Senior Staff following each of their individual annual reviews.

ADDED by Res: 240810 / 24 August 2010

P040234

HUMAN RESOURCE MANAGEMENT POLICIES

Council adopts the WALGA Human Resource Policy Manual for management of its Human Resources with implementation and minor variations of these policies to be at the discretion of the CEO. In the event of a conflict between the WALGA's Human Resources Manual and another adopted Council policy the Council policy will prevail.

LAW, ORDER & PUBLIC SAFETY - 05

FIRE PREVENTION - 0501

P050101 BURNING OF GARDEN REFUSE

1. No burning of garden refuse is permitted in the restricted burning season without a permit.
2. No burning of garden refuse is permitted throughout the entire prohibited fire season.
3. All garden waste that is burnt is to be thoroughly dry so as to not cause a smoke nuisance to neighbouring properties.

28OCT03
AMENDED by Res: 240810 / 24 August 2010

P050102 CAMPING & COOKING FIRES

Pursuant to the powers under Section 25 (1a) of the Bush Fires Act 1954, the Shire of Denmark hereby prohibits the lighting of fires in the open air in its district for the purpose of camping or cooking during the prohibited burning times, unless the fire is:

- (a) at a person's home; or
- (b) in an area which –
 - (i) is set aside for that purpose by the State Authority or local government responsible for the care, control or management of the land; and
 - (ii) bears the State Authority's or local government's sign denoting that purpose; and
 - (iii) all combustible material is cleared from within a 5 metre radius of the fire; and
 - (iv) the fire danger rating today indicates "high or low-moderate".

22JUN06
AMENDED by Res: 240810 / 24 August 2010

P050103 BURNING ON SUNDAYS

The issuing of permits to burn on Sundays and Public Holidays be left to the discretion of the Fire Control Officer.

P050104 PROPERTY OWNERSHIP DETAILS FOR FIRE CONTROL OFFICERS

Council make available a list of property owners to each of its Fire Control Officers for their particular brigade area if required.

AMENDED 26 AUG 03

P050105 BRIGADE UNITS INSPECTION

Council's mechanics to carry out all service and repairs and ensure road worthiness of all Brigades self propelled fire fighting units each year. All costs to be set against funds allocated in the ESL budget.

AMENDED 26 AUG 03

P050106 BUSHFIRE VEHICLE FUEL FACILITIES

In an emergency, Council permit Bushfire Brigades to use fuel facilities at the Shire Depot for its bushfire vehicles and equipment. Costs to be set against respective brigades ESL budget.

AMENDED 26 AUG 03

AMENDED by Res: 240810 / 24 August 2010

P050107 **VOLUNTEER BUSH FIRE BRIGADE NUMBERS & ADVISORY COMMITTEE STRUCTURE**

COUNCIL VOLUNTEER BUSH FIRE BRIGADES

(A total of 17 with Kordabup/Owingup and Shadforth/Scotsdale operating as combined brigades).

- Hazelvale
- Tingledale
- Mehniup
- Nornalup
- Peaceful Bay
- Kordabup/Owingup
- Somerset Hill
- Harewood
- Carmarthen
- Parryville
- Shadforth/Scotsdale
- Denmark East
- Mt Lindesay
- William Bay
- Ocean Beach

BUSH FIRE ADVISORY COMMITTEE

The Charter of the Bush Fire Advisory Committee is as per the version adopted by Council at its meeting held on the 20 October 2011 (as amended).

Members not eligible for election as Chairman or Deputy Chairman:-

- Shire Councillor Delegate
- Department of Environment & Conservation (DEC) representative
- Fire and Emergency Services Authority (FESA) representative

AMENDED 26 AUG 03
AMENDED by Res: 341/07 / 25 SEPT 2007
AMENDED by Res: 220708 / 22 JULY 2008
AMENDED by Res: 240810 / 24 August 2010
AMENDED by Res: 140311 / 22 March 2011

P050108 **'DONKEY MOTORED' PUMP FIRE TRUCK PROCUREMENT POLICY**

Objective

To ensure that Council procures fire trucks that are suitable for the conditions where they will be used and the training and experience levels of the volunteers that may be using them.

Policy

Council's preference when being offered or allocated new or second hand fire trucks from FESA is that they are fitted with independent "Donkey Motor" driven pumps.

Responsibility for Implementation

Director of Community & Regulatory Services is responsible for implementing this Policy.

ADDED by Res: 140312 / 20 March 2012

P050109 **RED FLAG WARNINGS**

Objective

To provide a means to ensure critical information (such as fire weather changes) is received and understood by relevant personnel at bush fire incidents.

Policy

Council's adopts the Fire and Emergency Services Authority's (FESA) Operating Procedure (SOP) No. 68 titled 'Red Flag Warnings' as an Emergency Management Standard Operating Procedure for the Shire of Denmark.

The Procedure is detailed in the Shire of Denmark's Standard Operating Procedures Manual (amended from time to time).

Responsibility for Implementation

Director of Community & Regulatory Services is responsible for implementing this Policy.

ADDED by Res: 130512 / 1 May 2012

ANIMAL CONTROL - 0502

P050201 **ATTENDING TO KANGAROOS**

Council acknowledges that it is not the lead agency when dealing with wildlife however will support the community of the Shire of Denmark in responding to requests for the destruction and removal of injured kangaroos or removal of deceased kangaroos, from Council roads / road verges in the Shire, noting that the removal of deceased kangaroos (and other animals) from the South Coast Highway & Mt Barker – Denmark Road is the responsibility of Main Roads WA.

AMENDED by Res: 240810 / 24 August 2010

P050202 **ATTENDING TO SNAKES**

Council in acknowledging it is not the responsible authority with respect to snake protection and removal and that there is the potential for competition with businesses that offer a competing service within the Shire, supports its Law Enforcement Officers (Rangers) providing a licensed Department of Environment and Conservation service to capture, remove and relocate snakes in the Shire on a 'user pays' principle subject to the following circumstances;

- a) From within any residence in the Shire \$ 'fee determined annually in the budget' (2010/11 \$25 plus GST) or;
- b) From any building or land which is zoned residential or special residential in the Shire \$ 'fee determined annually in the budget' (2010/11 \$50 plus GST) or;
- c) From any other building or land in the Shire \$ 'fee determined annually in the budget' (2010/11 \$100 plus GST) and;
- d) The applicants only being invoiced if the Snake is successfully located and relocated to a suitable reserve and habitat and;
- e) There being a 50% rebate for eligible Pensioner Concession Card Holders."

ADDED by Res: 130509 / 26 May 2009
AMENDED by Res: 200910 / 28 September 2010

OTHER LAW, ORDER & PUBLIC SAFETY – 0503

P050301 GRAFFITI POLICY

Purpose

To minimise the incidence, occurrence & presence of graffiti on public or private property.

Definition of Graffiti

Graffiti is drawings or words, sometimes obscene, sometimes political, etc., written on surfaces such as the walls of buildings, billboards, partitions in public toilets, etc. that is done by a person or persons on property to whom it does not belong.

Objectives

1. Council is committed to promptly clean, remove or cover graffiti on any location on property under the care and control of the Shire where the graffiti is visible from a public place as soon as practical of being made aware of it.
2. To have a strategy of prompt removal of graffiti from Shire property.
3. Council will not remove graffiti from State or Federal Government facilities however Council will ensure that those agencies are made aware of the graffiti and request its prompt removal.
4. To encourage owners of property to deal with the prompt removal of graffiti from private property.
5. To encourage the general public to become involved in identifying and reporting graffiti damage, even when their own personal property is unaffected.
6. To balance enforcement strategies with education programmes, informing the public of the seriousness of graffiti as an offence and instilling a sense of community pride, which will make people see graffiti as a negative influence on society.
7. To support the use of legitimate outlets for the artistic and creative energies of youth giving them an alternative to resorting to illegal graffiti.
8. To support strategies that assist land owners and developers design their buildings and surroundings to discourage graffiti and make its removal easier.

Policy

All reports of instances of graffiti within the Shire of Denmark on Shire property are to be directed to Council's Community & Regulatory Services Directorate, who will;

1. Organise removal, preferably within 72 hours of receiving a report detailing where the offensive graffiti is, which will also enable easier removal.

2. Provide mechanisms for accepting and actioning graffiti reports lodged.
3. Provide assistance to the general public to repair graffiti damage by way of advice on removal and prevention of graffiti.
4. Clean, remove or cover all graffiti on fences adjoining Council property.
5. Report all graffiti offences on Council land to the local Police.
6. Incorporate security concepts that minimise the potential for graffiti damage in the design of community areas.
7. Support programs run by the Denmark Youth Centre that provide positive artistic outlets for youth whilst educating participants about the illegality of graffiti vandalism.

Where the Graffiti is on private or government owned property, Council will;

1. Obtain the owners detail's from the Rates Department; and
2. Contact the property owner by telephone and where possible follow up with a written letter requesting that the graffiti as reported be removed & provide advice as to removal and prevention.

Responsible Officer

The Director of Community & Regulatory Services is the responsible officer for implementing this policy.

ADDED by Res: 301009 / 27 October 2009

P050302

MAYORS FOR PEACE

Whereas the universal prohibition of nuclear weapons is an urgent priority;

Whereas the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) are currently reviewing the Treaty and should take action to fulfil its promise of nuclear disarmament;

Whereas Mayors for Peace has advanced the Hiroshima-Nagasaki Protocol as a means of achieving a nuclear-weapon-free world by the year 2020 within the framework of the NPT ;

Whereas local government representatives in 3,793 cities from 143 countries and regions have used the Cities Appeal to express their united support for the Hiroshima-Nagasaki Protocol;

Be it resolved that the Shire President is thereby authorised to sign the Cities Appeal in the name of the Shire of Denmark.

Note: Further information on Mayors for Peace can be obtained from their website at www.2020visioncampaign.org.

ADDED by Res No. 270310 / 23 March 2010

P050303

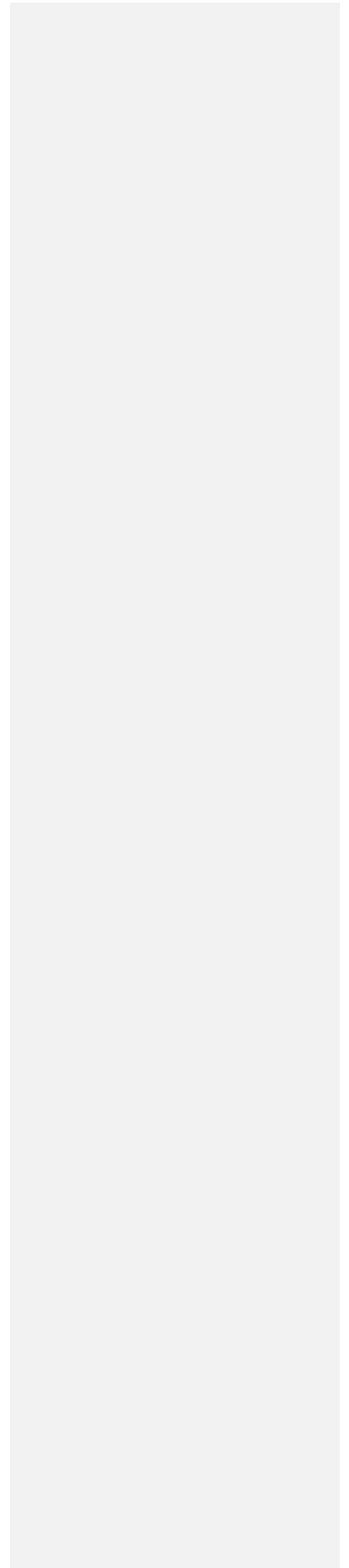
DONATION OF FUNDS TO EMERGENCY AND DISASTER RECOVERY

In considering financial assistance to various emergency and disaster relief efforts and to accommodate funding for such unforeseen requests during a budget year the following budget provisions be made;

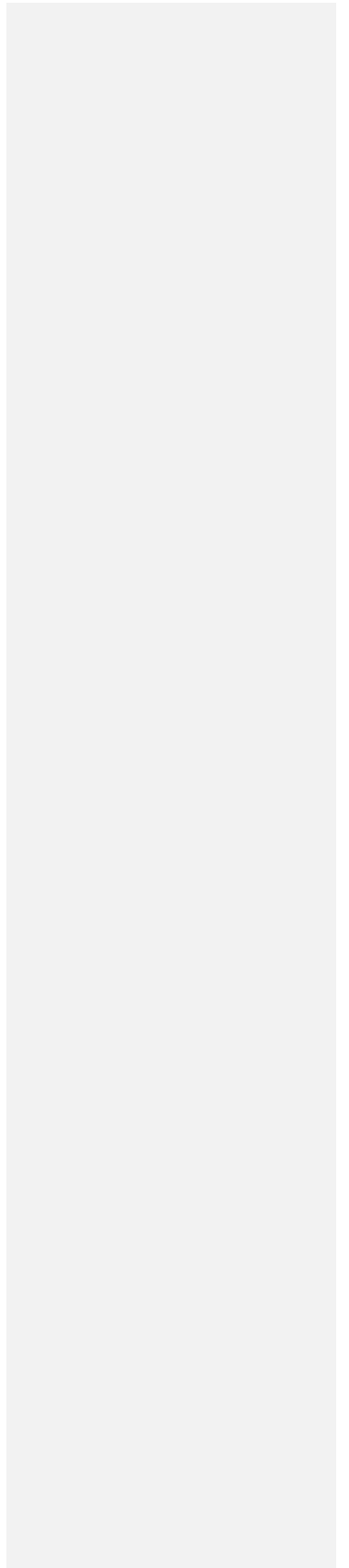
- Allowance for 1 x annual Local and State Emergency/Disaster - up to \$10,000; and
- Allowance for 1 x annual National Emergency/Disaster – up to \$5,000; and
- International Emergency/Disaster - Nil and the CEO be authorised to advise proponents of requests for international disaster relief that Council's Policy is to refer such requests to State & Federal Governments, whose jurisdiction includes international relations.

ADDED by Res: 281009 / 27 October 2009

|



|



HEALTH - 07

MATERNAL & INFANT HEALTH - 0701

PREVENTATIVE SERVICES - IMMUNISATION - 0702

PREVENTATIVE SERVICES - MEAT INSPECTION - 0703

PREVENTATIVE SERVICES - HEALTH ADMINISTRATION

P070401 **SMOKE FREE**

Objective

This policy prevents any employee, Councillor or contractor from smoking in both within and in the immediate vicinity of enclosed Council workplaces and public buildings managed by Council and Council vehicles. It is designed to ensure that those who work for Council do so in a clean and safe environment. As a major employer the Shire of Denmark has a responsibility to ensure the health, safety and welfare of employees and where possible that of our ratepayers and members of the general public.

Policy

As an employer the Chief Executive Officer of the Shire of Denmark has a duty under the Occupational Health, Safety and Welfare Act 1984 to provide a safe working environment and to protect the health of all employees from hazards in the work place.

On the basis of a current medical research and following a landmark judgement in the Federal Court of Australia, it has been shown that passive smoking has the potential to affect a person's health.

In accordance with the Shire of Denmark's obligations under the Occupational Health Amendment Regulations (No 2) 1999;

SMOKING IS NOT PERMITTED AT ANY TIME IN ANY SHIRE OF DENMARK BUILDINGS OR ADJACENT TO ANY ENCLOSED WORKPLACE LOCATIONS, INCLUDING VEHICLES AND PUBLIC BUILDINGS MANAGED BY COUNCIL.

Specifically:

- All Council buildings or sections regularly used by Council Staff;
- All areas adjacent to Council buildings that are within 5m of the entrance to a building and at least 10m from an air inlet (eg: window, air conditioner intake).
- Dealing personally with members of the public
- Toilets
- Passageways and common areas;
- Lunchrooms and tea/coffee preparation areas and outdoor eating areas
- Council meetings and other meetings
- Meeting, training, interview or conference rooms
- Council vehicles and plant;
- Foyers;
- Council lounge, Council chambers
- Employees are not generally encouraged to leave their workstations at any time during working hours (including overtime) for smoke breaks. However, if this cannot be adhered to, only reasonable time is allowed and smokers are asked to utilise a discrete area.

Because the Shire of Denmark's acknowledges the hazards associated with smoking and recognises that its employees are its most important organisational resource employees who smoke will be offered an 80% financial contribution up to a total cost of \$300 towards the following elements of a personal voluntary smoking cessation program:

1. Consultation with the employee's GP or other relevant professionals;
2. The cost of participation in a Health Dept of WA or WA Cancer Council approved smoking cessation program;
3. The cost of participation in smoking cessation product such as nicotine patches;
4. Council's contribution is up to a maximum of \$300 per employee payable over a period of no longer than 12 months.

Responsibility for Implementation

All Members of Council shall have an individual responsibility of drawing the prohibition of smoking to the attention of any visitor or caller who, it appears maybe in contravention of the policy.

All staff are required to adhere to these rules to ensure the Health and Safety of themselves and fellow workers. The CEO, Directors, Managers and Supervisors are to ensure adherence to these rules.

AMENDED by Res: 100509 / 26 May 2009

P070402 **NOISE MANAGEMENT**

Council acknowledges that enforcement of Noise Abatement Legislation is the responsibility of the Department of Environment and Conservation; therefore Council through its Environment Health Officer will only advise ratepayers and residents of their responsibilities under the relevant legislation and refer the disputing parties to the Department of Environment and Conservation.

The procedure for taking a noise complaint can be found in the Principal Environmental Health Officer Position Procedure Manual.

AMENDED by Res: 341/07 / 25 SEPT 07

PREVENTATIVE SERVICES - PEST CONTROL - 0705

PREVENTATIVE SERVICES - OTHER - 0706

P070601 **GENETICALLY MODIFIED ORGANISMS**

Objective

To control the use of Genetically Modified Organisms within the Shire of Denmark.

Policy

That due to the potential market advantages to organic and other growers of the Shire and the opportunity to differentiate Shire produce to markets seeking 'clean and green' produce, Council does not support the growing, storage and transport of genetically modified crops within the Shire of Denmark.

Responsible Officer

The Council in adopting this Policy noted that there is no current legislative power that enables the CEO or any other Council Officer to enforce the implementation or policing of this Policy, particularly in relation to storage or transport.

Added by Res: 150409 / 28 April 2009

OTHER HEALTH - 0707

EDUCATION & WELFARE - 08

PRE-SCHOOLS - 0801

OTHER EDUCATION - 0802

P080201 DENMARK AGRICULTURAL COLLEGE SCHOLARSHIP

Council shall make available an annual Denmark Agricultural College Scholarship.

Objective

To encourage and assist Year 10 students attending the Denmark District High School or Year 10 students residing in the Denmark Shire to pursue higher education.

Guidelines

- a) The applicant must be a student who intends to complete Years 11 & 12 at the WA College of Agriculture – Denmark and is either;
 - Completing Year 10 at the Denmark High School; or
 - Completing Year 10 at the WA College of Agriculture – Denmark; or
 - A Year 10 student residing in the Denmark Shire.
- b) The Scholarship will not be based wholly on academic record. Interest in agriculture and family need is a consideration.
- c) Preference will be given to those students who are likely to continue agricultural pursuits within the Shire boundaries.
- d) The Scholarship amount will be determined by Council and 50% will be paid at the start of the first year and upon successful completion and continuation, 50% will be paid at the start of the second year.
- e) The CEO and/or the Shire President address the Seniors School students at the commencement of the advertising of the program (generally in September) to promote the awards and the principles of leadership;
- f) The Sponsorship be widely promoted in local papers, notice boards and Council's website to both potential nominees and their parents or guardians;
- g) A Scholarship will not be awarded if no applicants are suitable.
- h) The decision of Council and/or the delegated Committee shall be final.
- i) The closing date for applications ~~is the fourth Friday in October~~ will be determined each year by the CEO to allow sufficient time for determination of the winner by Council at presentation at the relevant school's graduation ceremony.

AMENDED by Res: 140311 / 22 March 2011

P080202 SHIRE OF DENMARK LEADERSHIP AWARD

Objective

To provide an annual sponsorship for a Year 12 student, currently attending the Denmark High School, to assist with the cost of participating in an activity or program which focuses on;

- Skill development;
- Leadership;
- Self growth and development (self discovery);
- Problem solving;
- Confidence building;
- Strengthening personal motivation;
- Initiative; and/or
- Team work & communication.

The selected activity or program could include;

- A registered leadership program;
- A personal endeavour.

Guidelines

- a) The applicant must be a Year 12 student currently attending the Denmark High School;
- b) The Sponsorship will be awarded based on citizenship, community involvement and leadership;
- c) The successful applicant will be required to complete the selected program or activity within 12 months of being awarded this Sponsorship.
- d) The Sponsorship amount will be \$2,000 (2011) and will be paid to the successful applicant;
- e) The CEO and/or the Shire President address the Seniors School students at the commencement of the advertising of the program (generally in September) to promote the award and the principles of leadership;
- f) The Sponsorship be widely promoted in local papers, notice boards and Council's website to both potential nominees and their parents or guardians;
- g) The successful applicant will be required to acquit the Sponsorship, within a reasonable timeframe of completion, by providing a written report to Council on their activity or program and presenting that report to Council;
- h) A Sponsorship will not be awarded if there are no suitable applicants;
- i) ~~The decision of Council and/or the delegated Committee shall be final.~~
- i) ~~The closing date for applications will be determined each year by the CEO to allow sufficient time for determination of the winner by Council at presentation at the relevant school's graduation ceremony.~~
- j) ~~The closing date for applications is the Fourth Friday in October.~~

ADDED by Res: 140311 / 22 March 2011

P080203

SHIRE OF DENMARK YEAR 7 & YEAR 10 STUDENT AWARDS

That Council annually sponsor a book award (or similar) of approximately \$100 to a worthy Year 7 student, from the Denmark Primary School, and a worthy Year 10 student, from the Denmark High School, to be determined by the Principal of the Denmark Primary School & the Denmark High School respectively.

ADDED by Res: 140311 / 22 March 2011

CARE OF FAMILIES & CHILDREN - 0803

P080301

PROVISION OF YOUTH SERVICES

Council provides facilities and services needed to support the community, including the youth, of Denmark and is committed to provide the resources to ensure that the Youth Centre has adequate equipment and is appropriately staffed to run youth focused events or activities and to continually strive for best practice.

Objectives

The activities at the Youth Centre are initiated and run, wherever possible, by young people enabling them to gain a strong sense of ownership and empowerment through proactive participation and management.

The Centre:

- Provides opportunities to explore and develop youth focused programs and activities aimed at promoting positive mental and physical wellbeing.
- Provides an environment that is welcoming for young people.

Formatted: List Paragraph, Indent: Left: 2.58 cm, Line spacing: At least 6 pt

Formatted: Font: (Default) Arial

Formatted: List Paragraph, Indent: Left: 2.58 cm, Line spacing: At least 6 pt

- Acts as a conduit when appropriate, between young people, local police and community members.
- Provides support and guidance to young people by presenting a positive role model and mentorship.
- Assists in the creation of partnerships that encourage business and community participation options with young people in the Denmark community.
- Facilitates in the development of opportunities for young people to make a positive contribution to the Denmark community.

DENMARK YOUTH CENTRE – GUIDELINES, PROCEDURES & POLICIES (located at the Youth Centre) adopted by Council - 27FEB07

AGED & DISABLED - SENIOR CITIZENS CENTRES - 0804

AGED & DISABLED - MEALS ON WHEELS - 0805

AGED & DISABLED - OTHER - 0806

P080601 SENIORS POLICY

The Shire of Denmark acknowledges that the majority of services and facilities provided by Council are directed at the community at large rather than specifically for Seniors. In formulating a Seniors Policy the Shire recognises that older people within the community have a right to quality facilities, services and programs that enable them to remain living in their own homes and continue to be active in the community. Council also recognises the significant contribution many Seniors make to the community through volunteer activity, enriching family life, and lending wisdom and experience through their participation in a wide range of community activities.

A. THE IMPORTANCE OF SENIORS

Policy

The Shire of Denmark recognises the importance of Seniors in the community and identifies Seniors as a significant group to be considered and consulted on appropriate planning and strategic decisions undertaken by Council.

Objective 1

To identify, provide and coordinate services, facilities and opportunities to meet the needs of older residents and maximise their quality of life.

Strategies

- Identify all services, facilities and opportunities that are available for Seniors in the Shire.
- To liaise with Federal and State Government initiatives and programs for Seniors to ensure maximum use of available resources.
- To list key items from the Seniors Policy to be included as major Planning priorities by Council.
- Council to regularly monitor Seniors' demographic data as part of its Planning process.

Objective 2

To have Seniors participate in identifying and meeting specific needs of older persons in the community and in being active in the community.

Strategies

- To support a Seniors Advisory Committee to provide Council with information and advice regarding ongoing needs of Seniors.

- To encourage Seniors to participate actively in the community especially in new ventures and community projects.
- To review, at reasonable intervals, Council's Seniors Policy to ensure its ongoing accuracy and relevance.

B. HOUSING AND ACCOMMODATION

Policy

The Shire of Denmark recognises that many Seniors have special accommodation needs and will establish appropriate planning and control mechanisms to ensure Senior residents remain in the Shire in their latter years.

Objective 1

Continue lending support for an independent living village for the elderly with emphasis on the need for affordable accommodation for all.

Strategies

- Shire to locate land suitable for an independent living village for Seniors.
- Identify and liaise with private parties to develop the village in Denmark.
- Communicate through public meetings the development of the village.

Objective 2

Consider strategies to encourage appropriate low-rental accommodation for needy Seniors in the Shire.

Strategies

- Develop strategies to encourage the development of such housing for Denmark Seniors.
- Survey the need for such housing and work with State agencies to encourage their participation in its development.

Objective 3

Develop plans for dependent facilities and services for the elderly.

Strategies

- Advocate the new Health and Aged Care Facility to include beds for both aged residential and acute elderly patients.
- Support retaining and expanding home and community care services.
- As appropriate seek funding from State and Commonwealth agencies to assist with planning stages.

Objective 4

Ensure Seniors are consulted and included within the decision-making process in relation to the design and location of Seniors housing developments.

Strategies

- Denmark Shire staff to maintain regular contact with the Seniors Advisory Committee in relation to senior housing development opportunities and the identification of land suitable for such housing.
- In keeping with Council's commitment to the local environment encourage the use of solar and passive energy in all housing developments sponsored or supported by Council for Seniors.

C. HEALTH AND WELFARE

Policy

The Shire of Denmark recognises that Seniors have more specific health and welfare needs than other sectors in the community and these needs may necessitate changes in the services required. While much of the health and welfare provision is a Federal or

State responsibility Council acknowledges its role to ensure that proper services are being met and, where possible, to support the provision of these services.

Objective 1

Improve the general health and wellbeing of the Seniors community through reasonable provision of medical, health and welfare services.

Strategies

- Provide support and assistance for programs specific to Seniors health and welfare issues.
- Evaluate services to ensure they remain appropriate, affordable and inclusive for Seniors.
- Develop and maintain liaison between the Seniors and the Great Southern Public Health Service and other health agencies.

Objective 2

Support the provision of specialist services for the region.

Strategies

- Develop formal mechanism for ongoing communication between relevant profession groups, Seniors and Council.
- Advocate and support the provision of mental health services.

Objective 3

Identify the numbers of Seniors in the community with specific medical, health and welfare issues.

Strategies

- Shire to build a data base including quantitative and qualitative data on Seniors needs.
- Use data to identify services required to meet needs.

Objective 4

To improve quality of life of Seniors by addressing the issues of loneliness, isolation and depression.

Strategies

- Facilitate the provision of social and recreational programs for Seniors.
- Identify community programs that could include and involve Seniors and encourage their participation.

Objective 5

Ensure Seniors are consulted on their health and welfare needs.

Strategies

- Council to consult with relevant Seniors for information and guidance about health and welfare issues and appropriate actions steps to be taken.

Objective 6

To ensure the Health Community Project Officer addresses key issues relating to the needs of Seniors.

Strategies

- The Seniors Advisory Committee to meet with the Healthy Community Project Officer to give support to the project and assist in identifying areas of need and develop appropriate strategies to meet these needs.
- The Seniors Advisory Committee be encouraged to offer a Senior to represent Seniors' interests on the Denmark Health Community Steering Committee.

Objective 7

Link the World Health Organisation accreditation to relevant areas pertaining to Seniors.

Strategies

- Seniors Advisory Committee to be consulted for advice on this matter and to lend assistance as appropriate.

D. RECREATION AND LEISURE

Policy

The Shire of Denmark recognises the importance of having a physically active and health community. It acknowledges the importance of exercise and sporting activities for Seniors for the health and social opportunities these provide and identifies a role for council in assisting in the provision of such activities.

Objective 1

To consider building a Centre for Senior activities and involvement.

Strategies

- Liaise with Seniors on the development of a Community Centre.
- Explore cooperative opportunities with developers and others for building a Community Centre available to all Seniors.
- Identify suitable land for the Community Centre.
- Explore ways of funding the running of the Centre including grants and sponsorship.

Objective 2

To encourage Seniors to participate in sporting, recreational and leisure activities to enhance their health and wellbeing.

Strategies

- Seek funding to promote and hold a series of sporting and leisure activities for Seniors.
- Liaise with Seniors to develop and promote activities they identify as priorities for leisure and recreation.
- Encourage appropriate fees be used to make participation in local leisure activities affordable for Seniors.
- Council shall convene/host an afternoon tea for the senior citizens of the Denmark community once annually in November.

Objective 3

To ensure that parks, recreational areas, beaches, paths and trails are easily accessible and user-friendly for Seniors.

Strategies

- Council to review access of its recreational sites and parks for Seniors.
- Involve Seniors in discussions on improving access and upgrading sites for Seniors.

Objective 4

To recognise the growing demand among Seniors for a local therapy pool and explore opportunities to site a therapy pool in the Shire.

Strategies

- Quantify the demand for a therapy pool in the community.
- Explore the opportunity of including a therapy pool in the design of the planned new Health Facility for Denmark.
- Explore the possibility of having a therapy pool as part of any community swimming pool planned for Denmark.

E. EDUCATION AND TRAINING

Policy

The Shire of Denmark is committed to the concept of Denmark being a Learning Community. This concept extends to supporting educational and learning opportunities for Seniors across a wide variety of activities. As well the Shire recognises that within the ranks of Seniors lie a wide and broad range of practical and professional expertise that can provide significant richness and opportunity to the whole community. The Shire wishes to assist in providing access to the richness Seniors can provide.

Objective 1

To provide opportunities for older people to participate in a range of educational and training activities.

Strategies

- Council to assist in identifying appropriate educational and training activities for Seniors.
- Council to assist in seeking funding to help provide such activities.
- Council to encourage partnerships with Learning and Training bodies to provide educational and training opportunities for older people.

Objective 2

To assist the participation by Seniors in a range of educational and training activities.

Strategies

- Council to assist in providing affordable and accessible meeting places for Seniors.
- Council to consult with Seniors in supporting key educational and training programs.

Objective 3

To encourage Seniors to participate in education and training programs in which their own practical and professional skills can be used.

Strategies

- Council encourage a Seniors Mentors list of older people willing to assist educational and training programs at all levels of the Denmark community.

F. SAFETY AND SECURITY

Policy

Council recognises each person in our community has a right to feel safe and secure within the home, out on walkways, streets and roads, in parks, on beaches and trails or anywhere else in the Shire. Not all safety and security issues are responsibilities of Council. Nevertheless the Shire of Denmark is committed to providing a safe and secure environment for all citizens. In this regard Seniors may highlight certain safety and security concerns and Council accepts these concerns must be addressed.

Objective 1

To create and maintain a Shire that is safe, welcoming and friendly for Seniors.

Strategies

- Make upgrading of key walkways close to town facilities a major priority with secure road-crossings at key intersections, with special regard for the transport of handicapped and older persons.
- Improve streets, footpaths and trails to address concerns such as slipping, trips and falls.
- Check signage, lighting, seating and parking with Seniors in mind.
- Include Seniors in Council discussions on relevant planning issues relating to safety and security.
- Support programs and activities targeting Seniors' safety and security.

Objective 2

To endeavour to protect Seniors from crime.

Strategies

Actively support the local Police wherever possible, especially with reference to Seniors and safety.

- Monitor, with police support, incidence of crime against seniors and support efforts to keep this as low as possible.

Objective 3

To consult with and include Seniors in the decision-making process on matters of safety and security.

Strategies

- Council to ensure that the Seniors Advisory Committee is contacted regularly by staff to discuss matters of safety and security.
- Regular contact to be maintained with the Police on these matters.
- Support Police in educational programs targeting Seniors.

G. TRANSPORT, ROADS AND INFRASTRUCTURE

Policy

The Shire of Denmark recognises the importance of transportation to Seniors in order to access services and facilities in the community, to enjoy an active lifestyle and to socialise with family and friends. The Shire is aware that many older Seniors, unable to drive, have to rely on other means of transportation. It also recognises the importance of safe, well-built walkways, especially around the township for access to shopping and services.

Objective 1

To develop a safe, user-friendly pathway system especially close to main shopping and service facilities.

Strategies

- Upgrade key walkways close to town facilities as a major priority.
- Educate public, but especially Seniors, to availability of such walkways.
- Ensure new residential & commercial developments include safe walkways designed on Disability Access and Inclusiveness principals.
- Include shelter and rest facilities on long stretches of walkways.

Objective 2

To improve public transport availability within the Denmark Shire.

Strategies

- Council to consult with Seniors and others on key concerns regarding access to transport.
- Council to explore ways of improving access to transport, including use of the Community Bus.

Objective 3

To consider ways in which Council services can assist Seniors in maintaining their homes and properties.

Strategies

- Council to examine how Seniors and handicapped persons unable to use trailers can get waste materials to the tip.
- Seniors Advisory Committee to meet with Council staff to consider ways of solving this issue including a possible green waste roadside collection.

20DEC05

AMENDED By Res: 210308 / 25 MARCH 2008

OTHER WELFARE - 0806

HOUSING - 09

STAFF HOUSING - 0901

P090101 DESIGNATED SENIOR STAFF HOUSING POLICY

Objective

Council values its CEO and Designated Senior Employees living within the Shire due to the inherent social, economic and environmental benefits from living in the Shire that employs the individual. Whilst not a determining factor in selecting a preferred applicant, Council encourages living within the Shire through offering attractive housing incentives designed to attract and retain these employees.

Policy

Where the Council employs the CEO or a designated Senior Employee (S 5.37 of the Local Government Act 1995), it agrees to provide a rental subsidy on the following basis;

1. CEO designated house - rent free, noting a residential tenancy lease is still required;
2. Designated Senior Officer in a Council supplied house – \$150 rent per week, noting a residential tenancy lease is still required;
3. If the officer lives within the Shire of Denmark in private residential tenancy rental – a rent subsidy payable direct to the landlord or the employee of up to \$200 per week;
4. If the officer lives within the Shire of Denmark in their own home – a payment of \$250 per week;
5. No rent subsidy will be applicable for any senior officer who resides outside of the Shire of Denmark boundary. Any senior officer presently residing outside the Shire of Denmark boundary to retain their existing subsidy for the remaining term of their contract.
6. Noting that any tax payable under Federal Tax law such as Personal Income Tax or Fringe Benefits Tax as a result of any of the above payments (as the law is amended from time to time) are to be borne by the employee.

Responsible Officer

The CEO is the responsible officer for implementing this policy.

ADDED by Res: 240708 / 22 JULY 2008

HOUSING OTHER - 0902

COMMUNITY AMENITIES -10

SANITATION - HOUSEHOLD - 1001

P100101 **RUBBISH REMOVAL SERVICE**

~~Rural properties of 2.02 hectares or more situated in the town area have an option not to take advantage of the rubbish removal service as provided by the Council.~~

~~Repealed by Res: XXX / 25 September 2012.~~

Formatted: Font: 9 pt, English (United States)

Formatted: Normal, Left, Indent: Left: 2.54 cm

Formatted: Font: 9 pt

P100102 **STRATEGIC WASTE MINIMISATION PLAN 2008-2013**

The Strategic Waste Minimisation Plan 2008-2013 was adopted by Council on 23 December 2008. The Shires of Cranbrook, Plantagenet and Denmark have combined to form the Great Southern Group of Councils to jointly develop a regional waste minimisation plan to strive "Towards Zero Waste" and this plan consists of a suite of activities to be carried out during the period of 2008 - 2013.

Added by Res: 191208 / 23 December 2008

P100103 **PROVISION OF RUBBISH SERVICE FOR THE DISABLED/INFIRMED**

Objective

In recognition of the needs of the elderly and / or infirmed, Council provides a service to those residents utilising Council's wheelie bin rubbish service but are, due to their age or condition, unable to wheel their bin from the front of their property to the kerb line and return.

Policy

Where the above circumstances exist, all requests for assistance with rubbish bin collection require a written request from the owner/applicant/resident and a letter from their Doctor confirming that they are unable to regularly move their bin to the required location for Council pick-up.

Applications for approval are assessed by the Director of Infrastructure Services, who if approved, arranges for details to be entered as a memo on the property assessment record in Synergy, on a suitable register for the purpose maintained by Infrastructure Services and a letter sent to the owner/applicant/resident advising them of the approval.

The owner/applicant (or Executor of the Estate) is required to advise Council Staff of any changes in their circumstances. In the case of any changes to the individual's circumstances, such as death, change of ownership or a change of tenancy, the property memo is removed and the Waste Collection Officers of Council and /or Council's contractors advised that the service is no longer required.

A copy of all documentation needs to be placed on the assessment file and the register updated. The register can be found at [L:\Reference Files & Registers](#), and will be maintained by the Finance & Administration Directorate and individual entries / eligibility of persons on the register verified not later than every two years.

Note well - the following conditions apply;

- The service relates to Council's wheelie bin only and not the recycling bin maintained by an independent contractor.
- Requests for a similar service for the recycling service are assessed and maintained by Council's recycling contractor and it is important that their register of eligible persons is consistent with the Council at all times.

- Council's service involves moving up to one service per property to the kerb line for disposal and return. Council will not consider requests from multiple residential services from the same property.
- The resident must ensure that the bin is readily accessible, to the satisfaction of the Council, and in a consistent location.
- The approved applicant will advise Council immediately that their circumstances change that enables them or a resident of their property to resume undertaking the service.

Council reserves the right to amend this policy from time to time and will ensure that adequate notice is given to those that may be affected.

Responsibility for implementation

The Director of Finance & Administration is responsible for implementing this policy.

ADDED by Res: 040511 / 24 May 2011

P100104 COMPULSORY WASTE COLLECTION SERVICES

Any completed household in the following areas is required to be serviced by a compulsory Waste Collection Service;

- a) Townsite of Peaceful Bay;
- b) Townsite of Denmark;
- c) Townsite of Nornalup; and
- d) Any land zoned Special Residential or higher density (average lot size of 1 ha or less).

Council is prepared to support requests to amend its Health Local Laws introducing a compulsory waste collection service for residents in Special Rural / Rural Residential zoned land upon demonstration that over 50% of the landowners support a compulsory service.

The Director of Infrastructure Services is authorised to approve requests for commercial and/or domestic refuse or recycling services not on a gazetted area if the service is practically and effectively serviceable by being on or adjacent an existing route or run. Such properties are allowed to 'opt in' to a service however at such time as 50% of the properties adjoining that route 'opt in', it is converted to a compulsory service (NB: Local Law Amendment required).

ADDED by Res: 090112 / 17 January 2012

SANITATION - OTHER - 1002

SEWERAGE - 1003

P100301 LICENSING OF LIQUID WASTE DRIVERS & CARRIERS

All drivers and carriers, vehicles and transfer facilities, involved in the transport, treatment and disposal of all liquid wastes within or operating within the Shire of Denmark, are required to be licensed with the Council in accordance with all provisions of the Environmental Protection (Liquid Waste) Regulations, 1996.

The examination of drivers and carriers and the registration of transport vehicles and transfer facilities are to be conducted by Council's Environmental Health Department. The examination and registration procedures will comply with those prescribed by the Department of Environmental Protection.

Licenses and registrations will be reviewed annually upon renewal.

Fees for licensing and registration will be in accordance with Council's Schedule of Fees and Charges.

URBAN STORMWATER DRAINAGE - 1004

PROTECTION OF THE ENVIRONMENT - 1005

P100501 **CAGED PERFORMING ANIMALS**

The Shire of Denmark bans all forms of public entertainments which exploit caged performing animals, including circuses, from operating on land controlled by the Shire and generally discourages such entertainment from taking place within the Shire.

P100502 **CAT CONTROL**

REPEALED by Res: 040912 / 4 September 2012

P100503 **ENVIRONMENT POLICY**

Objectives

A healthy natural environment is fundamental to our social, physical and economic wellbeing. With the increasingly visible impacts of population growth and its resultant development pressures there has been a broad recognition across the community that development must be scaled to the environment's capacity to assimilate it, if we are to maintain an acceptable standard of living into the future.

The natural environment is the principal reason most people live in, or visit Denmark. In an increasingly populous and fast-moving world, the attractions of tall forests, clean air, pristine oceans, unspoiled landscapes, a closer relationship with nature, and a relaxed pace of life are in growing demand.

Council is responsible for making decisions which directly affect the local environment – and thus, indirectly, other environments. It therefore has an explicit duty to balance the needs of a growing population against their impacts upon the natural world.

Council supports the ethic of ecological sustainability. It will endeavour in all its activities to apply the principles associated with conserving natural resources, integrate environmental accounting procedures into its management decisions, and favour development which clearly demonstrates sympathy with the environment; to preserve Denmark's unique appeal and sense of place in the interests of present and future generations.

Implementation Mechanisms

The objectives of this policy are implemented through a range of mechanisms including but not limited to:

- participatory and advocacy communication;
- stakeholder consultation;
- community education;
- compliance with State and Federal legislation;
- planning
- allocation of resources;
- adaptive and integrated management and best practice processes.

Associated Documents

Organisational Wide

- Strategic Planning for the Shire of Denmark (February 2006)
- Plan for the Future
- Capital Works Plan
- 10 Year Long Term Financial Plan
- Asset Management Plan
- Annual Municipal_Budget
- Council Policy Manual
- Local Laws
- Inlet Sandbar Opening Protocols (Wilson, Irwin & Parry)

Planning & Sustainability Services

- Town Planning Scheme No. 3
- Local Planning Strategy (2011)
- Town Planning Scheme Policies
- Municipal Heritage Inventory 2011
- Shire of Denmark Coastal Reserves Management Strategy and Action Plan 2010-2020
- Mt Hallowell Reserve Management Plan
- Wilson Inlet Foreshore Management Plan (2008)
- Shire of Denmark Weeds Strategy and Action Plan 2005 – 2010
- Denmark Greening Plan
- Roadside Vegetation and Conservation Values in the Shire of Denmark (Roadside Conservation Committee, 2011).

Infrastructure Services

- Shire of Denmark Guidelines for Subdivision and Development of Land
- Paths & Trails Network Plan
- Handbook of Environmental Practice for Road Construction and Maintenance Works (Roadside Conservation Committee, Main Roads WA, WALGA)
- Code of Practice for Roadside Conservation and Road Maintenance (Shire of Denmark) (amended from time to time)
- Declared Flora Roads Management Plan (Shire of Denmark) (amended from time to time)
- Environmental Impact Assessment Checklist (Shire of Denmark) (amended from time to time)
- Waste Management Strategy
- 'Do-Not-Spray-My Verge' Register

Community & Regulatory Services

- Bush Fire Prevention Plan
- Disability Services, Access & Inclusion Plan 2007 – 2011
- Local Emergency Management Plans

NB: this list of Associated Documents has been provided as a reference guide only and should not be considered to be exhaustive.

Responsibility for Implementation

All employees of the Shire are responsible for implementation of this Policy.

AMENDED by Res: 090512 / 1 May 2012

P100504

PICKING OF NATIVE VEGETATION

Objective

Council recognises the value and ecological importance of native flowers and this policy is designed to ensure that this resources is not decimated as a result of commercial activities.

Policy

Council does not support individuals or the commercial exploitation of taking wildflowers on land under Council's control.

Council on the approval of the Director of Infrastructure Services supports the collection of native seeds providing the applicant has an appropriate Department of Environment & Conservation license.

Council does support individuals being members of community organisations with a tourism orientation to cut a small quantity of native blooms to produce small artefacts to sell as souvenirs providing that they have been issued with an appropriate licence from Department of Environment & Conservation.

ADDED by Res: 220708 / 22 JULY 2008

P100505

TREE REMOVAL/LOPPING

Council may issue a work order against the owner of private land containing a tree which threatens life or property on adjoining private land, if the tree is determined to be dead, diseased or dangerous.

This policy recognises that karri (*Eucalyptus diversicolor*) and certain other native eucalypts are naturally self pruning, and can, even under optimum conditions shed branches.

When considering a request to remove or prune a tree Council will take into account a number of factors, including age, species and the position of adjacent buildings.

A tree's viability and structural stability in respect of a request to remove or prune will be determined on the basis of an inspection by the Shire Engineer or Head Gardener, Ward Councillors and a representative of the Denmark Conservation Society.

Excessive leaf-fall, gumnuts, blossom, bark litter, or increased bird activity as a cause or result of these, are not considered grounds for a request for Council to issue a work order.

For the purposes of this policy the following definitions apply:

- 'Dead' means a tree displaying no obvious signs of life, or less than 10 per cent viability, and may be subject to an inspection of the bark and sampling of the cambium layer.
- 'Diseased' means a tree displaying chronic ill-health, as a result of attack by insects or other factors, but not necessarily from water stress or the presence of termites or fungi.
- 'Dangerous' means a tree which poses a clear and immediate threat to life or property, whether or not it displays one or more of the above conditions; or a clear potential threat, and may include a tree –
1. growing on an acute angle;
 2. whose roots or trunk have been cut or damaged so as to affect the tree's stability or structural integrity;

3. whose trunk could grow to damage fencing or buildings on an adjoining property;
4. displaying uneven coppice growth from a stump;
5. with multiple stems where there are obvious signs of rot or disease in the cleft between stems or limbs;
6. standing on its own in an exposed position subject to high winds.

Refer also Delegation D120104

P100506 WILSON INLET FORESHORE

Council views any damage to any Council property or reserve vested in it, including unauthorised removal of vegetation, as an offence and will initiate action under the Shire of Denmark Local Laws and other relevant legislation and encourage other relevant authorities to take action with respect to their land or jurisdiction if Council becomes aware of it.

ADDED by Res: 220708 / 22 JULY 2008

P100507 A STUDY INTO THE RISK OF PHYTOPHTHORA DIEBACK IN TEN PERI-URBAN RESERVES WITHIN THE SHIRE OF DENMARK

Council has adopted the report *A Study into the Risk of Phytophthora Dieback in Ten Peri-Urban Reserves within the Shire of Denmark* with a view for the Shire to work towards implementing the recommendations stipulated within the document. These recommendations will be implemented through a collaborative venture by all relevant stakeholders and will be prioritised against all other Shire maintenance and infrastructure works in the usual annual budgetary process.

ADDED by Res: 290808 / 26 August 2008

P100508 GREEN/ANCAP RATED AND FLEET EMISSIONS POLICY

Objectives

To ensure that Council light vehicle fleet meets the highest standards practicable in relation to energy efficiency, emissions, passenger and pedestrian safety.

Policy

To provide for an environmentally responsible passenger vehicle fleet that follows a selection criteria based on the following.

All vehicles to carry at least a 4 star ANCAP rating with preference for vehicles fitted with ESC (Electronic Stability Control).

- All vehicles to carry at least a 2 star pedestrian protection rating with preference for vehicles with reversing sensors.
- All vehicles to be fitted with dual fuel capability.
- Preference to be given to hybrid vehicle.
- All large cars to carry at least a 6 point Green House rating as per the Green Vehicle Guide.
- All large cars to carry at least a 6 point Air Pollution rating as per the Green Vehicle Guide.
- All 4WD vehicles to carry at least a 5 point Green House rating as per Green Vehicle Guide.
- All 4WD vehicles to carry at least a 5 point Air Pollution rating as per the Green Vehicle Guide.
- Fuel Consumption not to exceed 8 litres per 100 kilometres for large vehicles.
- Fuel Consumption not to exceed 9.5 litres per 100 kilometres for 4WD vehicles.

- 4WD vehicles to be purchased with the additional requirement of being “fit for purpose”.
- Carbon emissions not to exceed 200 grams per kilometre per car.
- Carbon emissions not to exceed 250 grams per kilometre per 4 wheel drive.
- Vehicle emissions to be offset against an allocated revegetation area within the Shire which is signed “Shire of Denmark Vehicle Emission Revegetation Programme”.
- Vehicles to be serviceable through local dealerships.
- For the purposes of tendering the Council apply the following weightings:

ANCAP rating	30%
Dual fuel	15%
Electronic Stability Control	10%
Emissions	10%
Local Content	10%
Price	15%
200gm/km & 250gm/km	5%
Pedestrian Impact	5%

ADDED by Res: 400808 / 26 August 2008

P100509 WILSON INLET FORESHORE RESERVES MANAGEMENT PLAN 2008

Council received and adopted the *Wilson Inlet Foreshore Reserves Management Plan 2008* as amended, with a view for the Shire to work towards implementing the recommendations stipulated within the Plan.

ADDED by Res: 111108 / 25 November 2008

P100510 FRIENDS OF RESERVES STRATEGY

Council adopted the *Friends of Reserves Strategy* for community volunteers engaged in natural resource management activities in Shire of Denmark bushland, foreshore and coastal reserves.

ADDED by Res: 060410 / 27 April 2010

P100511 LITTER PREVENTION POLICY

Objective

To seek an improvement in the visual environment within the Shire of Denmark, and specifically our;

- beaches
- roads and streets
- verges and footpaths
- trails
- parks and reserves

by reducing the amount of litter dropped, deposited or thrown on the ground.

This policy can be cited as the ‘*Denmark – Towards Zero Litter Strategy*’.

Litter not only contributes to the defacement of the environment, but can adversely affect the lifestyles of members of the public and provides a negative image of our towns and community to not only ourselves, but also to visitors and tourists.

This policy relates to the prevention of littering in public places, or areas to which the public are entitled or permitted to have access to with or without payment and the

powers available to the Shire of Denmark to tackle the offence of littering and to encourage residents, landowners, community groups, tourists and businesses to assist.

It should be noted that this policy should be read in conjunction with Council's adopted Graffiti Policy P050301.

Policy

Throwing or dropping litter, even unintentionally, is an offence according to the *Litter Act 1979*. Dumping rubbish of any kind on any land not specified as a waste facility is also considered littering and attracts the same penalties under the Litter Act.

The Shire of Denmark endorses:

1. The principles of the State Government's adopted 'Litter Prevention Strategy 2006-2009'; and
2. The Western Australian 'Litter Act 1979'.

The Shire of Denmark will ensure that it gazettes appropriate personnel to enforce the Litter Act 1979 and recognises its responsibilities under that Act and will annually determine resources and priorities to allocate to enforcement and education measures in supporting these two key documents.

In addition, Council will annually during its budget deliberations, determine the resource implications of participating in the following specific measures;

1. Supporting the Denmark Tidy Towns Committee through;
 - o Participating in the State's annual Tidy Towns Awards in conjunction with Denmark Tidy Towns Committee.
 - o Allocating a Councillor delegate to the Denmark Tidy Towns Committee.
 - o Considering the annual funding requests and efforts of the Committee.
2. Encouraging the Denmark Chamber of Commerce and individual businesses in general with keeping 'town' footpaths immediately in front of businesses free of litter.
3. Utilising road sweepers on an approximately quarterly basis on all kerbed streets and roads within the Denmark townsite.
4. Including the task of litter pick up by its Parks and Gardens staff in maintaining public Parks and Gardens.
5. Providing and servicing litter receptacles at appropriate places (supported by Delegation D100201).
6. Implementing Council's adopted 'Friends of Reserves Strategy'.
7. Encouraging and reminding Main Roads WA of its obligations with respect to its responsibilities for the following Road verges within the Shire;
 - o South Coast Hwy; and
 - o Denmark – Mt Barker Rd.
8. Supporting signage at appropriate locations warning of the offence of littering.
9. Encouraging distribution companies and contractors that distribute unaddressed advertising material to comply with the voluntary Code of Conduct overseen by the Australian Catalogue Association (ACA).
10. Promoting within the community recognised State and National 'clean up' days and events.
11. Providing free of charge 'letterbox magnets' for householders to affix to letterboxes should they not wish to receive 'junk mail'
12. Providing free of charge car litter bags readily available from the Shire Office.
21. Other activities in keeping with the principles of the Litter Act 1979, Towards Zero Litter and the State's Litter Prevention Strategy (as amended).
22. As a matter of policy support the banning of plastic shopping bags.
23. As a matter of policy support the introduction of the National Packaging Covenant and Container Deposit Legislation.
24. Encouraging private citizens (individuals) to perform regular clean-ups on local and State controlled roads (with Main Roads permission) from time to time.

25. Encouraging community groups and businesses to perform regular clean-ups or adopt roads or parks (adopt a spot programs) and recognise these efforts (of community groups only) by donating \$2 per roadside litter bag (KABC Size: 480mm x 400mm x 800mm) picked up by Council staff.
26. Covering volunteers for personal accident insurance through Council's volunteer insurance policy (registration and specific approval required).
27. Having its Works crew pick up 'collected' litter programmed in accordance with approved clean-ups.
28. Encouraging and supporting signage at coastal locations including popular fishing locations pertaining to users taking their litter with them (eg. Bait bags).
29. Encouraging staff and community groups to nominate in annual recognition programs such as the WA Clean Beach Program.
30. Encouraging staff and community groups to apply for relevant grants such as the annual Keep Australia Beautiful Council's 'Litter Prevention Grants'.
31. Providing appropriate resources for individuals and community groups and businesses organising clean ups such as;
 - a) protective reflective safety vests;
 - b) large roadside litter bags;
 - c) tips and guidelines;
 - d) banners and signs;
 - e) Council pick up services (of collected rubbish); and
 - f) Personal accident insurance to cover volunteers.
 - g) media statements to promote and report on the event.

Responsibility for implementation

The Director of Planning & Sustainability is responsible for implementing this policy.

ADDED by Res: 230410 / 27 April 2010

P100512

WALGA DECLARATION ON CLIMATE CHANGE

Council has signed WALGA's Declaration on Climate Change which states as follows; Local Governments of Western Australia acknowledge that:

- Evidence shows that human induced climate change is occurring.
- Climate change will have significant effects on the Western Australian environment, society and economy.

Local Governments of Western Australia support the:

- Environmental, social and economic benefits of addressing climate change immediately.
- Opportunity for Local Government to demonstrate leadership in climate change management at a community level.
- Development of equitable and implementable State and Commonwealth strategies for climate change management, including but not solely comprised of, a well designed Emissions Trading Scheme.

Local Governments of Western Australia commit from date of signing to:

- Set an appropriate, individual Local Government emissions reduction target and work towards its achievement.
- Work with State and Federal Government to ensure achievement of greenhouse gas emission reduction targets as set out in international (Kyoto Protocol) agreements.
- Work with State and Federal Government to implement key actions and activities for climate change management at a local level.
- Assess the Local Government specific risks associated with climate change and implications for services and functions to community and identify areas where additional mitigation and/or adaptation strategies could be applied.

- Develop an internal Climate Change Action Plan (CCAP) for climate change adaptation across all Local Government functions, with a focus on the two, five and ten year future.
- Ensure that, at appropriate review intervals, the strategic plan and policies for the Local Government are reviewed and amended to reflect climate change management priorities and emissions reduction targets.
- Encourage and empower the local community and local businesses to adapt to the impacts of climate change and to reduce their individual greenhouse gas emissions.
- Monitor the progress of climate change initiatives and report to the Western Australia Local Government Association 'Climate Change and Sustainability Annual Report'.

ADDED by Res: 300610 / 22 June 2010

TOWN PLANNING & REGIONAL DEVELOPMENT - 1006

P100601 **SCHEME AMENDMENT REQUESTS**

This policy has been established to allow proponents to gain an indication of support or otherwise from Council prior to going to the expense of preparing formal and detailed Town Planning Scheme amendment documents. This process is used to determine if there are any specific issues that will need addressing in the formal amendment documentation.

1. Initial Enquiry

Once a written enquiry is received, a letter will be forwarded to the enquirer advising whether or not the proponent should prepare Scheme Amendment Request (SAR) report and what the request should contain / address.

2. Scheme Amendment Request

SAR document to be a maximum of 6 A4 pages and address specifically strategic issues and not detailed site analysis. The following are to be addressed in the SAR:

- existing and proposed zonings;
- impacts of structure plans and strategic documents on site and proposed zoning;
- the proposed method of integration of development on the site with adjoining lots;
- any precedent set by the proposed zoning;
- services available to the lot(s);
- any special outcomes proposed to be introduced through the rezoning process.

A fee is payable prior to the SAR being assessed. Such fee will be set in the Schedule of Fees and Charges in Council's Annual Budget.

3. Referral of SAR to ~~DPI~~ DoP and ~~DOE~~ DEC

Once received the SAR will be referred to the Department ~~for~~ of Planning (DPI) and Infrastructure (DPI) (DoP) and the Department of Environment & Conservation (DEC(DOE)) for comments. Both Departments will provide their responses on the SAR within 28 days.

1. SAR Submitted to Council

The applicant's SAR is to be submitted with an officer's report and recommendation to Council for consideration. Potential outcomes are:

- a) Council decides to seek community feedback on the SAR if the application warrants it.
- b) Council agrees to the SAR to allow further detailed documentation of the proposal and a subsequent assessment process to initiate the scheme amendment. (Note: detailed documentation may identify unresolvable issues not known on initial SAR and as such the amendment may not be initiated.)
- c) Council considers the proposal to be unacceptable and advises proponent that it would be unlikely to support a request to initiate a scheme amendment.
- d) Council may acknowledge there is potential for the land to be rezoned but advise the applicant that the proposal is premature until Council has agreed to and the Western Australian Planning Commission has endorsed, a suitable structure plan for the locality to co-ordinate and integrate development in accordance with adopted strategic documents.

Note: An applicant who proceeds after being advised as above does so at their own risk and cost.

5. Community Feedback

A decision of Council as per 4(a) above to seek community feedback on the SAR shall be in the form of a letter to adjoining landowners, and relevant agencies, a sign on site, plus an advertisement in the local press, asking for feedback on the SAR.

Submissions received during this process shall be summarised and forwarded to Council for further consideration.

6. Response to Applicant

A decision to allow the applicant to proceed with further documentation as per 4(b) above will be transmitted in a letter from Council and will detail such matters as:

- a) policy issues to be addressed in the amending report;
- b) environmental issues;
- c) servicing issues (eg full testing of groundwater tables prior to document lodgement) and the provision of a fire management plan;
- d) design requirements on subsequent development;
- e) developer commitments required by Council from scheme amendment process;
- f) mechanisms for cost sharing of common cost items such as public open space, drainage, roads, footpaths, etc;
- g) any other matters considered relevant to Council.

7. Scheme Amending Documents

The Council required number of draft scheme amending documents will be submitted with the appropriate fees and a formal request to initiate a scheme amendment. The format of the documents must meet the standards set in the Town Planning Regulations.

Council staff shall review the documents and make recommendations on potential changes / modifications, acknowledging that the amendment becomes a Council document once initiated. Staff shall prepare a report to Council on the scheme amendment.

Council may decide to initiate, decline to initiate, or require modifications prior to initiating the amendment.

The procedures for Scheme Amendments as laid down in the Town Planning Regulations will then be followed.

8. Compliance with Local Planning Policies & Bush Fire Risk Assessment

When submitting Scheme Amendment documents, applicants are required to demonstrate compliance with all relevant Local Planning Policies and submit a "Bush Fire Risk Assessment". The "Risk Assessment" should outline Predominant Vegetation Types, Class and Characteristics, Bush Fire Hazard Assessment Hazard Levels (including consideration to Fire Hazard in Relation to Slope) and how a 'Low' Fire Hazard Level in relation to distance of future residential sites from predominant vegetation (using Planning for Bush Fire Protection guidelines) can be achieved on the majority of lots in development and what building or site modifications would be required to achieve a 'Medium' Fire Hazard Level on the remainder of the lots in the development.

Council will not accept a "Bush Fire Risk Assessment" that requires Council to accept responsibility for maintaining strategic fire access routes or fuel reduction measures on its land to achieve the required Fire Hazard Level.

JUN05
AMENDED by Res: 190709 / 28 July 2009

P100602 CONSULTATION PRIVACY POLICY

Whereby Council calls for or otherwise receives public submissions about a matter before Council such as an application for Planning Consent, Council officers will précis the submissions such that all valid and pertinent comments are extracted into a table of submissions accompanying the report, with officer comment in relation to the validity and recommended assessment of those comments and such that a person viewing that table or submission cannot as far as reasonably practical identify the author of the comments. The purposes of this policy are to;

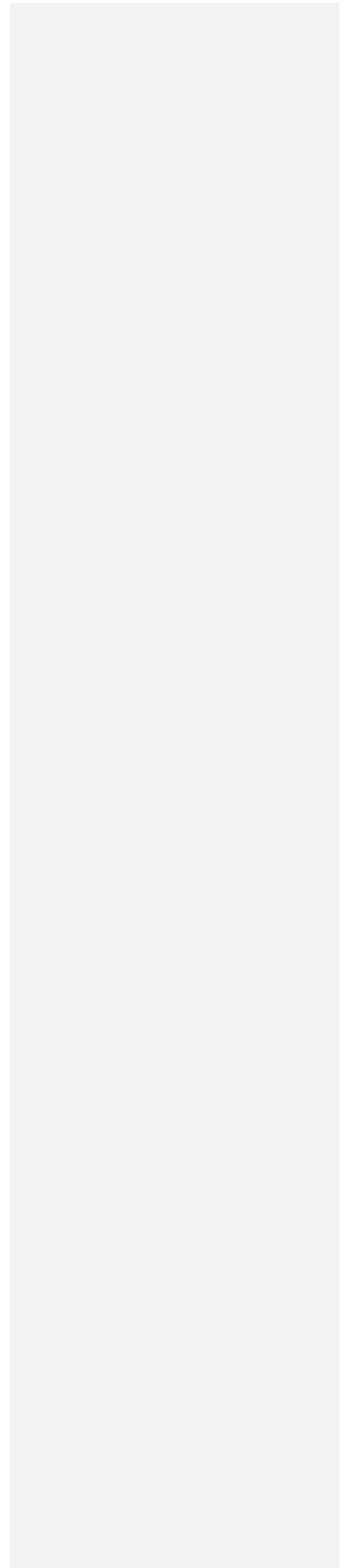
Ensure that Councillors can make an informed and unbiased assessment of public submissions whilst;

1. Protecting the rights of individuals privacy;
2. Maximising participation and consultation;
3. Minimising the perception or possibility of neighbourhood reprisals, retribution or intimidation;
4. Minimising Councils' potential exposure to being involved in publishing defamatory material;
5. Nothing in this policy prevents a Councillor requesting & receiving a complete copy of any submission, which shall be marked "confidential";
6. Noting that Town Planning Regulations require the name and address details to be disclosed on Scheme Amendment approval submission tables.

7. Ensuring that Council receives detail as to the submitters proximity and relevance to the application.

ADDED by Res: 210208 / 26 FEB 08

|



P100603

ROAD & RESERVE NAMING WITHIN THE SHIRE

Objective

To enable Council to prioritise and determine the allocation of road names to roads that are new or require a new name or named for the first time.

Policy

The Council will as a general rule, defer to the guidelines adopted by the Department of Land Information's Geographic Names Committee and the following list;

Names suitable for Road Reserves only.

Name	Code	Landgate Approved	Suggested Locality (if relevant)	Comment
BALLARD (<i>dec</i>)	CR			referred to GNC 03/09/2012
BARROW	CR			
BEANEY (<i>dec</i>)	CR			referred to GNC 03/09/2012
BENTINK	CR			
BILBY	FF	11 Sept 2006		
BILLARDIERA		26 Sept 2008	Denmark	Springdale
BLYTHE	CR			
BOLETELLUS	F	29 July 1998		
BOYCE	CR			
BRISTLERUSH		26 Sept 2008	Denmark	Springdale
BUCHANAN (<i>dec</i>)				referred to GNC 03/09/2012
BUCKINGHAM	LI	15 March 2012	Denmark	
BURTON (<i>dec</i>)	CR			referred to GNC 03/09/2012
CALADENIA	FF	29 July 1998		
CALDYANUP	A	29 July 1998		
CALTON	CR			
CAPORN	LI	15 March 2012	Denmark	
CARNE	CR			
CHAPPELLE	CR			
CLARK (<i>dec</i>)	CR			referred to GNC 03/09/2012
COLE (<i>dec</i>)	CR			referred to GNC 03/09/2012
CONNOR	CR			
CORYMBIA	FF	29 July 1998		
CROWTHER	LI	29 July 1998		
CYSTER	CR			
DALDINIA	F	29 July 1998		
DEMPSTER	CR			
DESCOLEA	F	29 July 1998		
DONNELLY	CR			
DORSETT	CR			
DRUMMOND	LI			Requested

Name	Code	Landgate Approved	Suggested Locality (if relevant)	Comment
				from GNC 26 May 2000
EVANS	CR			
FOX	CR			
FRANCIS (<i>dec</i>)	CR			referred to GNC 03/09/2012
FRASER (<i>dec</i>)	CR			referred to GNC 03/09/2012
FYFFE (<i>dec</i>)	CR			referred to GNC 03/09/2012
GALERINA	F	29 July 1998		
GALLASH	CR			
GARDINER (<i>dec</i>)	CR			referred to GNC 03/09/2012
GEMMELL	LI	29 July 1998		Horsley/Rockford Rd Subdivision
GIBB (<i>dec</i>)	CR			referred to GNC 03/09/2012
GOLDING	LI		Denmark	Horsley/Rockford Rd Subdivision
GRANT	CR			
GREENHAM	CR			
GROS	LI	29 July 1998		
HAMMERSLEY	LI	30 Aug 2004		Horsley/Rockford Rd Subdivision
HART	WV		Denmark	
HARVEY (<i>dec</i>)	CR			referred to GNC 03/09/2012
HEBELOMA	F	29 July 1998		
HENDERSON (<i>dec</i>)	CR			referred to GNC 03/09/2012
HEWETT (<i>dec</i>)	CR			referred to GNC 03/09/2012
HEWLETT (<i>dec</i>)	CR			referred to GNC 03/09/2012
HIBBERTIA		26 Sept 2008	Denmark	Springdale
HOPSON (<i>dec</i>)	CR			referred to GNC 03/09/2012
JOHNSON	CR			
JUNCUS		26 Sept 2008	Denmark	Springdale
KEEBLE (<i>dec</i>)	CR			referred to GNC

Name	Code	Landgate Approved	Suggested Locality (if relevant)	Comment
				03/09/2012
KOORUNTUP	A	29 July 1998		
KUNZEA	FF	26 Sept 2008	Denmark	Springdale
LAVERACK	LI	29 July 1998		
LEARY	CR			
LEPIOTA	F	29 July 1998		
MACKAY	LI	19 Sept 2006		
MACKNESS (<i>dec</i>)	CR			referred to GNC 03/09/2012
MALCOLM (<i>dec</i>)	CR			referred to GNC 03/09/2012
MANNERS (<i>dec</i>)	CR			referred to GNC 03/09/2012
MANSER	CR			
MARSHALL (<i>dec</i>)	CR			referred to GNC 03/09/2012
MARWICK	LI	26 May 2000		Requested from GNC 26 May 2000
MCCARTHY (<i>dec</i>)	CR			referred to GNC 03/09/2012
MCCLINTOCK (<i>dec</i>)	CR			referred to GNC 03/09/2012
MCWHAE	LI	29 July 1998		
MILL PLACE	LI	13 Jan 2012	Shadforth	To be used within subdivision WAPC142066
MONK (<i>dec</i>)	CR			referred to GNC 03/09/2012
MORCHELLA	F	29 July 1998		
MORRISON	LI	15 March 2012	Denmark	
MUMFORD	LI	29 July 1998		Allocated to Lot 366 Horsley Road
MURPHY (<i>dec</i>)	CR			referred to GNC 03/09/2012
MYCENA	F	29 July 1998		
NASH	LI & CR	30 Aug 2004		Allocated to Lot 366 Horsley Road
OHRT (<i>dec</i>)	CR			referred to GNC 03/09/2012
OULD (<i>dec</i>)	CR			referred to GNC 03/09/2012

Name	Code	Landgate Approved	Suggested Locality (if relevant)	Comment
PARIS	CR			
PARNELL (<i>dec</i>)	CR			referred to GNC 03/09/2012
PASHLEY	LI & CR	15 March 2012	Denmark	
PEDEN (<i>dec</i>)	CR			referred to GNC 03/09/2012
PEEPETUP	A	29 July 1998		
PEZIZA	F	29 July 1998		
PHAIR	CR			
PHILIPPS (<i>dec</i>)	CR			referred to GNC 03/09/2012
PIMELEA	FF	26 Sept 2008	Denmark	Springdale
POMERY	LI & CR	30 Aug 2004		
POOLMAN (<i>dec</i>)	CR			referred to GNC 03/09/2012
POSSUM	FF	29 July 1998		
PRAED	LI & CR	29 July 1998		
QUOKKA	FF	29 July 1998		
READ	LI	29 July 1998		
REIMERS	CR			
RICHARDS (<i>dec</i>)	CR			referred to GNC 03/09/2012
RICHARDSON- NEWTON	CR			
RICKEY	LI	22 Aug 2007		Horsley/Rockford Rd Subdivision
ROSEA	FF	26 Sept 2008	Denmark	Springdale
ROZITES	F	29 July 1998		
RUSSULA	F	29 July 1998		
RYAN (<i>dec</i>)	CR			referred to GNC 03/09/2012
SATTLER	CR			
SCOTT (<i>dec</i>)	CR			referred to GNC 03/09/2012
SEDGE	FF	26 Sept 2008	Denmark	Springdale
SENIOR	CR			
SERGEANT (<i>dec</i>)	CR			referred to GNC 03/09/2012
SHAW (<i>dec</i>)	CR			referred to GNC 03/09/2012
SIMMONS (<i>dec</i>)	CR			referred to GNC 03/09/2012
SIMPSON	CR			

Name	Code	Landgate Approved	Suggested Locality (if relevant)	Comment
SOLLYA	FF	26 Sept 2008	Denmark	Springdale
STAKER <i>(dec)</i>	CR			referred to GNC 03/09/2012
STEWART	CR			
STOKES-HUGHES	CR			
TASSEL	FF	26 Sept 2008	Denmark	Springdale
THOMSON <i>(dec)</i>	CR			referred to GNC 03/09/2012
TODD	WV		Mt Shadforth	
TOWNLEY	CR			
TREMELLA	F	29 July 1998		
TUCKER	LI	18 Sept 2006		
VERSLUIS	CR			
WAKKA	CR			
WALTERS <i>(dec)</i>	CR			referred to GNC 03/09/2012
WARRUMBUP	A	29 July 1998		
WEAVER <i>(dec)</i>	CR			referred to GNC 03/09/2012
WHEATLEY	CR			
WHITAKER	CR			
WHITTINGHAM	LI	29 July 1998		
WIRRELL <i>(dec)</i>	CR			referred to GNC 03/09/2012
WILSON	CR			
WISTERIA	FF	26 Sept 2008	Denmark	Springdale
WOODS <i>(dec)</i>	CR			referred to GNC 03/09/2012
WOOLHOUSE	CR			
WUILLEMIN <i>(dec)</i>	CR			referred to GNC 03/09/2012
Names suitable Open Space / Public Reserves only				
ALFRED SALMON	LI	15 March 2012	Denmark	
CLARK	LI	15 March 2012	Denmark	
FENTON	LI	29 July 1998		
FOWLER	LI	15 March 2012	Denmark	
HENDERSON	LI	15 March 2012	Denmark	
MACKENZIE	LI	15 March 2012	Denmark	
NICHOLS	LI	15 March 2012	Denmark	
WICKS	LI	29 July 1998		
WIULLEMIN	LI	29 July 1998		
WOLSELEY	LI	29 July 1998		

Key

- F Fungi
A Aboriginal name or local landform, river etc.

FF	Flora or Fauna
LI	Local Identity
WV	War Veterans
CR	Former Councillors

Nothing in this policy shall prevent Council from determining the recommendation to the Geographic Naming Committee of an alternative name for a road if Council believes the alternative name selected is more appropriate.

Names that refer to current or former families within the Shire of Denmark should generally only be allocated to streets or roads within the locality that the family ordinarily resides or resided.

Responsibility for Implementation

The Director of Planning & Sustainability is responsible for implementation of this policy.

Amended by Res: 130911 / 27 September 2011

P100604 SUBDIVISION – FIRE RISK ASSESSMENT

Where staff respond to WAPC Subdivision Referrals, Council requests that the acceptable subdivisional hazard classification in relation to distance of the site from predominant vegetation class and slope as outlined in Planning for Bush Fire Protection (as amended) will be assessed as follows;

- i. That the majority of building envelopes in future subdivisions are to be capable of achieving through good subdivision design, a 'Low' classification for each newly constructed residential dwelling with regard to fire hazard in relation to distance of the site from predominant vegetation class and slope as outlined in Planning for Bush Fire Protection (as amended).
- ii. That where it can be shown that a minor proportion of the lots in a subdivision cannot achieve a 'low' classification without a significant reduction in the amenity, natural environment or a significant loss of lot yield that Council may consider a 'Medium' or 'High' classification where it can be shown by the developer that it is viable to incorporate suitable protection measures into these dwellings via AS 3959 levels 1, 2 or 3.
- iii. That future subdivisions proposals with building envelopes that will incur a 'Extreme' classification for future residential dwellings with regard to fire hazard in relation to distance of the site from predominant vegetation class and slope as outlined in Planning for Bush Fire Protection (as amended) will not be approved.
- iv. That Council will not accept a "Bush Fire Risk Assessment" that requires Council to accept responsibility for maintaining strategic fire access routes or fuel reduction measures on its land to achieve a the required Fire Hazard Level."

ADDED by Res: 190709 / 28 July 2009

P100605 SUBDIVISION FIRE CONDITION CLEARANCES

Where a subdivision approval requires a fire management plan, as part of its planning scheme amendment process the following risk reduction measures should be in place prior to the development being cleared for the issue of titles:

- a) All strategic firebreaks, escape paths, fuel and other bush fire risk reductions measures should be in a freshly completed state.
- b) As a condition of subdivision, a lot specific advice to prospective purchasers should be prepared advising them of:
 - i. Their ongoing obligations with regard to bushfire hazard reduction on their property and the development generally.
 - ii. Their obligation to pass this information onto future owners.

- c) The developer should have either;
 - i. A bonded responsibility to maintain the strategic firebreaks, escape paths and fuel reduction measures for their first maintenance cycle. The objective of this approach is that it will cause developers to educate their purchasers about these requirements.
 - ii. Measures in place to ensure to the satisfaction of Council that the first maintenance cycle of the strategic firebreaks, escape paths and fuel reduction measures is achieved.”

ADDED by Res: 190709 / 28 July 2009

P100606 **PAYMENT OF PLANNING & BUILDING FEES BY NOT FOR PROFIT COMMUNITY ORGANISATIONS**

When assessing planning and building applications received from not for profit community organisations on land not owned by or vested in Council, a reduction of 50% in the application fees payable shall be granted.

Where such an application relates to land owned by or vested in Council, a reduction of 100% payable to the Shire of Denmark shall apply.

Notes:

1. All statutory charges levied by the State Government are to be paid in full by the applicant and are not subject to the provisions of this Policy.
2. The Shire of Denmark is unable to issue certificates of design compliance on land it owns and those fees will need to be payable by the applicant to a suitably registered Building Surveyor.
3. Organisation Wide Procedure Manual topic titled “Council Approved Discounts, Donations, Waivers or Reduced Fees” is to be implemented when applying this policy.

ADDED by Res: 220310 / 23 March 2010
AMENDED by Res: 040912 / 4 September 2012

P100607 **PEACEFUL BAY PRE-FEASIBILITY SERVICING REPORT**

The Shire of Denmark adopted the Peaceful Bay Pre-Feasibility Servicing Report which identifies the requirements for the provision of service infrastructure to enable the future development of Peaceful Bay without it being completely dependent on traditional infrastructure services and also providing a number of ‘green solutions’ such as ‘third pipe’ water infrastructure.

ADDED by Res: 230710 / 27 July 2010

P100608 **TOWN PLANNING SCHEME NO. 3 – COLOUR INTERPRETATIONS**

Objective

To clarify colour references contained within Town Planning Scheme no. 3 and various policy provisions subsequently providing direction to the community and Council Staff as to what colours are appropriate from a built form perspective.

Policy

Any reference to “natural earth”, “subtle earth”, “natural hues” OR “sympathetic” colour – all colour tones are appropriate;

Any reference to “vegetation” colour – all tones of green, brown, yellow, orange, shades of blue and red are appropriate;

Any references to “earth brown” colour or “brown toning” – all tones of brown, including limestone and red/terracotta colours are appropriate; and

Surfmist is not considered to be an “off-white” colour.

Responsible Officer

The Director of Planning & Sustainability is the responsible officer for implementing this policy.

ADDED by Res: 110611 / 26 June 2011

P100609 **PEACEFUL BAY HOLIDAY COTTAGE FULL TIME OCCUPANCY APPROVALS**

Objective

To ensure that full time occupancy of Peaceful Bay Leasehold Holiday Lots does not:

- a) Detract from the areas amenity or function as a family holiday home area.
- b) Place the full time occupants at risk through the usage of substandard dwellings.
- c) Lead to environmental or public health risks through overuse of the non potable scheme water and or septic tank systems.
- d) Jeopardise the long term renewal of Peaceful Bay Leasehold Holiday Lot Leases.

Policy

The Chief Executive Officer is delegated authority to approve full time occupancy on a case by case basis subject to the following conditions being imposed on each approval:

- i. Advice to the applicant that Peaceful Bay leasehold area is first and foremost a holiday community and that the collective amenity expectations of the holiday leaseholders should take precedence over those of full time occupancy approval holders.
- ii. Advice to the applicant that full time occupancy recipients have an obligation to make a positive contribution to the Peaceful Bay Community.
- iii. That Peaceful Bay leasehold area fulltime occupancy approvals are to:
 - Be limited to a 5 year period and considered on a case by case basis taking into account the suitability of the property for fulltime occupancy and the social, environmental and public health factors that will be associated with that approval when considered in context with the other approvals that have already been issued;
 - All have a common expiry date of the 30 June 2017 so that they can be renewed as a block which will allow consideration of their social, environmental and public health impacts on the Peaceful Bay community.
 - Be issued to the parties that apply rather than to a premises;
 - Be made by the lessee(s) or endorsed in writing by them;
 - Be non transferable and expire on the cessation of the lease or the sale of the property and;
 - Be able to be renewed for a further term at Council’s discretion.
- iv. Payment of the scheduled fee that applies from time to time.

All proposed premises be inspected, prior to approval, to ensure that they are in a fit state of repair and suitable for full time habitation for the number of persons proposed and are fitted with complaint hard wired smoke alarms, dual earth leakage circuit breakers (RCDs) and their septic tanks systems are functional.

Responsibility for implementation

The Director of Community and Regulatory Services has responsibility for ensuring that the premises are inspected and a register of persons that have been granted full time occupancy approvals under this policy is maintained.

ADDED by Res: 320512 / 22 May 2012

Refer also to Delegation D100605 which relates.

P100610 PEACEFUL BAY LEASEHOLD – LEGAL ADVICE (DEMOLITIONS & INSPECTIONS)

That as well as considering the intent of the Peaceful Bay Heritage Precinct Conservation Planning Policy, when considering applications for demolition of a Peaceful Bay Holiday Cottage, it considers the advice of its solicitors dated 30 May 2012 regarding;

- Criteria that might guide Council in supporting or refusing applications for demolition of a Peaceful Bay leasehold property as follows;

[Extracted from Solicitors correspondence dated 30 May 2012]

“Can we give criteria to guide Shire in a decision to deny or support an application for demolition?”

- (1) *Is the existing cottage habitable? Can it be used without risk of damage or injury or risk to health?*
- (2) *Could the cottage be made habitable by reasonable repair or restoration work, at a cost less than replacement cost?*
- (3) *Does the cottage alone or as part of a group have cultural heritage or other special status which justifies a decision to retain at a cost exceeding replacement cost?*
- (4) *Is there any precedent for approval or refusal of demolition?*
- (5) *Is there any record of requests for permission to carry out maintenance or repair work on that building?”*

and

- The requirement to inspect all properties for maintenance in preserving the integrity and safety of the properties prior to consideration of a renewal of lease or request for consideration of full-time occupancy, together with the introduction of an inspection fee.

ADDED by Res: 050812 / 14 August 2012

*Refer also to Policies P100607, P100609 and delegation D100605 which may relate.
Refer also to Local Planning Policy No. 35 – Peaceful Bay Conservation Plan Development Guidelines which may relate.
Refer also to Council’s adopted Fees & Charges which may relate.*

OTHER COMMUNITY AMENITIES - 1007

P100701 DENOMINATIONAL SIGNS - DENMARK CEMETERY

Denominational signs not be permitted.

P100702 SHRUBS AND TREES - DENMARK CEMETERY

Council allow relatives to plant specified unmarked trees in specified areas in remembrance.

P100703 PRIVATELY CONDUCTED FUNERALS & PLOT/NICHE RESERVE HOLDERS

Council adopt the following standards for privately conducted funerals at the Denmark Cemetery;

1. The vehicle to carry the coffin be of suitable type and large enough to entirely contain coffin.
2. The coffin be of sturdy construction and if roughly made, to be draped with a plain cloth.
3. The funeral ceremony be conducted in a respectful manner so as not to give offence to other cemetery visitors or the public.

P100704 PLOT & NICHE COMPARTMENT RESERVE HOLDERS

Every 5 years Council will write to plot and niche compartment reserve holders to ascertain their ongoing intentions.

(Last done 2008).

AMENDED by Res: 310408 / 22 APRIL 2008

P100705 INSTALLATION OF MEMORIAL FURNITURE & PLAQUES

Objective

From time to time requests are received for permission to place a memorial / memorial plaque in remembrance of a deceased community member / visitor to the Shire, on Council controlled land, other than in a local Cemetery. When properly designed, planned and displayed, memorials may provide some comfort for grieving family and furnish the general public with an added community facility. The Shire of Denmark is committed to protecting such land while providing opportunities for appropriately designed private memorials to honour individuals who have contributed to the community or deceased through tragic circumstances within the Shire area.

Definition

Memorial – Community infrastructure including but not limited to:

park bench seat, BBQ, shade cover, picnic table with / without attached seating, drink fountain, playground equipment and other approved park furniture but does not include obelisks, concrete blocks, boulders, granite blocks or other similar structures that provide no or little public function.

Memorial Plaque – Metal plate engraved with particulars or image of person being commemorated, mounted flush on the piece of community infrastructure and of a size no greater than 10 cm x 12 cm.

Criteria

- a. Memorials that have a significant “whole of life” maintenance cost burden for Council, will not be considered.
- b. The applicant must meet all fabrication and supply costs.

- c. Following installation the memorial will become Council owned and Council will meet ongoing reasonable maintenance costs however whilst every reasonable effort will be made to extend the life of the memorial, Council cannot guarantee that it will remain at the designated site indefinitely and may at any time remove the memorial without compensation. In doing so, Council will make reasonable attempts to contact the family of the deceased prior to removing or relocating a memorial.
- d. The placement of memorials will take into account the number of existing memorials, artworks, community furniture or other objects in the vicinity of the proposed new memorial.
- e. Applications for a memorial to be supplied and installed shall be in writing and will include:
 - The name of the person to be commemorated;
 - A summary of the reasons commemorating the individual;
 - Details of the proposed form of memorial;
 - The proposed text and / or image to be included on the plaque;
 - The preferred location of the memorial; and
 - The name and contact details of the applicant.
- f. Applications will be determined by the CEO.
- g. Council staff will install the memorial when time permits however with the written approval of the CEO, the applicant may be permitted to install.
- h. This Policy should be read in conjunction with Council Policy P120102 (Roadside Memorials).

Register

A Register of Memorials including the contact details of the family of the deceased approved in accord with this policy will be maintained by Council Administration.

ADDED by Res: 140509 / 26 May 2009
REFER also to Policy P120102 – Roadside Memorials (Erection, Maintenance & Removal)

P100706

CEMETERY INCOME

Objective

To ensure that all surplus income over expenditure inclusive of depreciation in relation to the Denmark Cemetery are transferred to the Cemetery Reserve Fund.

Policy

Council annually include in its Budget the following principle; That any surplus income over expenditure (including depreciation) at the Denmark Cemetery at the conclusion of a financial year is to be transferred to a Cemetery Reserve Fund to then be utilised for future upgrading, expansion, refurbishment of facilities and/or additional facilities.

Responsibility for implementation

The Director of Finance & Administration is responsible for implementing this policy.

Added by Res: 220509 / 26 May 2009

P100707

RELAXATION OF HEADSTONE ONLY POLICY AT THE DENMARK CEMETERY

That Clause 7.1 of the Shire of Denmark Cemetery Local Law titled Headstone Only Allowed on Grave, be relaxed for the current 'old' section of the Denmark Cemetery.

ADDED by Res: 151109 / 24 November 2009

RECREATION & CULTURE - OTHER RECREATION & SPORT - 11

PUBLIC HALLS, CIVIC CENTRES - 1101

P110101 DISTRICT HALLS

REPEALED by Res: 291009 / 27 October 2009

P110102 LEASING OF LAND AND/OR BUILDINGS TO COMMUNITY GROUPS

With respect to community groups exclusively occupying, or seeking to exclusively occupy, Council property or buildings;

- a. There be a signed lease based on Councils standard 'not for profit' lease prior to occupation or upon renewal;
- b. Council desires lessees to be incorporated (with the exception of Volunteer Bush Fire brigades which are covered under the Bush Fires Act);
- c. Contribution by Council towards legal costs (if required) by Council 100%;
- d. Have differing rentals discounted to market valuation depending upon the following factors;
 - i. To what degree the property is utilised for charitable, not for profit or sporting purposes;
 - ii. The ability of the lessee to derive income from use of the property including sub-leases, rental hire and the presence of a liquor license;
 - iii. The strategic value of the land in the short term to Council;
 - iv. To what degree if any that the use is competing with commercial enterprise;
- e. Where the applied rental is lower than a valuation or real estate rental appraisal, Council indicate that contra difference in its annual budget, for that property;
- f. Offer local authority rate exemption rebate donation (rather than exemption contra);
- g. Offer Council insurance of the buildings and Council owned property / contents without recoup of the annual premium and to encourage repairs and reinstatement through insurance claims, Council will meet all bar the first \$500 of any insurance excess on claims;
- h. All outgoings and consumable costs to be met by the lessee including but not limited to water, sewer, gas, telephone, ESL, refuse charges, etc;
- i. Lessees to meet all ongoing internal and external building and grounds maintenance other than structural building repairs;
- j. Leases require endorsement of Council prior to signing;
- k. Have differing tenure and renewal rights and terms depending upon the strategic future requirements for that land and or building(s) but based on a maximum of 21 years including any right of renewal (subject to the prevailing management order if applicable);
- l. The use of the property is consistent with the zoning and/or management order and power to lease exists (if required).
- m. Reflecting the non 'exclusive club' usage and fact that they perform a valuable Council service for wide community benefit Council annually (subject to annual budget deliberation) contributes to the maintenance of the following leased Halls;
 - i. Parryville Hall \$2,000;
 - ii. Tingle Dale Hall \$2,000;
 - iii. Scotsdale Hall \$2,000 (*nb: Hall is owned by Scotsdale Progress Association on Association vested land*);
 - iv. Kentdale Hall \$2,000;
 - v. RSL Hall \$3,000;
 - vi. Museum Building maintenance is 100% Council responsibility;
 - vii. Nornalup Hall \$2,000;
 - viii. Peaceful Bay Hall (& Les Carpenter Shed) \$2,000; and
 - ix. Denmark Occasional Day Care Centre \$2,000.
- n. Councils Principal Building Surveyor at least on an annual basis inspect all leased buildings and land to ascertain their state of maintenance pursuant to the lease and priority for future and long term maintenance in conjunction with the lessee.

- o. The definition of 'exclusive occupation' does not include reference to yearly licenses to occupy storage space *within* a building such as at the Denmark Recreation Centre.

ADDED by Res: 450808 / 26 August 2008
AMENDED by Res: 220609 / 23 June 2009
AMENDED by Res: 190211 / 22 February 2011

SWIMMING AREAS & BEACHES - 1102

P110201 OCEAN BEACH VEHICULAR ACCESS

1. Boat launching continue to be permitted from the designated area south of the Surf Club building.
2. Motorised vehicles not be permitted at any time on Ocean Beach, from the designated boat launching area to the cliffs and relevant signs be erected.

OTHER RECREATION & SPORT - 1103

P110301 RECREATION CENTRE OPENING HOURS

The Recreation Centre opening hours are varied and seasonal, therefore any change in program and/or opening times for the Centre shall be advertised in the Denmark Bulletin, on the Notice Board at the Denmark Recreation Centre and on Councils website.

ADDED by Res: 220708 / 22 JULY 2008

P110302 FUND RAISING EVENTS - WAIVER OF RECREATION CENTRE FUNCTION ROOM & KITCHEN HIRE FEES

Purpose

The purpose of the policy is to assist affiliated members (clubs, groups and associations) of the Denmark Recreation Centre Association with regard to the use of the Denmark Recreation Centre for fundraising events for the purpose of meeting Junior Sports Development objectives.

The policy allows one fundraising event - one day/night use of the Denmark Recreation Centre per year where venue hire is waived.

Conditions

- Bookings must be made in liaison with the Recreation Centre Manager and must not conflict with a regular booking.
- Bookings must be made with no less than one month's notice.
- The event must comply with the Denmark Recreation Centre's conditions of hire, ie no activity as such that may cause excessive wear and tear to the Centre (bond and extra cleaning costs must be met).
- Use of the Centre cannot be accrued (only one event per year).
- The fundraising event must have a focus on a Junior Sports Development objective.

P110303 RECREATION CENTRE REFUNDS

The Shire of Denmark recognises that individual's circumstances over time do change unexpectedly and payments made in advance for term memberships offered by the Denmark Recreation Centre for access to gym facilities, should be refundable pro rata, where circumstances (such as long term sickness, relocation out of the District, injury) warrant this action.

Where a membership holder seeks a refund of an unused portion of a current membership fee paid for access to the Denmark Recreation Centre Gym, that this be refunded pro rata at the discretion of the Chief Executive Officer following receipt of a written request received within one (1) month of cessation of use, which outlines the circumstances leading to the request being made. Refunds will only be made for complete months of the unused portion of the fee paid and a minimum pro rata period of 2 months shall apply.

The Chief Executive Officer is delegated a discretionary authority to refund an unused portion of a term membership fee in accord with this policy.

Refer also Delegation D110301

ADDED by Res: 370/07 / 16 OCTOBER 2007

P110304 SUSTAINABILITY & COLLOCATION (SPORT & RECREATION FACILITIES)

Council will give priority support to facility development or redevelopment that shows capacity for collocating or the sharing of resources.

Applicants must be community based organizations and incorporated under the WA Association Incorporations Act 1997.

Council will require community based organisations seeking public funds of greater than \$10,000 for developing new or refurbishing current facilities to have a business plan appropriate to the size of their organisation.

Council will contribute to a maximum of one-third (1/3) only of major facility development / redevelopment with a project cost greater than \$50,000 to demonstrate the need for such development and their strategies to ensure that the development will be viable for a least the next 10 years or such period requested by Council.

ADDED by Res: 140608 / 24 JUNE 2008

P110305 MONITORING PARTICIPATION NUMBERS FOR BOWLING, TENNIS & GOLF

Purpose

To ensure Council is aware of any ongoing changes in participation trends.

Objective

That the Jill Powell & Associates report titled "Denmark Country Club Concept Plan", be received and;

1. That the participant numbers for bowling, tennis and golf be monitored on an annual basis to ensure that the Shire is aware of any dramatic changes in participation trends; and
2. That should the numbers for the following sports exceed these estimates the Shire would need to address additional facilities which would need to be catered for at the Country Club site,

Sport	Maximum Numbers	2008 numbers	2010 numbers
Tennis	250	130	105
Golf	450	220	251
Bowls	250	127	144

P110306 FEE SETTING POLICY FOR SPORT & RECREATION FACILITY USAGE

REPEALED by Res: 190211 / 22 February 2011 – consolidated with P110307.

P110307 **FEE SETTING POLICY FOR MCLEAN PARK & HIGH SCHOOL OVAL & RECREATION FACILITY USAGE**

That charges for the use of the above reserves be based on the following:

- a) All fees to be charged as “User contributes” to encourage due care of the assets and provide a percentage of return in relationship to the cost of supply.
- b) Council subsidises all Senior/Adult Clubs 50% of the total amount payable – a Senior / Adult Club being defined as a club where its members / players are 15 years and older and may include a Junior (person attending High School up to and including year 12) who is competing in the Senior / Adult competition.
- c) Council subsidises all Junior Clubs 80% of the total amount payable – a Junior Club being defined as a club or section of a Senior Club, where the members / players in a junior team are attending Primary School or up to and including year 12 of High School.
- d) Where a fee or charge to a Senior / Adult or Junior Club, is proposed to increase by a sum greater than 100% from one year to the next, the new fee or charge be phased in over 3 years as follows – in the first year of the new fee, the current fee plus 40% of the total increase amount, in the second year of the new fee, the fee levied in the previous year plus 40% of the original total increase amount and in the third year, the fee levied in the previous year plus the remaining 20% of the original total increase amount.
- e) All fees and charges are generally CPI indexed per annum to reflect the ongoing increase in costs associated with these facilities however the Manager Recreation Services will also consider increased costs and other factors annually and exercise discretion when putting forward fees and charges for Councils budget consideration. A full review of operating costs every 3 years to be conducted by the Manager Recreation Services to determine if an adjustment to fees and charges is required.
- f) Management agreements are developed between Council and user groups of McLean Park & the High School Oval.
- g) A reserve fund is established for future development of these facilities.
- h) Centre operated program fees are charged for at a rate as close to a break even scenario as possible. Different programs are charged at different fees to reflect varying costs associated with that program such as payment for umpires/coaches/instructors, length of games, equipment required etc.

ADDED by Res: 080509 / 26 May 2009

AMENDED by Res: 190211 / 22 February 2011

P110308 **FEE SETTING POLICY FOR THE DENMARK RECREATION CENTRE**

REPEALED by Res: 190211 / 22 February 2011 – consolidated with P110307.

TELEVISION & RADIO RE-BROADCASTING - 1104

LIBRARIES - 1105

P110501 **LIBRARY OPENING HOURS**

The Library to be open during the following times (except where the day falls on a public holiday):-

Monday, Tuesday, Thursday and Friday - 10.00am to 4.30pm

Wednesday - 1.00pm to 7.00pm

Saturday - 9.00am to 12 noon

P110502

LIBRARY CHARGES

1. The Council supports the principle of a free public library service with no charge being made for obtaining, displaying and lending books and related materials, other than charges levied through the Rates.
2. Council Policy is that any additional services provided through its libraries should be paid for by the users of any such services.
3. Council policy is to authorise the Library Staff to charge a fee on temporary resident users of the library, in accordance with the Schedule of Fees and Charges.
4. Council policy is to invoice readers for lost or damaged library books immediately after the loss or damage is incurred.

AMENDED by Res: 190211 / 22 February 2011

HERITAGE - 1106

OTHER CULTURE - 1107

P110701

FUNCTIONS IN RECOGNITION OF VOLUNTEERS

Council recognise various local volunteer organisations by way of a function, held annually as a 'Thank a Volunteer Day' with these celebrations generally and where practical being coordinated with any State supported activities & funding.

AMENDED by Res: 456/07 / 18 DEC 07
AMENDED by Res: 180311 / 22 March 2011
AMENDED by Res: 291211 / 20 December 2011

Formatted: Font: 11 pt

P110702

CULTURAL DEVELOPMENT FUND

1. An annual allocation of funds be made towards community arts through the Cultural Development Fund.
2. Any money undistributed during the year from the Cultural Development Fund be automatically added to the principal annual funding allowance.

AMENDED by Res: 271011 / 18 October 2011

P110703

RETURNED SERVICES LEAGUE - BUDGET ALLOCATION

Council will annually include in budget deliberations donations to;

1. The Denmark Returned Services League;
 - a) To assist them with the conducting of their annual Anzac Day Service. (2010/11 allocation \$400); and
 - b) To assist them with the conducting of their annual Youth Achiever Award subject to appropriate recognition of Council's contribution (2010/11 allocation \$700).
2. The Peaceful Bay Returned Services League to assist them with the conducting of their annual Anzac Day Service (2010/11 allocation \$200).

ADDED by Res: 070408 / 22 April 2008
AMENDED by Res: 140311 & 180311 / 22 March 2011

Formatted: Font: 11 pt

P110704

CULTURAL HERITAGE & HISTORICAL STRATEGIC PLAN

The Cultural Heritage and Historical Strategic Plan (dated November 2006) was adopted by Council on 23 January 2007 (Res: 16/07) and incorporated in the Shire of Denmark Strategic Plan. A copy of the Plan can be found on File PLN8.

The Plan covers the following main topics;

- Denmark Historical Society
- Mitchell Street Heritage Precinct
- Municipal Heritage Inventory

- Railway Station Site Precinct
- Walking Trails & Tracks
- Indigenous Heritage Issues.

ADDED October 2008 as per Res: 16/07 / 23 January 2008

P110705 **ART COLLECTION MANAGEMENT**

Objective

To accurately document all art objects owned, acquired or on loan by or to Council in an appropriate register to ensure respectful and ongoing management of the objects.

Policy

Definition of art

Art objects include paintings, works on paper, commercial prints and decorative art pieces (including sculptures) with relevant artistic and/or historical significance, generally small enough to easily move or relocate but not including street or garden furniture that is primarily fixed and functional in nature.

Council's administration will maintain an appropriate art collection register detailing the following minimum characteristics;

- Description of the art object;
- Artist;
- Art type (eg. Sculpture, photograph);
- Current location;
- Date of acquisition;
- Reason for acquisition;
- Estimated value (for insurance); and
- Ownership.

Responsible Officer

The Chief Executive Officer is the responsible officer for implementing this policy.

Note for Administration Staff: the Art Register can be found at [L:\Reference Files & Registers](#)

ADDED by Res: 260310 / 23 March 2010

P110706

ABORIGINAL HERITAGE

ABORIGINAL RECONCILIATION

That the Shire of Denmark make the following statement in support of reconciliation with the indigenous people of this country, especially those from the south coast of Western Australia–

- Aboriginal Reconciliation is an issue in which each and every Australian has a choice: to silently ignore injustice and inequality, or lend their voice to the growing call to face the truth of the past treatment of indigenous people.
- What was done to Aboriginal people in the past was unjust and regrettable – particularly the taking of Aboriginal children from their families.
- The Noongar people's historical presence in and special attachment to this district is acknowledged, as is their right to continue living according to their own values and customs, within the law.
- The special places, culture and history of the Noongar people are respectfully recognised.
- Changes brought to this district by early white European Settlers were dramatic, imposed without regard for the indigenous people and frequently damaging to them, through the taking of their land, their health and sometimes their lives.
- This Council expresses sorrow at these injustices, and commits itself to participating in a future in which all people enjoy mutual respect, full recognition and equal rights.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Shire of Denmark acknowledges Indigenous Australians (Aboriginal and Torres Strait Islanders) as the first inhabitants and traditional owners of Australia, their presence and contributions to the history of Denmark, both in the past and into the future.

In this regard, the Shire of Denmark will;

1. Through the flying of the Aboriginal Flag at its administration building, recognise and observe;
 - a) National Aboriginal and Islanders' Day Observance Committee (NAIDOC) Week (in the first full week of July); and
 - b) The anniversary of the High Court decision in the Eddi Mabo land rights case of 1992 (3 June 1992); and.
2. Incorporate and co-ordinate at appropriate Council coordinated functions and events that bring people together to that event from outside of our District, either;
 - a) An indigenous 'Welcome to Country' Ceremony (it is noted that a Welcome to Country Ceremony will be subject to the consideration of the Budget of the particular event, the cost of performing the Ceremony (should the ceremony attract a fee for service) and the availability of local recognised Elders, with the Ceremony based on the South West Aboriginal Land & Sea Council's Welcome to Country (Noongar Protocols) publication); or
 - b) An Acknowledgement of Country – in accordance with the South West Aboriginal Land & Sea Council's Welcome to Country (Noongar Protocols) publication.

ADDED 20 April 2010 as per Res No. 121/98 / 26 May 1998
AMENDED by Res: 270811 / 23 August 2011

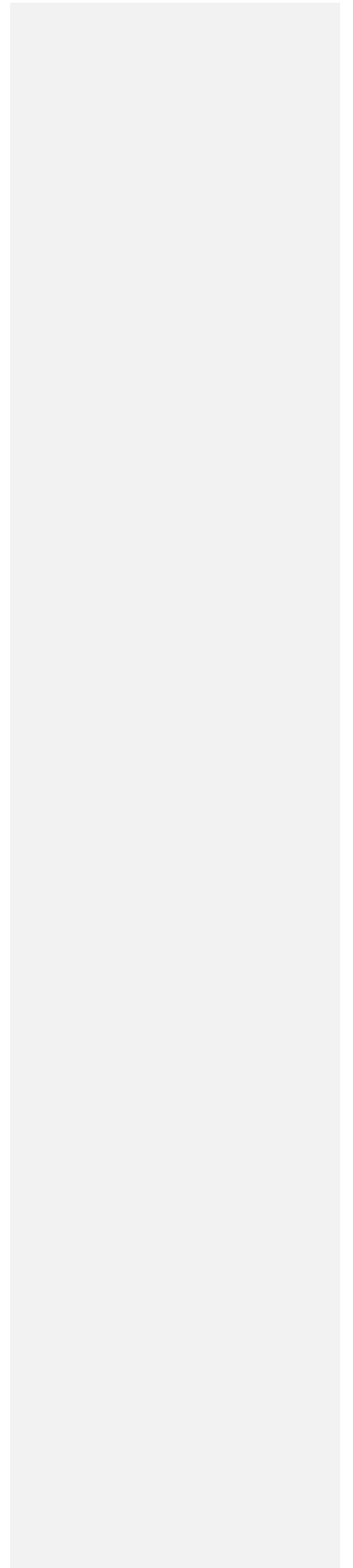
P110707

RECOGNITION OF LOCAL CENTENARIANS

That Council acknowledge local residents in the 100th year of age by initiating a ceremonial tree planting within the Centenary Walk of Trees at the Kwoorabup Community Park and the installation of a plaque, should Council be advised of such a milestone.

Officer Responsible for Implementation
Chief Executive Officer

ADDED by Res: 070911 / 27 September 2011



TRANSPORT - 12

STREETS, ROAD, BRIDGES, DEPOTS -1201

P120101 **STREET TREES**

On completion of a new residential building, Council will supply, on request, landowners with two trees to be planted and maintained on the road verge outside that ratepayer's property.

The species shall be determined by the Director of Infrastructure Services ~~who is to have regard to Town Planning Policy 33.~~

Formatted: Tab stops: Not at 1.25 cm

Formatted: Indent: Left: 2.52 cm

P120102 **ROADSIDE MEMORIALS (ERECTION, MAINTENANCE & REMOVAL)**

Definition

A roadside memorial is defined as an object or image constructed, erected, planted, painted or placed on the road or within the road reserve in honour of family or friends whose lives have been lost on our roads.

Objective

The objective of this policy is to be sensitive to people's grief and maintain road safety. The policy also considers the concerns of other road users and nearby residents. It has been prepared to inform the public of the guidelines for the erection of roadside memorials on local roads within the Shire of Denmark.

Guidelines

- Should a tragic accident occur, a Council representative, if requested, can assist the grieving family and friends by helping them to understand the guidelines in this policy and by installing or assisting to install a roadside memorial in conformance with this policy.
- Council shall keep a register of approved roadside memorials.

Memorial Requirements

These specifications should be used as a guide only. Commonsense should prevail when assessing specific locations for the placement of roadside memorials.

Location

Any roadside memorial shall be located within the following guidelines.

Permitted

- 1 metre outside the line of guideposts;
- 2 metres from the edge of any bitumen road seal;
- 1 metre from the edge of any footpath or dual use path.

Not Permitted

- In close proximity to residential dwellings where the memorial may cause distress or concern to the residents;
- On landscaped verges;
- On traffic islands, medians or roundabouts;
- On any roadside structure (ie bridge);
- Any location which may obscure vision for traffic or unnecessary distraction.

MEMORIAL TYPE AND CONSTRUCTION

Crosses

- 850mm long (600mm out of ground) and 400mm wide.
- Shall consist of two pieces of timber 40mm x 20mm.
- Shall be painted white and be non-reflective

Plants

- Preferred to be a locally occurring species.
- Trunk size should be suitable for the location.
- Assistance should be sought from Council's Engineer prior to choosing a suitable plant.

Decals

- Consist of an adhesive label, 160mm long x 130mm wide displaying a white cross on a black background.
- Decals are only permitted at the base of street light columns and power poles if approved by Western Power.

Additional Requirements

- Roadside memorials should be without memorabilia such as toys, pot plants, shoes, clothing etc.
- There should be no footings, kerbing, rock, fence or any other structure around the memorial. Physical objects can cause a visual distraction or cause harm to road user. The movement of personal items is a potential road safety hazard.
- Only one (1) roadside memorial is permitted per life lost.

Maintenance

- Council does not accept any responsibility for the maintenance of roadside memorials or for any loss or damage which may occur due to road maintenance, construction activities or vandalism.

Roadworks near Approved Roadside Memorials

- Council will continue to perform road maintenance and construction activities within road reserves containing roadside memorials.
- Where works are required to be undertaken where an approved roadside memorial is located, the memorial will be carefully relocated away from the work area and reinstated as close as practical to the original site. Care will be taken not to damage the memorial however some damage may be unavoidable.

Removal of Roadside Memorials

- Any roadside memorial presenting a safety hazard will be removed. Every effort will be made to contact the person (s) responsible prior to removal.
- A roadside memorial may be removed if it is causing concern or distress to immediate residents, or is in a poor state of repair.
- Council shall make every effort to contact the person (s) who installed the memorial prior to removal. A 30 day removal notice shall be sent to the responsible person(s). Council will store the memorial for a period of 30 days after removal.

23 SEPT 03
AMENDED 27 JAN 04
REFER also to Policy P100705 – Installation of Memorial Furniture & Plaques

ROAD PLANT PURCHASES - 1202

PARKING FACILITIES - 1203

TRAFFIC CONTROL (VEHICLE LICENSING) - 1204

AERODROMES - 1205

P120501 **DENMARK AIRFIELD LAND USE STRATEGY**

The Denmark Airfield Land Use Strategy was adopted by Council on 21 December 2010. The Strategy is complemented by the Denmark Airfield and Airpark Local Planning Policy No. 25.1 and provides guidance for the compatibility of acceptable uses at the Airfield so as to protect and enhance the purpose and function of the Airfield.

ADDED by Res: 081210 / 21 December 2010

WATER TRANSPORT FACILITIES - 1206

P120601 **MULTI-OWNED PRIVATE JETTIES**

Council supports the concept of multi-owned private jetties and sees such as a means of reducing the proliferation of exclusive jetties. Furthermore Council would wish to see the jetties maintained to a high standard by the owners with the forfeiture of the license as the penalty for jetties falling into a state of disrepair.

ECONOMIC SERVICES -13

RURAL SERVICES - 1301

TOURISM & AREA PROMOTION - 1302

P130201 **TOURISM POLICY**

Objectives

- A. To recognise tourism as a social and economic force and as a major or potential major employer within the Shire of Denmark.
- B. To foster and create a community awareness of the benefits of tourism within the Shire of Denmark.
- C. To ensure that Council will guide and influence the development of tourism in the Shire of Denmark.
- D. To provide the basic facilities and infrastructure sufficient to encourage development.
- E. To ensure that facilities within the Shire are adequate to cater for visitors and residents.
- F. To ensure that the attributes of the natural environment within the Shire are managed sustainably so as to maintain and enhance the resource base on which the tourism industry relies.

Guidelines

1. Council will work closely with the Denmark Tourism Inc, Tourism WA, Australia's South West and regional industry associations in all aspects of tourism development.
2. Council will endeavour to provide an adequate budget allocation for tourism expenditure.
3. Council will endeavour to assist (financially and by other means) tourist organisations or events which have the potential to develop tourism in the Great Southern region.
4. Council will seek active representation locally, through the organisation Denmark Tourism Inc. and regionally, through relevant tourism associations.
5. In the formulation of its planning regulations, Council will have regard to the requirements of tourism development.
6. Council, in its review of planning instruments, ie Strategic Plans, Town Plans and Development Central Plans, will take into consideration policies on tourism and other leisure related issues.
7. In the preparation of local laws and regulations, Council will have regard to their impact on tourism and balanced development within the Shire.
8. Council will encourage tourism product development and investment throughout the area and will facilitate the development application process.
9. Council will encourage a high standard of design and aesthetics in all forms of tourism development.
10. Council will ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
11. When considering tourism developments, Council will consider the social, cultural, economic and environmental impact of the proposal within the area.
12. Council will ensure that where sensitive environmental, historic or cultural areas exist, these areas will be adequately protected in relation to development or usage.
13. Council will initiate the provision of facilities or lobby for the provision of facilities sufficient to cater for destination and day trip visitors to appropriate areas within the Shire boundaries.
14. Council will seek financial involvement from other sources wherever possible in the provision of tourism facilities.

15. Council will encourage the landscaping of residential and commercial centres within the Shire.
16. Council will, where practicable, support the establishment of National Parks, enhancement of specific natural features, conservation areas of outstanding beauty, and recognise items of heritage significance.
17. Council will support a World Heritage nomination of the Walpole Wilderness Area and participate and assist in the community consultation process in the development of a nomination.

AMENDED by Res: 220708 / 22 JULY 2008

P130202 **PARRY'S BEACH MANAGEMENT**

1. Following its Annual General Meeting each year, Parry's Beach Voluntary Management Group supply Council with a list of the Management Group's membership, nominated caretakers and executive committee.
2. The regular meetings of Parry's Beach Voluntary Management Group with Council take place at least once per annum, prior to the adoption of the Municipal Budget and other times as required.

AMENDED by Res: 180311 / 22 March 2011

P130203 **DENMARK MARKET DAYS**

Preamble

The Denmark Market Days are held 3-4 times annually on Berridge Park, a river foreshore reserve in the town centre, managed by Council.

The Markets aim to provide an outlet for regional craft, art and performing arts in a village atmosphere. Stalls are an important part of the Markets with handcrafts, clothing, produce and foods adding to the vibrant and festive nature of the event.

Generally, the Markets are held during the festive/vacation periods of the year, i.e. the second Saturday in December, the first and third Saturdays in January (provided the first Saturday is not New Year's Day) and Easter Saturday.

Management and Supervision

Denmark Arts is authorized to organise and manage the Market Days. Denmark Arts is responsible for the assessment and approval of all applications for stalls, displays and performances at the Markets, and determining the suitability of goods offered for sale at the Markets.

Denmark Arts may approve applications from outside the municipality/region where the type of goods does not compromise local goods and produce, or is determined to be of sufficient interest or benefit to the community. A maximum of 90 stalls are permitted.

Specific Council Approval

Council's Environmental Health Section will however continue to assess applications and grant approval for temporary food stalls before the Arts Council assigns a bay for the food stall.

Temporary food stalls will be required to comply with the prescribed requirements of the "National Standards for the Establishment and Operation of Temporary Food Stalls".

Further, all food offered for sale from these stalls must be pre-packed in hermetically sealed containers, or prepared and served from a stall that complies with the "National Standard".

General Surveillance

Council's Ranger and Environmental Health Officer will carry out routine surveillance and inspections at each Market Day to ensure compliance with stall approvals, Council policies, Acts, Regulations and general public safety and sanitation.

Market Hours and Road Closure

The advertised time for Market Days should be not earlier than 10.00am for commencement, and 4.30pm for conclusion.

Denmark Arts is responsible for the closure of Hollings Road between 9.00am and 10.30am before and 3.30pm and 4.30pm after each Market Day to facilitate the assembly and dismantling of stalls.

Stalls are to be on the grassed area only, and vehicles are to be removed prior to opening time and not permitted to return until 3.30pm.

P130204

TOURISM PLANNING STRATEGY

That Council with respect to the Tourism Planning Strategy Stage 1 adopt the recommendations and conclusions contained therein.

Refer also Policy 130201 – Tourism Policy.

ADDED by Res: 180510 / 25 May 2010

P130205

GEOCACHE FRIENDLY COUNCIL

Objective

To promote the Shire of Denmark as a "Geocache Friendly Council" and to facilitate and regulate the installation of geocaches so that the risk of harm to people searching for them is minimised and damage to the environment or Council infrastructure as a result of geocache installation and access is eliminated.

Policy

As a "Geocache Friendly Council" the Shire of Denmark facilitates and regulate the installation of geocaches through the following means:

- 1) The issue of free 5 year geocache licences to install and maintain geocaches on Council controlled land and infrastructure where;
 - a) The geocache in question does not represent a reasonable a risk of harm to people searching for them.
 - b) There is little likelihood that the proposed geocache will result in significant damage to the environment or Council infrastructure as a result of its installation or ongoing access.
- 2) Providing opportunities for the installation of geocache when new infrastructure and paths and trails are built.
- 3) Maintaining an active relationship with local geocache licence holders.
- 4) Seeking to assist with geocache based tourism initiatives when these opportunities become available.

Responsibility for Implementation

The Director of Community & Regulatory Services has responsibility for the implementation of this policy and the issuing geocache licences and is to consult with Directorate of Planning & Sustainability and Infrastructure Services staff in issuing licences where there is a need to do so.

BUILDING CONTROL - 1303

P130301 GUIDELINES FOR TEMPORARY ACCOMMODATION

1. The period of Temporary Accommodation shall not exceed twenty-four (24) months with approval periods being not more than six (6) months to enable the Officer to review progress of building development.
2. Building plans for a Class 1 Dwelling are to be submitted and approved before Temporary Accommodation will be granted.
3. Applications for Temporary Accommodation are to be accompanied by a Building ~~Licence-Permit~~ Number and a statement of progress expected to be achieved during the period of Temporary Accommodation.
4. Temporary Accommodation Permission shall not be granted for any persons other than those who are to occupy the house when completed.
5. Toilet and ablution facilities and effluent treatment and disposal systems are to be installed to a standard as prescribed by the Health Act of WA and approved by the Environmental Health Officer.
6. Temporary Accommodation Permission involves permission to inhabit a caravan, in accordance with Regulation 11(2) of the Caravan Parks and Camping Grounds Regulations 1997, of reasonable habitable standard or any other building that reasonably complies with the requirements of the Building Codes of Australia and the Health Act, but does not constitute a Class 1 Dwelling.
7. Temporary Accommodation Permission shall not be granted if reasonable alternative accommodation is available to the applicant.
8. Council reserves the right to revoke Temporary Accommodation Permission if it is at any time dissatisfied with the state of progress towards the construction of a Class 1 Dwelling or if any general terms or conditions of the Temporary Accommodation Permission have not been complied with.
9. Temporary Accommodation Permission is required until sanitary, ablution and laundry facilities have been installed in the proposed dwelling to the requirements of the Health Act 1911 (as amended) and the dwelling is completed to a weather proof lock-up standard.
10. Applications and renewal fees as prescribed by Council's Annual Budget.
11. Temporary Accommodation Permits will only be considered for those applicants whose building application can reasonably be expected to be completed with 24 months.
12. Council may approve Temporary Accommodation in Rural and Special Rural, Special Residential and Landscape Protection Zones, and may exercise its discretion to permit Temporary Accommodation in Residential areas, where the proponent can demonstrate that the amenity of the locality will not be adversely affected by the temporary facilities e.g. external colour and cladding of outbuilding, proximity to adjoining buildings, screening, length of occupation of temporary accommodation.
13. The proponent will be required to down-grade the temporary accommodation to a "Non-Habitable Class 10-Outbuilding" upon expiry of the approved period of occupation.
14. Upon receiving Council approval, the proponent will be required to submit a formal acceptance to Council agreeing to the prescribed conditions of this Policy and any other conditions that Council sees fit to impose.

The Chief Executive Officer is authorised to approve applications for Temporary Accommodation in accordance with the provisions of this policy.

P130302 **BUILDING STATISTICS**

Objective

To give Shire of Denmark employees guidance as to the provision of Building Statistics for public, private or business use.

Policy

The Shire of Denmark will not generally provide the Building Statistics report prepared for the Australian Bureau of Statistics for public, private or business use. A modified version is prepared and placed on the Shire's web site for Councillors and public information and is available for viewing or downloading. Personal information such as property owner's address and builders address will not be provided.

(see also Policy P040133 - PRIVACY POLICY which relates)

Responsibility For Implementation

The Chief Executive Officer is responsible for ensuring that the necessary arrangements are made to ensure that this policy is enacted.

ADDED by Res: 120109 / 27 January 2009
Endorsed by Res: 260411 / 27 April 2011

SALEYARDS & MARKETS - 1304

PLANT NURSERIES - 1305

ECONOMIC DEVELOPMENT - 1306

P130601 **RETAIL TRADING HOURS EXEMPTION ORDER**

The following exemption applies to General retail shops in the Town of Denmark.

Citation

This Order may be cited as the Retail Trading Hours Exemption Order (No 12) 1993.

Commencement

This Order shall come into operation of 1 January 1994.

Extended Trading Hours

Section 12 of the Retail Trading Hours Act 1987 does not apply to the general retail shops specified in Column 1 of the Schedule on the days or during the hours specified opposite and corresponding to those general retail shops in Column 2 of the Schedule.

SCHEDULE

Column 1	Column 2
General Retail Shops	Days and Hours of Exemption
General Retail shops in the Town of Denmark.	Any day between the hours of 8.00am and 9.00pm.

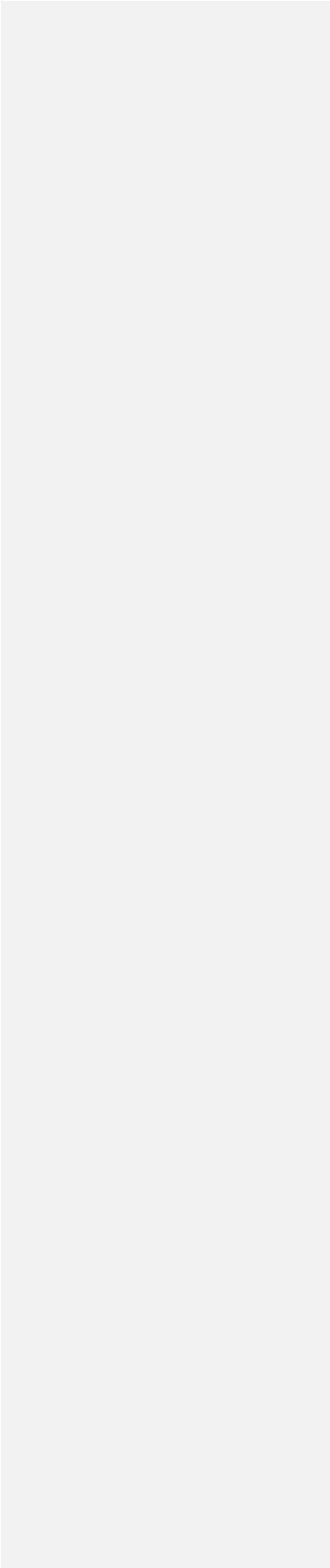
A copy of this Order is located in the strong room at the Shire of Denmark Administration Building.

Refer also to Council Delegation D070403 (Extended Trading Permits to Sell Packaged Liquor)

ADDED to Policy Manual 5 June 2009
Endorsed by Res: 260411 / 27 April 2011

PUBLIC UTILITY SERVICES - 1307

OTHER ECONOMIC SERVICES - 1308



OTHER PROPERTY & SERVICES - 14

PRIVATE WORKS - 1401

P140101 PRIVATE WORKS POLICY

Council not tender for private works and only undertake private works as approved by the CEO or Director of Infrastructure Services in the following circumstances:

1. Direct requests from Government Departments.
2. For ratepayers where the value of works billed is likely to be under \$500 and does not detract from Councils normal works programming.
3. Direct requests from developers/individuals when local contractors either cannot take the contract or are not invited to do so.
4. For sporting and local non-profit organisations.
5. Private Works only involves 'wet hire' of plant and equipment.
6. Council employees are permitted to hire Councils Plant & Equipment for works on their own property or minor private tasks subject to it not involving commercial profit or gain. In these circumstances only duly trained personnel shall operate the hired machinery and all cost of hire be charged at normal adopted rates unless the hirer is also the trained operator. In such cases the charge to apply will be the adopted Council hire fee less the operator's hourly wage rate and overhead calculation.

AMENDED by Res: 230109 / 27 January 2009

ADMIN OVERHEADS - 1402

PUBLIC WORKS OVERHEADS - 1403

P140301 STAFF - PROTECTION FROM THE SUN FOR OUTDOOR WORK

REPEALED by Res: 291009 / 27 October 2009

Formatted: Indent: Left: 2.5 cm

P140302 OCCUPATIONAL SAFETY & HEALTH POLICY

Objective

To ensure that so far as is practicable, a working environment is maintained in which employees/volunteers are not exposed to hazards.

Policy

This policy recognises that the safety and health of all employees/volunteers within the Shire of Denmark is the responsibility of Council management and employees/volunteers.

All accidents or hazards that occur within the workplace, or identified hazards, that result or may result in personal injury shall immediately be reported, through the employee's/volunteer's supervisor using the Accident, Incident, Hazard Report Form.

Where the situation requires immediate action it is the relevant Manager's responsibility to progress resolution as well as ensure the matter is referred to the Occupational Safety and Health Committee.

As per the Occupation Safety and Health Act 1984, the objective of this policy is to:

- Promote and secure the safety and health of people working for the Shire of Denmark;
- Protect people at work from hazards;
- Assist in securing a safe and hygienic working environment;
- Eliminate, reduce and control hazards;

- Encourage co-operation and consultation between the Shire of Denmark and employees/volunteers; and
- Promote education and awareness of occupational safety and health.

PROCEDURES

Management

The safety and health duties of Management at all levels will be detailed and Council procedures for training and back-up support shall be followed. In fulfilling the objectives of this policy, management is committed to regular consultation with employees to ensure that the policy operates effectively and that safety and health issues are regularly reviewed.

Recognising the potential risks associated with hazards that may be present, Council will take practicable steps to provide and maintain a safe and healthy work environment for all of its employees/volunteers.

RESPONSIBILITIES

Under this policy, OSH Responsibilities are defined as;

RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER (CEO)

The CEO is responsible for the implementation and monitoring of OSH.

RESPONSIBILITIES OF EXECUTIVE MANAGEMENT AT ALL LEVELS ARE:

- In fulfilling their responsibility, management has a duty to provide and maintain, so far as is practicable, a working environment in which employees/volunteers are not exposed to hazards.
- Responsible for the effective implementation of the Council's safety and health policy.
- Must observe, implement and fulfil its responsibilities under Acts, Regulations and Standards which apply to Local Government.
- Must ensure that the agreed procedures for regular consultation between management and those with delegated and elected safety and health responsibilities are followed.
- Must make regular assessments of safety and health performance and resources in co-operation with those persons having delegated and elected safety and health function;
- Must ensure that all specific policies operating within the Council eg fire and evacuation, procurement, training, first aid and safe systems of work, are periodically revised and are consistent with Council's safety and health objectives and current Acts, Regulations and Standards.
- Must provide information, instruction, training and supervision for all employees/volunteers in the correct use of plant, equipment and substances used throughout the Council.
- Must ensure that safe work practices and procedures (safe work method statement) are documented and implemented.
- Must ensure that line management/supervisors and delegated persons in control of the workplace conduct regular work place inspections, risk assessment and hazard identification.
- Must within a specified timeframe be informed of all incidents and accidents occurring on Council premises, to Council employees/volunteers and/or to Council plant and equipment, so that safety and health performance can be investigated and improved through the adoption of hierarchy of hazard controls.
- Measure occupational health and safety performance regarding all hazards, near misses and injuries and then to use these outcomes as a consideration factor when purchasing new equipment and/or designing work practices.

- Must ensure that all line management/supervisors are actively involved in hazard management and risk assessment activities.
- Must ensure that Safety & Health Representatives are able to carry out their legislated duties. (S. 33 OSH Act).
- Must actively promote and participate in the Work Injury Management program.

RESPONSIBILITIES OF THE LINE MANAGER/SUPERVISOR/GROUP/LEADER

- Ensure employees, volunteers and contractors have a safe place of work in which to work.
- Ensure the active promotion of safety and health controls, mechanisms and prevention programmes.
- Ensure all hazards are identified, risk are assessed and controlled.
- Ensure employees/volunteers have safe methods of performing the required tasks.
- Ensure employees/volunteers are adequately trained and assessed as competent.
- Ensure employees/volunteers are adequately supervised.
- Actively promote and participate in the Work Injury Management Program.

Line Manager/Supervisor/Delegated Persons in control of the workplace are required to:

- Accept responsibility of safety management in their work places.
- Lead by example.
- Wear and enforce the use of personal protective equipment.
- Recognise potential hazards and ensure appropriate remedial action in line with the risk/hazard hierarchy of controls.
- Investigate safety issues, provide feedback and close out the issue.
- Be conversant with the OSH legislation, Australian Standards, Codes of Practice and Guidance Notes relevant to the work place.
- Investigate accident/incidents and near misses and ensure action is taken to control the cause(s).
- Liaise with the safety representatives.
- Recommend training as required and assess competency following training.
- Undertake safety inspections on a regular basis.
- Ensure safe work methods and procedures are documented, implemented and being followed by employees/volunteers.

EMPLOYEES/VOLUNTEERS RESPONSIBILITIES

- Conform with the duty of care requirements ensuring their own safety and that of others through the prevention of any adverse acts or omissions.
- Must comply with the safety procedures and directions agreed between management and employees with nominated or elected safety and health representatives.
- Must not wilfully interfere with or misuse items or facilities provided in the interests of safety and health of Council employees/volunteers.
- Must use, store and maintain items, equipment and facilities provided in the interests of safety and health (protective clothing, machine guards, first aid provisions etc) in a manner in which he/she has been properly instructed.
- Must, in accordance with Council procedures for accident and incident reporting, report potential and actual hazards and accidents/incidents to their supervisor and/or safety and health representatives within a specified timeframe.
- Must cooperate with the employer in the carrying out of their obligations (S 20 OSH Act).
- Must comply with the Council Work Injury Management Program.

SAFETY REPRESENTATIVES RESPONSIBILITIES

- Ensure that inspections are carried out in the area they represent.
- Investigate accidents and incidents with the management.
- Keep himself or herself informed with information provided by the employer.

- Report hazards to the employer.
- Refer matters to the safety and health committee which have not been resolved through the issue resolution procedure.
- Consult and cooperate with the employer.
- Liaise with employees.

SAFETY COMMITTEE RESPONSIBILITIES

- Facilitate consultation and cooperation between management and employees to ensure the smooth operation of the safety management program.
- Remain informed as to current relevant Legislation, Codes of Practice, Australian Standards and comparable industry standards through communication, education and training.
- Develop effective strategies and action plans for the continuous improvement of the Safety Management Program.
- Offer recommendations to management on improvements to safety and health practices, rules, procedures and any other matter relating to the safety and health of employees, contractors and visitors.
- Offer recommendations to management on the allocation of resources required to achieve agreed objectives and goals with relation to safety and health.
- Ensure the assessment of all potential risks associated with operations and activities to develop and implement effective risk control strategies.
- Ensure the provision of an effective hazard management system designed to identify, eliminate, reduce or transfer existing hazards through the adoption of the hierarchy of controls.
- Ensure risk/hazard controls are monitored and reviewed for their effectiveness.
- Review outcomes against agreed Key (Positive) Performance Indicators.

SAFETY COMMITTEE MEMBERS RESPONSIBILITIES

- Attend meetings.
- Prepare and present reports as requested by the committee.
- Review reports of hazards and control measures.
- Review investigation reports of accidents/incidents and preventative strategies.
- Review policy/procedural changes to ensure effectiveness.
- Monitor and review hazard controls for effectiveness.
- Develop strategies to improve safety and health systems.
- Identify existing and potential hazards in the workplace and perform risk assessments to prioritise actions.
- Evaluate safety of plant, equipment and chemicals prior to purchase.
- Refer any unresolved issues to committee for discussion and resolution.
- Undertake listed actions in a timely manner.
- Actively promote safety and health in the workplace.

26NOV02

AMENDED by Res: 080811 / 23 August 2011

PLANT OPERATION COSTS - 1404

P140401 COUNCIL TOOLS AND EQUIPMENT

1. Private use by Council employees of Councils tools and equipment not be permitted under any circumstances.
2. All tools and equipment belonging to the Shire of Denmark be clearly marked to identify ownership. (Note: This policy does not apply to consumable items such as fence posts, nuts, bolts, sharpening files, drainage pipes, etc.).
3. Private use is defined as use by an employee on non work related tasks and is intended to support the Councils Code of Conduct dealing with similar provisions.
4. Council's tools and equipment is defined as small items of plant such as the asset class known as 'minor plant and equipment'. Such things typically include chainsaws, electrical tools and equipment, whipper snippers, mowers and the like. Plant that is licensed and assets falling into the class of Motor Vehicles and Major Equipment or Computer Equipment is not covered by this policy.
5. Nothing in this policy prevents a Council employee hiring equipment under the Councils Private Works Policy.

ADDED by Res: 349/97 / 23 September 1997
AMENDED by Res: 230109 / 27 January 2009

Formatted: Font: 11 pt

SALARIES & WAGES - 1405

BUSINESS UNIT OPERATIONS - 1406

UNCLASSIFIED - 1407

TOWN PLANNING SCHEMES - 1408