

Minutes for May 2021



ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
- 3 PUBLIC QUESTION TIME**
- 4. DECLARATIONS OF INTEREST BY MEMBERS**
 - 4.1 Declarations of Financial Interest
 - 4.2 Declarations of Proximity Interest
 - 4.3 Declarations of Impartiality Interest
- 5. APPLICATIONS FOR APPROVED LEAVE OF ABSENCE**
- 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 6.1 Shire of Kulin – Ordinary Meeting – 21 April 2021
 - 6.2 RoeRoc Meeting – 22 April 2021
- 7 MATTERS REQUIRING DECISION**
 - 7.1 List of Account – April 2021
 - 7.2 Financial Reports – April 2021
 - 7.3 Model Code of Conduct 2021 – Council Members, Committee Members and Candidates
 - 7.4 Discussion Template Noongar Heritage Agreement for Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020
 - 7.5 All Ages Precinct Construction – Tender Award
 - 7.6 Adoption of Fees and Charges 2021-2022
- 8 COMPLIANCE**
 - 8.1 Compliance Reporting – General Compliance April 2021
 - 8.2 Compliance Reporting – Delegations Exercised April 2021
 - 8.3 Register of Delegations - Review
 - 8.4 APOG and Policy Manual Review
- 9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 10 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 12 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 13 DATE AND TIME OF NEXT MEETING**
- 14 CLOSURE OF MEETING**

Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 19 May 2021 commencing 3:10pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

BD West	President	West Ward
G Robins	Deputy President	Town Ward
R Bowey	Councillor	Town Ward
L Varone	Councillor	East Ward
B Smoker	Councillor	West Ward
MS Lucchesi	Councillor	Central Ward
JK Noble	Councillor	Town Ward
RD Duckworth	Councillor	West Ward
G Yandle	CEO	
C Vandenberg	DCEO	
J Hobson	Works Manager	
T Scadding	Community Service Manager	
F Jasper	Executive Support Officer	

Apologies

Nil

Leave of Absence

Nil

3. PUBLIC QUESTION TIME

Nil

4. DECLARATIONS OF INTEREST BY MEMBERS

Nil

5. APPLICATIONS FOR APPROVED LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Shire of Kulin Ordinary Meeting – 21 April 2021

01/0521

Moved Cr Noble Seconded Cr Lucchesi that the minutes of the Ordinary Council Meeting held on 21 April 2021 be confirmed as a true and correct record.

Carried 8/0

RoeRoc Meeting Minutes – 22 April 2021

02/0521

Moved Cr Duckworth Seconded Cr Bowey that the minutes of the RoeRoc Council Meeting held on 22 April 2021 be received.

Carried 8/0

7 MATTERS REQUIRING COUNCIL DECISION

7.1 List of Accounts – April 2021

RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.06
AUTHOR: DCEO
STRATEGIC REFERENCE/S: 12.01
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Attached is the list of accounts paid during the month of April 2021, for Council's consideration.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare each month a statement of financial activity reporting on the revenue and expenditure of funds for the month in question.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That March payments being cheque no.'s 271 - 272 (Trip), 170 (Trust), 37309; EFT No's 17664 - 17725, DD7683.1 – DD7703.11 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$624,911.99 be received.

VOTING REQUIREMENTS:

Simple majority required.

03/0521

Moved Cr Bowey Seconded Cr Varone that April payments being cheque no.'s 271 - 272 (Trip), 170 (Trust), 37309; EFT No's 17664 - 17725, DD7683.1 – DD7703.11 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$624,911.99 be received.

Carried 8/0

7.2 Financial Reports – April 2021

RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.01
AUTHOR: DCEO
STRATEGIC REFERENCE/S: 12.01
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Attached are the financial reports for the periods ending 30 April 2021.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare each month a statement of financial activity reporting on the revenue and expenditure of funds for the month in question.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council endorse the monthly financial statements for the periods ending 30 April 2021.

VOTING REQUIREMENTS:

Simple majority required.

04/0521

Moved Cr Smoker Seconded Cr Lucchesi that Council endorse the monthly financial statements for the period ending 30 April 2021.

Carried 8/0

7.3 Model Code of Conduct 2021 – Council Members, Committee Members and Candidates

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 13.02
AUTHOR: CEO
STRATEGIC REFERENCE/S: 4.1.3
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Recent legislative changes have been made to the *Local Government Act 1995* requiring Council to adopt revised Code of Conduct. The Code is applicable to Council Members, Committee Members and Candidates.

BACKGROUND:

On 27 June 2019, the *Local Government Legislation Amendment Act 2019* was passed by Parliament. On Tuesday 2 February 2021, the following regulations were gazetted to take effect on Wednesday 3 February 2021:

- *Local Government (Administration) Amendment Regulations 2021*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*

New sections of the *Local Government Act 1995* that provided for the new regulations were proclaimed concurrently and are also now in effect.

The Department of Local Government Sporting and Cultural Industries (DLGSC) recognises the speed with which these changes were made and has provided an implementation timeframe of up to three months for local governments to operationalise the new regulations.

It is expected that local governments will adopt the new regulations for implementation within three months from regulations taking effect (by 3 May 2021).

COMMENT:

The legislative amendments introduce a mandatory Code of Conduct by prescribing a Model Code.

The Model Code provides for:

- Overarching principles to guide behaviour
- Behaviours which are managed by local governments
- Rules of conduct breaches which are considered by the Standards Panel.

The purpose of the model is to guide decisions, actions and behaviours. It also recognises that there is a need for a separate code for council members, committee members and candidates to clearly reflect community expectations of behaviour and ensure consistency between local governments. It also provides for a process to deal with complaints to ensure a consistent approach across the sector.

If a council member does not comply with any action required by the local government following a breach of the model Code, the local government may refer the matter to the Standards Panel as an alleged contravention of a rule of conduct. The Standards Panel has the authority to make binding decisions to resolve minor breaches.

To implement the Code, the Council must:

- Appoint a person to receive complaints by either affirming the current complaint officers or appoint a new or additional officer(s); and
- Approve a form for complaints to be lodged as attached

While local governments may not amend Division 2 (Principles) or Division 4 (rules of Conduct), additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government. Any additions must be consistent with the model Code of Conduct (section 5.104(3) of the Act). The Adoption of the model is recommended, providing consistency across the sector.

The model Code of Conduct supersedes the current Shire of Kulin Code of Conduct for Councillors, Committee Members and Staff. New regulations also prescribe minimum requirements for an employee Code of Conduct. The CEO will prepare and implement a Code of Conduct for employees accordingly.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

The Model Code of Conduct – Council Members, Committee Members and Candidates is to be adopted as required by section 5.104 of the *Local Government Act 1995*.

The adopted Code of Conduct must be published on the Shires official website as required by section 5.104(7) *Local Government Act 1995*.

POLICY IMPLICATIONS:

Model Code of Conduct – Council Members, Committee Members and Candidates will be included in an updated Policy Manual.

COMMUNITY CONSULTATION:

No consultation is required in relation to this report. The Code of Conduct must be published on the Shire website, and made available to all Councillors, Committee Members and Candidates.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council:

1. Adopt Model Code of Conduct as contained within *Local Government (Model Code of Conduct) Regulations 2021* applicable to Council Members, Committee Members and Candidates (attached).
2. Request the CEO to publish the adopted Code of Conduct on the Shire of Kulin website in accordance with section 5.104(7) of the *Local Government Act 1995*.
3. Authorise the CEO to publish for the purpose of receiving complaints and withdrawal of complaints in accordance with Clause 11(3) of the *Local Government (Model of Conduct) Regulations 2021*.
4. Delegate to the CEO the power to appoint one or more persons to receive complaints and withdrawals of complaints in accordance with section 5.42 of the *Local Government Act 1995*.
5. Approve the Complaint Form as Presented in Accordance with Clause 11(2)(a) of the *Local Government (Model Code of Conduct) Regulations 2021*.

VOTING REQUIREMENTS:

Simple majority required.

05/0521

Moved Cr Smoker Seconded Cr Noble that Council:

- 1. Adopt Model Code of Conduct as contained within *Local Government (Model Code of Conduct) Regulations 2021* applicable to Council Members, Committee Members and Candidates (attached).**
- 2. Request the CEO to publish the adopted Code of Conduct on the Shire of Kulin website in accordance with section 5.104(7) of the *Local Government Act 1995*.**
- 3. Authorise the CEO to publish for the purpose of receiving complaints and withdrawal of complaints in accordance with Clause 11(3) of the *Local Government (Model of Conduct) Regulations 2021*.**
- 4. Delegate to the CEO the power to appoint one of more persons to receive complaints and withdrawals of complaints in accordance with section 5.42 of the *Local Government Act 1995*.**
- 5. Approve the Complaint Form as Presented in Accordance with Clause 11(2)(a) of the *Local Government (Model Code of Conduct) Regulations 2021*.**
- 6. Complaints Committee to be full Council except the person/s against who the complaint is directed.**

Carried 8/0

7.4 Discussion Template Noongar Heritage Agreement for Local Government Aboriginal and Cultural Heritage Bill (Draft) 2020

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 26.04
AUTHOR: CEO
STRATEGIC REFERENCE/S: 2.2.2
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Aboriginal Cultural Heritage Bill 2020 (the Bill) presents a transformative and contemporary vision for the management of Aboriginal cultural heritage in Western Australia. It will achieve this by including an Aboriginal voice in the management of Aboriginal cultural heritage, and by providing for better decisions and improved protection.

The South West Native Title Settlement (Settlement) is the most comprehensive Native Title agreement negotiated in Australian history. It involves around 30,000 Noongar people and covers approximately 200,000 square kilometres of the South-West region. Whilst the effects of the Settlement, the enactment of new Aboriginal Heritage legislation and any recommendations arising from the Juukan Gorge inquiry won't be apparent for some time, Councils need to be aware of the issues and the potential each of these factors may have on both themselves and their communities.

BACKGROUND:

The Template Noongar Heritage Agreement for Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020 were considered at the Zone Meeting held Friday 27 November 2020, with the Zone resolving that:

Mr Marcus Holmes of Land Equity Legal and representatives of the Department of Premier and Cabinet and Department of Planning, Land and Heritage be invited to the February 2021 Zone Meeting to provide comments on the likely impact on Member Councils of the Draft Noongar Heritage Agreement for Local Government and the South West Native Title Settlement.

Neither the Department of Premier and Cabinet nor the Department of Planning, Land and Heritage were able to attend either the February or April Meetings of the zone.

The Executive Officer of the Central Country Zone has requested that this matter be listed for consideration at May Council meetings, to allow any comments from member Councils to inform the subsequent report for the Zone meeting scheduled for Friday 25 June 2021. It has been recommended that discussion and commentary on the issues covered within the recommendation initially considered for the meeting on Friday 23 April, as follows:

That the Central Country Zone:

- 1. Notes the suggestion from guest speaker Marcus Holmes, Principal of lawyers Land Equity Legal, that local governments defer consideration of entry into a Local Government version Noongar Heritage Agreement until Noongar Regional Corporations have been established, the Federal joint committee on the Juukan Gorge inquiry has released its final report, and the State's proposed Aboriginal Cultural Heritage Bill has been enacted;*

2. *Recommends to its members that they ensure interim compliance with the Aboriginal Heritage Act 1972 and any applicable Aboriginal heritage risk management policies and procedures through the Department of Planning, Lands and Heritage and Department of Premier and Cabinet;*

3. *Seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement; and*

4. *Endorses the offer of legal advice and assistance to the Zone and/or its members from Land Equity Legal regarding local government management of Aboriginal heritage and the Noongar Native Title Settlement, and instructs the Executive Officer to confer with Mr Marcus Holmes regarding terms of any engagement of Land Equity Legal's services by the Zone and/or members and to then update the Zone by email as to such terms so that the Zone and/or its members (singly or collectively) can decide if they wish to take up a retainer.*

5. *That the Zone defer any decision on the recommendations relating to the Template Noongar Heritage Agreement for Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020 until the Zone meeting scheduled to be held Friday 25 June 2021 at which time the Executive Officer will have prepared a report for the Zone's consideration.*

COMMENT:

The CCZ Executive Officer has requested that comments be provided by shires for inclusion in a report for the Zone meeting scheduled for Friday 25 June 2021. There may be other issues that Councils may wish to provide comment on that are not listed in the recommendation but may be important points for discussion.

The following points were highlighted by Marcus Holmes during his presentation and discussions with the Zone:

1. That the Template Noongar Heritage Agreement in its current form is an overly complicated document, not suited to small local governments such as those within the Central Country Zone.
2. There is no need for local governments to consider entering into any agreements until:
 - All Noongar Regional Corporations have been established;
 - The State's proposed Aboriginal Cultural Heritage Bill has been enacted and
 - The Federal Parliament's Joint Standing Committee on Northern Australia on the Juukan Gorge inquiry has released its final report.

More information on the Native Title Settlement can be found by following the link shown below:

www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/south-west-native-title-settlement

FINANCIAL IMPLICATIONS:

Unknown at this point in time.

STATUTORY ENVIRONMENT:

Land Administration (South West Native Title Settlement) Act 2016

Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Advice received through WALGA via Central Country Zone.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council consider the information provided by the WALGA Central Country Zone and Marcus Holmes, Principal of lawyers Land Equity Legal and provide comments to the Executive Officer of the Central Country Zone for inclusion in the report to the June 2021 Zone meeting.

VOTING REQUIREMENTS:

Simple majority required.

06/0521

Moved Cr Robins Seconded Cr Noble that council consider the information provided by the WALGA Central Country Zone and Marcus Holmes, Principal of lawyers Land Equity Legal and provide comments to the Executive Officer of the Central Country Zone for inclusion in the report to the June 2021 Zone meeting.

Carried 7/1

7.5 All Ages Precinct Construction – Tender Award

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 21.02 Parks and Reserves / Design and Construction
AUTHOR: CEO
STRATEGIC REFERENCE/S: 1.4 A liveable and safe community
 1.4.3 Provide a variety of sport, recreation and leisure services and facilities for all life stages.
 1.4.5 Opportunities for development and participation of young people (e.g. Youth Services Group).
 2.2 A positive visitor experience
 2.2.1 The Shire's capacity for tourism is grown, founded on iconic major events and distinct local attractions.

DISCLOSURE OF INTEREST:

Nil

SUMMARY:

For Council to consider awarding Invited Tender for Kulin All Ages Precinct Construction

BACKGROUND & COMMENT:

The following provides an overview and update of the procurement process undertaken with regarding the Kulin All Ages Precinct project.

- 30th January 2021.
 - EOI advertised to short list suppliers.
- 15th February 2021.
 - EOI submissions closed with submissions received from.
 - Convic
 - Environmental Industries
 - Landscape Australia
 - Ligna Construction
 - Phase 3 Construction
 - Skate Sculpture
- 24th February 2021.
 - Short Listed Suppliers notified as follows:
 - Convic
 - Landscape Australia
 - Ligna Construction
 - Phase 3 Construction
- 10th March 2021.
 - Project Briefing and Site Visit for Short Listed Suppliers held.
- 19th March 2021.
 - Invited Tender Documentation issued.
- 12th April 2021.
 - Invited Tender submissions closed with submissions received from.
 - Landscape Australia
 - Ligna Construction
 - Phase 3 Construction

An initial assessment of the Invited Tender was undertaken at the April 2021 Ordinary Council Meeting.

Tender Submissions received from:

- Landscape Australia
- Ligna Construction
- Phase 3 Construction

Tender Assessment.

- A transparent EOI and Tender process was been undertaken in line with Purchasing Policy and Local Government Act requirements.
- All Tender submissions currently exceed budget.
- Clarifications have been sought from tenderers regarding specific components of their relevant tenders.
- Ligna Construction's Tender be rejected due to it not providing sufficient information to meet the Selection Criteria.
- Engage in open conversations with both Landscape Australia and Phase 3 regarding their submissions to negotiate a revised tender submission as follows:
 - Total Contract Budget \$600,000 with indicative prices for each Separable Portion as:
 - Separable Portion A \$300,000
 - Separable Portion B \$300,000
 - Shire to provide specific in-kind personnel, plant and materials as previously articulated.
 - Contractor to provide an indication of what they can deliver for the articulated budget.
 - Refined Skate Area and Pump Track.
 - Hangout Area connecting both zones be refined to reduce costs, as costs for this are currently budgeted across both areas which is complicated budget for contractors.
 - Obstacle Zone bespoke equipment at reduced price.
 - Revised submission brought to Council for Award.

The following resolution was passed by Council:

07/0421 Moved Cr Duckworth Seconded Cr Varone that Council:

- 1. Reject Ligna Construction tender due to non-compliance.***
 - 2. Do not award any tender due to all tenders exceeding budget.***
 - 3. Instruct the CEO to engage in open conversations with both Landscape Australia and Phase 3 regarding their submissions to negotiate a revised tender submission as follows:***
 - Total Contract Budget \$600,000 with indicative prices for each Separable Portion as:***
 - Separable Portion A \$300,000***
 - Separable Portion B \$300,000***
 - Shire to provide specific in-kind personnel, plant and materials as previously articulated.***
 - Contractor to provide an indication of what they can deliver for the articulated budget with refined design of the following to reduce costs:***
 - Refined Skate Area and Pump Track.***
 - Hangout Area connecting both zones be refined to reduce costs, as costs for this are currently budgeted across both areas which is complicated budget for contractors.***
 - Obstacle Zone bespoke equipment at reduced price.***
- Request the revised submission be brought to Council for final decision.***

Carried 7/0

On Thursday 29th April 2021, CEO met with Emerge Architect as well as the 2 preferred tenderers in Landscape Australia and Phase 3. Discussions were held regarding what design and budget refinement could be undertaken as part of the tender submission to provide an updated total contract budget submission of \$600,000.

Revised Tender Submissions were received from each tenderer, with the following table providing an overview of key issues discussed at meetings, included in revised submissions and clarified via follow up email and phone correspondence.

AGENDA OF ORDINARY MEETING TO BE HELD 19 MAY 2021

Zone	Design Changes <i>(add more items or details in regards to quantities against the below)</i>	Phase 3	Landscape Australia
Pump Track	Minor design refinement to meet budget. Tie in at ground level to match skate zone.	Yes	Y Y
Skate Zone	Elevation reduced to ground level. Raised platforms and retaining walls removed. Specific elements incorporated into design. Removal of line marking and artwork. Photo example attached – confirm this is matched. Soft landscaping limited to hangout zone. Potential future expansion possible towards railway line if deemed appropriate at a later date.	Yes, it is our intention to design and construct the skatepark to have a plaza section in the centre similar to York, flanked by quarter pipes and/or banks to generate speed and create flow. Intention is to use Shire sourced boulders to back of ramps to deal with level changes.	Y Y Y Y Confirmed Y Y Potential to prefabricate elements to bring costs down
Hang Out Zone	Elevation reduced to ground level to match in with skate zone. Shelters reduced from 1 to 2. All bins removed. Any footpaths and accessways to be at ground level. Minor vegetative landscaping allowed for. Hit up wall and basketball ring materials to be modified to suit budget. Lighting reduced.	Yes, furniture reduced to picnic setting under one shade structure. Allowed for 100Lt trees only as minor planting could be undertaken by community post construction (Emerge to provide greenstock suggestions/ design). Hit up wall removed, allowance made for freestanding basketball ring and backboard. Lighting reduced to two solar pole top lights to each side of skatepark to provide ambient lighting to all areas.	Y Y (Note reduction from 2-1) Y Y Y Y Y
Obstacle Zone	Elevation reduced to ground level to match in with skate zone and hangout zone. Bespoke obstacle course with specific design and elements to be refined in conjunction with Shire staff and fabricated locally based upon concepts from Playground Centre (mindful of copyright). Photo example attached. Double flying fox to remain. Reduced rubber soft fall to surround obstacle course only as well as provide access. Mulch to be provided in other areas. Lighting reduced.	Yes, our bespoke offering will be similar to the attached concept however reduced in scale and more in line with Emerge documented layout. Double flying fox remains however supplied by WA company, Miracle Recreation.	Y Y Y Y Y Y Y

Skate Zone Concept

Based upon the discussion the image below is indicative of what the skate zone with reduced elevation levels would entail.

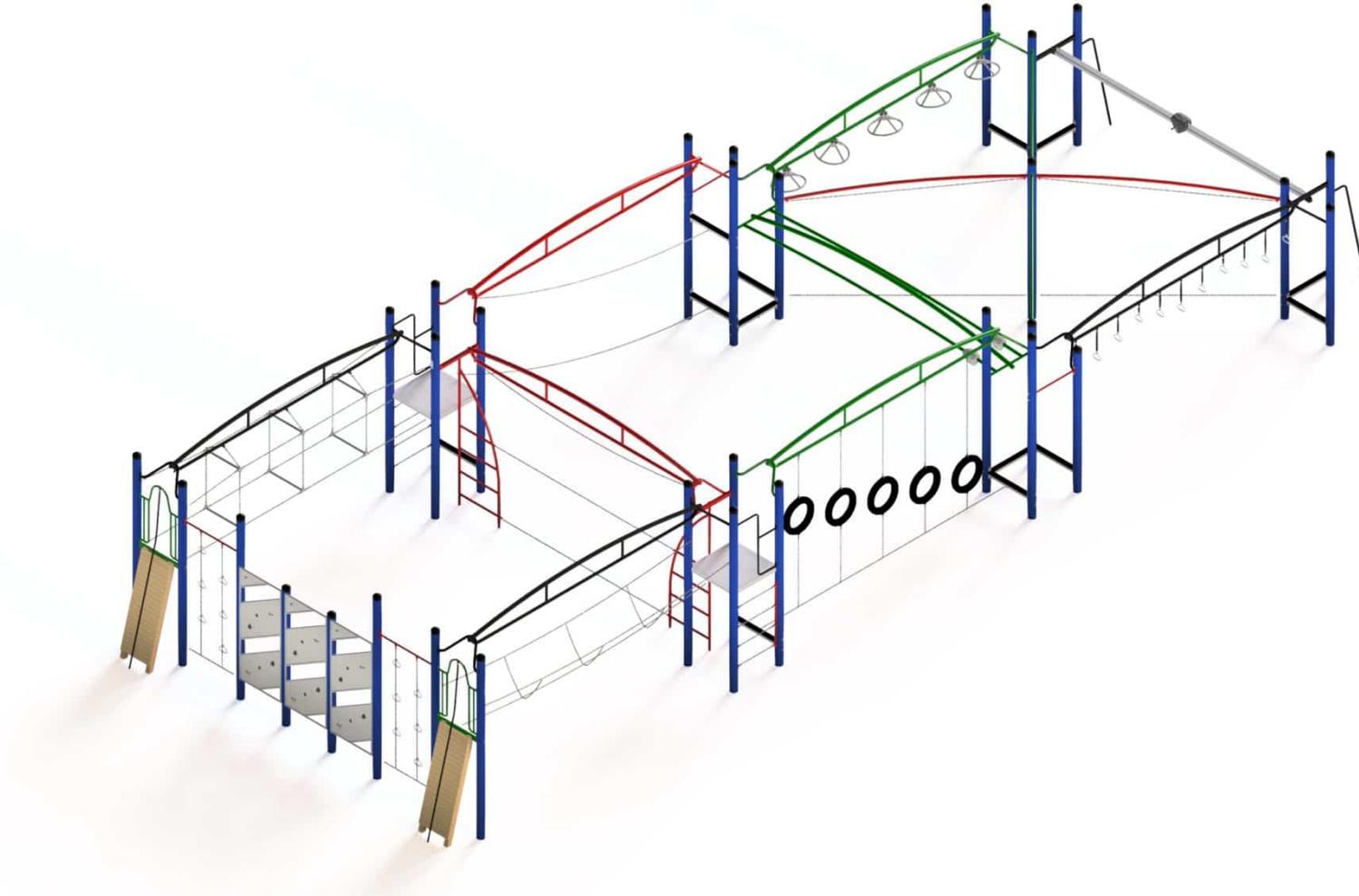


Obstacle Zone Concept Idea

Refining the obstacle zone will continue as part of the D&C process with the preferred tenderer. A potential option with more elements that is being investigated is shown in the image below. Further examples of elements that could be included can be seen at

<https://www.playgroundcentre.com/categories/health-fitness/>

<https://www.playgroundcentre.com/categories/health-fitness/?num=6&age=0>



The following provides an overview of each tenderers indicative delivery schedule.

Item	Phase 30	Landscape Australia
Proposed Start Date (on-site)	13/09/2021	Assuming award by the end of this week (Friday the 21st) Followed by a 5-week design and approval period, Start on site Monday the 28th June.
Proposed Completion Date	19/11/2021	We're anticipating a 16 week construction program Completing works by Friday 15th October. Worth noting that every effort will be made throughout to consolidate the program where ever possible.
Proposed skate park design consultant	Skate Sculpture https://www.skatesculpture.com.au/	Common Ground
Proposed pump track design consultant	Common Ground Trails https://www.commongroundtrails.com/	Common Ground

Assessing both companies against the IFT assessment criteria;

**Tendered Price
(40%)**

- Both tenderers have provided a revised submission of \$600,000 + GST

**Delivery Model In Collaboration with Shire Personnel
(25%)**

- Both tenderers have provided a submission working in collaboration with Shire staff

**Ability to Achieve Programme
(25%)**

- Phase 3 cannot commence until September with a November completion.
- Landscape can commence in July with an October completion.

**Occupational Safety and Health Management System
(10%)**

- Both tenderers have provided a submission with comparable OHS information

Based upon the above information both contractors are comparable. It is recommended that Landscape Australia be awarded the contract given they can deliver the project in a shorter timeframe.

STATUTORY ENVIRONMENT:

Section 11 Local Government (Functions & General) Regulations 1996 – When tenders have to be publicly invited.

POLICY IMPLICATIONS:

A11 Procurement, Purchasing and Tenders.

FINANCIAL IMPLICATIONS:

The All Ages Activity Precinct project is funded within 2020/21 Budget for \$300K to undertake construction of Stage 1, as well as staff hours to assist with bulk earthworks and site preparation. This is funded by the following sources:

- Local Roads and Community Infrastructure Program (LRCIP) \$150K.
- Cultivating Kulin Committee \$100K.
- Council \$50K.

Council has received a further \$400K of LRCIP Extension funding from 1st January 2021 to 31st December 2021. This additional available funding could be utilised to construct Stage 2.

The All Ages Activity Precinct estimated budget for external contracts is as follows:

Total Budget	\$600,000
Stage 1 - Separable Portion A (Wheeled Zone)	\$300,000
Stage 2 - Separable Portion B (Obstacle Zone)	\$300,000

Lottery-west Funding – All Ages Precinct

In response to the COVID-19 pandemic, the State Government, through Lottery-west, allocated all profits of the Lottery directly into the COVID-19 Relief Fund.

This Fund has been assisting the Western Australian community through targeted and impactful community grants.

The COVID-19 Relief Fund is closed Wednesday 30 June 2021.

On 1 July 2021 Lottery-west will return to the Community Investment Framework. Shire of Kulin will submit an application for the All Ages Precinct under this framework.

I have been in discussions with Lottery-west and while our project was invited to submit an application to the Building Community grant program in the Lottery-west COVID-19 Relief Fund, we did not have enough information, costings or design detail to submit an application for Stage 2 of the All Ages Precinct.

We are now in a strong position to prepare the application to be submitted in July 2021 with the information we have secured through the request for tender process.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Council works staff to be involved in bulk earthworks and site preparation, with hours already allocated within Council's 20/21 and 21/22 budgets.

OFFICER'S RECOMMENDATION:

That Council:

- Award the construction of the Kulin All Ages Precinct to Landscape Australia for a nominal contact of \$600,000K + GST.
- Request the CEO continue the design refinement process with Landscape Australia to confirm specific elements and present to Council for final endorsement at the earliest possible moment.
- Request the CEO to submit a Lottery-west Grant application at the earliest possible moment once applications are open.

VOTING REQUIREMENTS:

Simple Majority

07/0521 Moved Cr Duckworth Seconded Cr Lucchesi that Council:

- 1. Award the construction of the Kulin All Ages Precinct to Landscape Australia for the nominal contract of \$600,000K + GST**
- 2. Request the CEO continue the Design refinement process with Landscape Australia to confirm specific elements and present to Council for final endorsement at the earliest moment.**
- 3. Request the CEO to Submit a Lottery-west Grant application at the earliest possible moment once applications are open.**

Carried 8/0

Meeting adjourned at 4:38pm

Meeting resumed 4:42pm

7.6 Adoption of Fees and Charges 2021-2022

RESPONSIBLE OFFICER: DCEO

FILE REFERENCE: 12.04

AUTHOR: DCEO

STRATEGIC REFERENCE/S:

DISCLOSURE OF INTEREST: Nil

SUMMARY:

A schedule of proposed fees & charges for the 2021/2022 financial year is attached to the agenda.

BACKGROUND & COMMENT:

In accordance with Section 6.16 of the *Local Government Act 1995*, a Local Government may impose and recover a fee or charge for any goods or service it provides or proposes to provide. Fees and charges can be imposed or amended during the year, but only by an absolute majority decision of Council.

The schedule of User Fees & Charges 2021/2022 has been provided as an attachment to the agenda. There is a column showing last year's charge next to a column showing the 2021/2022 proposed charge.

FINANCIAL IMPLICATIONS:

The schedule of fees and charges has been reviewed with the view of maintaining revenues at the required level to meet service needs and community expectations.

STATUTORY AND PLANNING IMPLICATIONS:

Section 6.16 of the Local Government Act 1995

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Advertising period is for a minimum of 4 weeks.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council:

1. Adopt and incorporate the proposed schedule of fees and charges.
2. That the proposed fees and charges take effect 1 July 2021.

VOTING REQUIREMENTS:

Absolute majority required.

08/0521

Moved Cr Smoker Seconded Cr Bowey that Council:

1. Adopt and incorporate the proposed schedule of fees and charges.
2. That the proposed fees and charges take effect 1 July 2021.

Carried 8/0

8 COMPLIANCE

8.1 Compliance Reporting – General Compliance April 2021

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 Compliance 12.06 – Accounting Compliance
STRATEGIC REFERENCE/S: CBP 4.1 Civic Leadership, 4.1.8 Compliance methods
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report addresses General and Financial Compliance matters for April 2021. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT:

The Compliance team and works staff commence the monthly compliance effort immediately after the Shire meeting each month. At that time, the Executive Support Officer will email the assigned staff member their compliance requirements for the coming month. As the month progresses, staff in conjunction with their manager, the CEO or DCEO will determine the extent of work/action needed to complete items. During Agenda week, the Compliance Team again meets to ensure the monthly report/list is reviewed and that compliance items are completed. In preparing the Agenda report, the CEO or DCEO will sign off on completed items.

Prior month items not completed previously will be reported in the following month so Council remains aware.

Outstanding

Update Records Management Disaster Plan

Create Election Timeline – *To Commence this month*
 Staff Performance Reviews
Outstanding April
 FBT Return – *In progress*
 Integrated Planning Quarterly Review – *In Progress*
 Policy Manual Review - *May*
Outstanding March
 Bush Fire AGM – *Moved to August*
 Flu Vaccinations for Staff – *In progress – Date set: 16th June 2021*
 Occupational Health Safety Co-ordination - *Ongoing*

FINANCIAL IMPLICATIONS:

In terms of meeting compliance - normal administration expense. There may be items that require additional administrative effort to complete or require external assistance to resolve. In those cases, individual financial implications will be reported.

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Identified as necessary – this report Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER’S RECOMMENDATION:

That Council receive the General & Financial Compliance Report for April 2021 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

09/0521

Moved Cr Noble Seconded Cr Varone that Council receive the General & Financial Compliance Report April 2021 and note the matters of non-compliance.

Carried 8/0

8.2 Compliance Reporting – Delegations Exercised – April 2021

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 - Compliance
STRATEGIC REFERENCE/S: CBP 4.1 Civic Leadership, 4.1.8 Compliance methods
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

To report back to Council actions performed under delegated authority for the periods ending 30 April 2021.
 To provide a comprehensive report listing of the delegations able to be exercised following adoption of a more substantial array of delegations in June 2017.

BACKGROUND & COMMENT:

This report is prepared for Council detailing actions performed under delegated authority by the respective officers under each of the delegation headings:

ADMINISTRATION

Policy	Delegation	Officers
A1	Acting Chief Executive Officer	(CEO)
A2	Agreements for Payments of Debts to Council	(CEO/DCEO)
A3	Casual Hirer’s Liability	(CEO)
A4	Complaint Handling	(CEO)
A5	Fees & Charges – Discounts	(CEO/DCEO/MW/MLS/CRC)

A6	Investment of Surplus Funds	(CEO/DCEO)
A7	IT & Social Media – Use of	(CEO)
A8	Legal Advice, Representation & Cost Reimbursement	(CEO)
A9	Payments from Municipal and Trust Funds	(CEO-to numerous staff – purchase orders)
A10	Use of Common Seal	(CEO)
A11	Writing Off Debts	(CEO)
A12	Housing	(CEO)
A13	Procedure for Unpaid Rates Finance	(CEO)

GOVERNANCE

G1	Applications for Planning Consent	(CEO)
G2	Building Licences and Swimming Pools	(EHO/Building Surveyor)
G3	Cemeteries Act 1986	(CEO)
G4	Health Act 1911 Provisions	(EHO)

HUMAN RESOURCES

H1	Grievance Procedures	(CEO)
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COMMUNITY SERVICES

CS1	Bushfire Control – Shire Plant for Use of	(CEO)
CS2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
CS3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
CS4	Bushfire Training Administration	(CEO)
CS5	Cat Ownership Limit – Cat Control	(CEO)
CS6	Dog Control – Attacks	(CEO)
CS7	Dog Ownership Limit – Dog Control	(CEO)
CS8	Sea Containers Use of – Town Planning	(CEO)
CS9	Second Hand Dwellings	(CEO)
CS10	Temporary Accommodation	(CEO)
CS11	Unauthorised Structures – Building Control	(CEO)
CS13	Freebairn Recreation Club Committee	(FRC Club Committee)
CS14	Kulin Child Care Centre Management Committee	(KCCC Mgmt. Committee)
CS15	General – Community Services Practices	(CEO)
CS20	Seed Collection	(CEO)

WORKS

W1	Gravel Supplies	(MW)
W2	Roads – Clearing	(CEO)
W3	Roads – Damage to	(MW)
W4	Roads – Roadside Markers – Management of	(MW)
W5	Stormwater Drainage	(MW)
W6	Street Trees	(CEO)
W7	Streetscape – Improvements	(CEO)
W8	Roadside Burning	(MW)
W9	Temporary Road Closures	(MW)
W10	General – Works Practices Approvals	

COMMENT:

The following details the delegations exercised within the Shire relative to the delegated authority for the month of April 2021 and are submitted to Council for information (excluding delegations under A9, Payments – refer to individual order and payment listed in Accounts paid).

A6 Investment of Surplus Funds

15/04/2021	11am Account	703,830.23
15/04/2021	Term Deposit	(703,830.23)

G1 Applications for Planning Consent

RJ & NM Cornwell – Storage Shed - Lot 1168 on Deposited Plan 204096 Gregson Road (corner Varley Road North), Holt Rock

G2 Building Licences and Swimming Pools

CD & FR Jasper – Shed – 14 Hodgson Street
Greg Wicks – Patio – 7 Wright Street

CS20 Seed Collection

CEO granted permission to Robin Campbell to collect seed within the Shire of Kulin via email on 13th April 2021.

STATUTORY ENVIRONMENT:

Building Act 2011
Bushfires Act 1954
Cemeteries Act 1986
Health (Asbestos) Regulations 1992;
Health (Miscellaneous Provisions) Act 1911;
Local Government Act 1995
Public Health Act 2016
Shire of Kulin TPS2
Town Planning Development Act
Town Planning Scheme
Trustees Act, Part III,
Criminal Procedure Act 2004;

FINANCIAL IMPLICATIONS:

Nil in terms of exercising delegation and reporting to Council though there may be financial implications in the case of each delegation exercised.

STATUTORY AND PLANNING IMPLICATIONS:

Sections 5.18 and 5.46 of the Local Government Act 1995

POLICY IMPLICATIONS:

There are no known policy implications relating to this report.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council receive the Delegation Exercised Report for April 2021.

VOTING REQUIREMENTS:

Simple majority required.

10/0521

Moved Cr Robins Seconded Cr Duckworth that Council receive the Delegation Exercised Report for April 2021.

Carried 8/0

8.3 Register of Delegations – Review

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is required to review the Delegations Register on an annual basis. This document was last reviewed in May 2020.

A copy of the proposed 2021 Delegation Register for adoption by Council is attached.

BACKGROUND & COMMENT:

This Delegation Register June 2017 contained all the new delegations created as a result of the review of the Policy Manual and the development of the Administrative Procedures and Operational Guideline Manual (APOG).

One change has been identified by staff during this review, these relate to:-

A9 Payments from Municipal and Trust Funds:-
-add; *Senior Finance Officer \$1,000*

Each of the reviewed policies, practices or guidelines, details where the delegation is given and to whom.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Sections 5.18 and 5.46 of the Local Government Act 1995
Regulation 13 of the Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS:

Review of Delegations Register is required on an annual basis.

COMMUNITY CONSULTATION:

Not applicable – Council function.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That the Delegations Register May 2021 be adopted with the changes as highlighted.

VOTING REQUIREMENTS:

Absolute majority required.

11/0521

Moved Cr Robins Seconded Cr Bowey that the Delegations Register May 2021 be adopted with the changes as highlighted.

Carried 8/0

8.4 Review of APOG & Policy Manual

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04 Corporate Management – Policy Adoption
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is required to review the Policy Manual on an annual basis. The policy manual was last reviewed at the June 2020 Council Meeting.

An updated electronic copy of the Administrative Procedures and Operational Guidelines (APOG) Manual will be sent out separately (due to size), procedures that have been highlighted by staff as requiring review are attached individually, however if Councillors wish to raise any proposed changes from the APOG they are welcome to.

The full Policy Manual document is attached.

BACKGROUND & COMMENT:

The Council adopted the renewed Policy Manual at the June 2020 meeting. It was decided in May 2017 to split the manual into pure "Policy items" and to separate out the Administrative Procedures and Operational Guidelines (APOG). The results of this change were significant but has been beneficial over time and is recommended to continue. Policy Manual now contains 24 pages of Policy, and the Administrative Procedures and Operational Guidelines (APOG) manual is up to 163 pages.

The change meant that the Policy Manual would hold the generally unchangeable fixed policy requirements of Council (requiring a direct report and a Council resolution to change) and the APOG would hold the more flexible operational instructions that could be amended by the CEO or Council as required. In the past year, most APOG changes have been the result of discussions at Council, though as can be seen below, many APOG items have been used.

APOG Review

This document is reviewed on an ongoing basis, with staff referring to it regularly as a guide.

FINANCIAL IMPLICATIONS:

In the update of the Policy Manual and APOG - Nil.

STATUTORY AND PLANNING IMPLICATIONS:

Review of the Policy Manual is completed on an annual basis.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That the Policy Manual and APOG Reviews for May 2021 as detailed be adopted.

VOTING REQUIREMENTS:

Absolute majority required.

12/0521

Moved Cr Smoker Seconded Cr Duckworth that Policy Manual and APOG Reviews for May 2021 as detailed be adopted.

Carried 8/0

9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Adjourned meeting at 5:00pm to hold Concept Forum.

Meeting resumed at 6:27pm

12 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

13 DATE AND TIME OF NEXT MEETING

Wednesday 16 June 2021 at 1:00pm

14 CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 6:30pm.

RoeROC

*Roe Regional Organisation of Councils
Corrigin – Kondinin – Kulin - Narembeen*

COUNCIL MINUTES

**Shire of Kondinin
Council Chambers
Thursday 22 April 2021**

Contents

1. Opening and Announcements.....	3
2. Record of Attendance	3
3. Apologies	3
4. Guests	3
5. Minutes of Meetings	3
6. Presentations	4
7. Matters for Decision	4
8. Other Matters	6
9. Closure	7

1. Opening and Announcements

RoeROC Chair, Cr Meeking opened the meeting at 1.04pm and welcome all attending.

2. Record of Attendance

Cr S Meeking	President, Shire of Kondinin (Chair)
Cr R Bowey	Councillor, Shire of Kulin
Cr K Mortimore	Councillor, Shire of Narembeen
Natalie Manton	CEO, Shire of Corrigin
David Burton	(Acting) CEO, Shire of Kondinin
Garrick Yandle	CEO, Shire of Kulin
David Blurton	CEO, Shire of Narembeen
Brendon Gerrard	Roe EHO

3. Apologies

Shire President and CEO from Lake Grace.
Cr B West – President, Shire of Kulin
Cr G Robbins – Councillor, Shire of Kulin
Cr R Cole – President, Shire of Narembeen
Cr D Hickey - President, Shire of Corrigin

4. Guests

Caroline Robinson
Jennifer Collins (DSR) via Zoom from 1.04pm

5. Minutes of Meetings

RoeROC Council Meeting – 18th February 2021

COMMENT:

Minutes of the RoeROC Meeting held 18th February 2021 are attached.

RESOLUTION

Moved: D Blurton

Seconded: G Yandle

That the Minutes of the RoeROC Meeting held on 18th February 2021 be confirmed as a true and correct record.

Carried 6/0

5.1 Business Arising from the Minutes

Eastern Wheatbelt Biosecurity Group – funding guaranteed through Royalties for Regions (R4R) for next year. Future considerations under review.

Request for details of funding from Biosecurity Group for direction.

6. Presentations

Jennifer Collins – DSR – Community Sports Continuance
Presentation on the future of sport in the region and overview of the recent project to align sporting fixtures across football, hockey and netball.

Jennifer left 1.45pm and did not return.

Caroline Robinson – Animal Welfare Plans Update
Caroline provided background information on the work carried out to date on the Animal Welfare Plans and sought feedback from the shires participating in the project.

Caroline left at 1.52pm and did not return.

7. Matters for Decision

7.1 Finances – presented by Shire of Corrigin

Financial Report

The Bending Tip has raised income of \$67,000 so far this year and this will be distributed to shires after the expenses have been deducted prior to 30 June 2021 including the cost for the development of the Bending Tip Management Plan and digging of new trenches

RESOLUTION

Moved: N Manton

Seconded: G Yandle

That the Financial Reports be received.

Carried 6/0

7.2 Bending Tip Reports – presented by Shire of Corrigin

Attached Report

May be possible for central liquid waste facility in future considerations which may add to additional fees – to be investigated further.

Garrick left 2.15pm

RESOLUTION

Moved: Cr Mortimore

Seconded: Cr R Bowey

That the Fees and Charges for 2021/2022 Bending Tip be endorsed.

Carried 5/0

7.3 Draft Terms of Reference – presented by Shire of Corrigin

Garrick returned 2.16pm

Draft Terms of Reference for RoeROC were presented following minor alterations from the previous meeting. The Terms of Reference are to be included as a preface to the agenda each month to ensure that delegate are aware of the purpose of the group and previously agreed arrangements.

RESOLUTION

Moved: Cr K Mortimore

Seconded: N Manton

That the Terms of Reference be noted by RoeROC and included in the Agenda for meetings.

Carried 6/0

7.4 CEO Portfolio's – presented by Shire of Corrigin

The last information of the shire portfolios is from 2008. Since then, there have been several changes to the CEO's in the region. Due to the changes, now would be a good time to look at the portfolio's and match them to the best suited CEO or change if required.

A discussion was held on the shire portfolios that were included in historical documents and delegates agreed that the idea of dividing up portfolios or topics for future discussion or investigation is to be discussed by the CEO's when they next meet.

Discussion Point

CEO's to discuss at CEO Forum

7.5 RoeROC Action Status – presented by Shire of Corrigin

N Manton presented a status report that may be included in future minutes to keep track of previous actions and decisions.

Discussion Point

To be included as a report in Agenda.

7.6 RoeROC EHO Services – Shire of Corrigin

The Shire of Corrigin have advised that Roe EHO, Lauren Pitman has reduced her hours to 1 day per week for the remainder of the school year as part of a flexible work arrangement.

There is also a need to set date for Roe EHO Brendon Gerrard performance review. (to be concluded by May by CEO's)

7.7 RoeROC Strategic Planning – Shire of Kondinin

Comment:

Looking through previous information, it would appear that RoeROC did have some Strategic Plans to give direction. This may have been as a result of the Royalties For Regions Regional Funding Component.

At the last meeting, several considerations were listed for potential joint projects, but no determining resolution made.

It is possible for RoeROC to use the combined strength of the communities to lobby stronger for services or assistance on a regional basis rather than trying to tackle issues on an individual Shire basis.

In considering a Strategic Meeting for the July RoeROC Meeting, the CEO's will be given a chance to see where the Strategic Plans of the various Shires align for possible projects involving some or all of the RoeROC Shires. Projects may consist of items like:

Better internet services for the region

Closure of mobile blackspots.

Renewable energy and battery back-ups for power failure

Possible sharing of NRM services.

Lobbying for virtual classrooms for our schools to broaden learning options.

Together with Lake Grace, our Shires home just shy of 5,000 residents which may increase the possibility of funding for projects.

Attachment – Feasibility Report

RESOLUTION

Moved: D Blurton

Seconded: K Mortimore

That:

1) The CEO's meet prior to the July Meeting to seek commonalities in the Shire's Strategic Plans or projects; and

2) A Strategic Projects session be held on the morning of the July Meeting to consider future regional strategic considerations

Carried 6/0

7.8 RoeROC CEO Meetings – Shire of Kondinin

Comment:

To fast track items for consideration and also allow for greater resource / ideas / knowledge sharing, the formalisation of RoeROC CEO's Meetings between the RoeROC Meetings may prove beneficial. This will also allow for information to be passed to any new CEO's as they enter and aid the transition process.

Discussion Point

CEO's to discuss at CEO Forum

8. Other Matters

8.1 N Manton – Glass Crusher

RoeROC own a glass crusher that is currently only being used by the Shire of Narembeen. Now that the container deposit scheme is operating and the amount of glass is likely to be significantly reduced the RoeROC shires may wish to consider selling the machine.

Action:, CEO's to look at solution for next Meeting.

Update from Brendon

Bendering Waste Facility

EHO's met on site with Talis regarding the development of the Bendering Tip Management Plan.

B Gerrard reported that the existing land survey is old and requires new survey. Quotes were obtained from two surveyors with the quote from Peter Gow being the most competitive.

The Bendering Tip Management Plan will be developed for the site to confirm the amount and location of existing waste in the facility and plan for the future capacity and rehabilitation of the site.

Report should be received June.

Public Health Plans

Lew Withers has been engaged to work with the Roe ROC shires in the development of Public Health Plans. Stage 1 research for each shire has commences and the reports are due towards the end of May

The next stage of the plan will be the survey and community consultation.

9. Closure

9.1 Next Meeting: 22nd July 2021

Meeting closed at 3.12pm and Chair thanked all for attendance.

CREDIT CARD Statement Summary 30 April 2021

Transaction Date	Officer	Creditor	Amount
1/04/2021	JUDD HOBSON	PATHWEST LABORATORY Medical Testing	\$35.00
1/04/2021	JUDD HOBSON	PATHWEST LABORATORY Medical Testing	\$35.00
3/04/2021	CASSI VANDENBERG	PUMA ENERGY Fuel	\$43.33
3/04/2021	JUDD HOBSON	PATHWEST LABORTATORY Medical Testing	\$201.00
4/04/2021	CASSI VANDENBERG	OFFICEWORKS Computer Hardware, WSN	\$750.00
6/04/2021	CASSI VANDENBERG	SPOTLIGHT ALBANY Linen, Contactors Accommodation 5 Bowey Way	\$525.00
6/04/2021	CASSI VANDENBERG	EG GROUP ALBANY Fuel	\$28.07
13/04/2021	CASSI VANDENBERG	GUMTREE AUSTRALIA Advertising, Bar Attendant	\$132.50
13/04/2021	CASSI VANDENBERG	PAYPAL Advertising, Bar Attendant	\$44.00
16/04/2021	GARRICK YANDLE	SIMPLEINOUT Monthly Subscription	\$26.99
21/04/2021	GARRICK YANDLE	MAILCHIMP Monthly Subscription	\$6.47
21/04/2021	CASSI VANDENBERG	TELSTRA Internet, Aquatic Centre	\$115.95
29/04/2021		BENDIGO BANK Cards Fee	\$20.00
29/04/2021	CASSI VANDENBERG	7 ELEVEN Fuel	\$28.79
30/04/2021	GARRICK YANDLE	THE PARTISAN Catering, All Ages Precinct Tender Meeting	\$49.39
30/04/2021	GARRICK YANDLE	KINKY LIZARD ESPRESSO Catering, All Ages Precinct Tender Meeting	\$19.00
30/04/2021	GARRICK YANDLE	KINKY LIZARD ESPRESSO Catering, All Ages Precinct Tender Meeting	\$9.20
			\$2,069.69

Business Credit Card

Date	Transaction	Withdrawals	Payments	Balance
Opening balance				\$6,197.42
1 Apr 21	PATHWEST LABORATORY, NEDLANDS AUS RETAIL PURCHASE 30/03 CARD NUMBER 552638XXXXXXXX706 1	35.00		6,232.42
1 Apr 21	PATHWEST LABORATORY, NEDLANDS AUS RETAIL PURCHASE 30/03 CARD NUMBER 552638XXXXXXXX706 1	35.00		6,267.42
3 Apr 21	PUMA ENERGY ARMADALE, ARMADALE AUS RETAIL PURCHASE 01/04 CARD NUMBER 552638XXXXXXXX823 1	43.33		6,310.75
3 Apr 21	PATHWEST LABORATORY, NEDLANDS AUS RETAIL PURCHASE 31/03 CARD NUMBER 552638XXXXXXXX706 1	201.00		6,511.75
4 Apr 21	OFFICEWORKS 06191, A LBANY AUS RETAIL PURCHASE 03/04 CARD NUMBER 552638XXXXXXXX823 1	750.00		7,261.75
6 Apr 21	SPOTLIGHT ALBANY, AL BANY AUS RETAIL PURCHASE 03/04 CARD NUMBER 552638XXXXXXXX823 1	525.00		7,786.75
6 Apr 21	EG GROUP 4232, ALBAN Y AUS RETAIL PURCHASE 04/04 CARD NUMBER 552638XXXXXXXX823 1	28.07		7,814.82
13 Apr 21	Gumtree Australia, S ydney AUS RETAIL PURCHASE 10/04 CARD NUMBER 552638XXXXXXXX823 1	132.50		7,947.32
13 Apr 21	PAYPAL *BJOBBOARD, 4 029357733 AUS RETAIL PURCHASE 10/04 CARD NUMBER 552638XXXXXXXX823 1	44.00		7,991.32

173BH102 / E-0 / S-240 / 1240 / 0007421415000862

Date Paid ___ / ___ / ___ Amount \$ _____

Business Credit Card - Payment options



Pay in person: Visit any Bendigo Bank branch to make your payment.



Internet banking: Pay your credit card using ebanking 24 hours a day, 7 days a week.
www.bendigobank.com.au



Register for Internet or Phone Banking call 1300 BENDIGO (1300 236 344). This service enables you to make payments conveniently between your Bendigo Bank accounts 24/7.



Pay by post: Mail this slip with your cheque to -
 PO Box 480
 Bendigo VIC 3552.
 If paying by cheque please complete the details below.



Bill code: 342949
Ref: 691211254

Bank@Post™ Pay at any Post Office by Agency Banking Bank@Post[^] using your credit card.

Business Credit Card

BSB number 633-000
Account number 691211254
 Customer name SHIRE OF KULIN
 Minimum payment required \$62.09
 Closing Balance on 30 Apr 2021 \$2,069.69
Payment due 14 May 2021

Date	Payment amount

Drawer	Chq No	BSB	Account No	\$	¢

[^]Fees will apply for payments made using Bank@Post. Refer to Bendigo Bank Schedule of Fees & Charges and Transaction Account Rebates.

Business Credit Card (continued).

Date	Transaction	Withdrawals	Payments	Balance
14 Apr 21	PERIODIC TFR 00074214151201 00000000000		6,197.42	1,793.90
16 Apr 21	SIMPLEINOUT.COM, FAR GO US RETAIL PURCHASE-INTERNATIONAL 15/04 19.99 U.S. DOLLAR CARD NUMBER 552638XXXXXXXX405 1	26.20		1,820.10
16 Apr 21	INTERNATIONAL TRANSACTION FEE	0.79		1,820.89
21 Apr 21	MAILCHIMP *MISC, MAILCHIMP.COM AUS RETAIL PURCHASE-INTERNATIONAL 19/04 CARD NUMBER 552638XXXXXXXX405 1	6.47		1,827.36
21 Apr 21	Telstra Direct Debit ,AUSTRALIA AUS RETAIL PURCHASE 19/04 CARD NUMBER 552638XXXXXXXX823 1	115.95		1,943.31
29 Apr 21	CARD FEE 5 @ \$4.00	20.00		1,963.31
30 Apr 21	7 ELEVEN 3025, CARLI SLE AUS RETAIL PURCHASE 28/04 CARD NUMBER 552638XXXXXXXX823 1	28.79		1,992.10
30 Apr 21	The Partisan, East Perth AUS RETAIL PURCHASE 29/04 CARD NUMBER 552638XXXXXXXX405 1	49.39		2,041.49
30 Apr 21	KinkyLizardEspresso, East Perth AUS RETAIL PURCHASE 29/04 CARD NUMBER 552638XXXXXXXX405 1	19.00		2,060.49
30 Apr 21	KinkyLizardEspresso, East Perth AUS RETAIL PURCHASE 29/04 CARD NUMBER 552638XXXXXXXX405 1	9.20		2,069.69
Transaction totals / Closing balance		\$2,069.69	\$6,197.42	\$2,069.69

AUTOMATIC PAYMENTS HAVE BEEN SPECIFIED
FOR YOUR ACCOUNT.

We suggest you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions should be promptly reported to us.

The security of your Personal Identification Number (PIN) is very important. To avoid being liable for unauthorised transactions, you should follow the terms and conditions of your account. We also recommend some simple steps to protect your PIN:

- Memorise your PINs and passwords and destroy any communications advising you of new ones. Don't keep a record of your PINs or passwords, in written or electronic form.
- If you choose your own, ensure that it is not something easy to guess like your (or a family member's) birth date, name, phone number, postcode, driver's licence number or numbers that form a pattern.
- Don't tell anyone your PIN, not even friends, family or a bank representative.
- Ensure nobody watches you enter your PIN or password. A good practice is to cover the keypad when you put in your PIN or password.
- Watch out for email, SMS or call scams asking for details relating to your account. If you receive suspicious emails, please contact us immediately.

Please note: These are guidelines only. While following these steps will help you to protect your PIN, your liability for any losses arising from unauthorised transactions is determined in accordance with the ePayments Code. For further details, see <https://asic.gov.au/regulatory-resources/financial-services/epayments-code/> or visit bendigobank.com.au/mycard for all card related information. Business customers visit mybusinesscard.

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Shire of Kulin

EFT & Chq Listing for period ended 30 April 2021

CHQ / EFT No.	DATE	DESCRIPTION	AMOUNT
TRIP			
271	15/04/2021	SUE KNAPP	\$1,000.00
		Trip Refund Request	
272	16/04/2021	NICOLE JENNIFER THOMPSON	\$1,500.00
		Trip Refund Request	
TRUST			
170	15/04/2021	SUE KNAPP	\$1,000.00
		Trust Refund Request	
MUNICIPAL			
EFT17664	14/04/2021	CHILD SUPPORT AGENCY	\$212.12
		Payroll Deduction	
EFT17665	14/04/2021	ATC WORK SMART	\$410.79
		CRC & Child Care Trainee, Stella Wade & Shaleigh Saunders	
EFT17666	14/04/2021	EDGE EQUIPMENT	\$11,661.65
		Equipment Hire	
EFT17667	14/04/2021	KULIN TRANSPORT	\$6,139.03
		Freight	
EFT17668	14/04/2021	KULIN SOCIAL CLUB	\$200.00
		Payroll Deduction	
EFT17669	14/04/2021	KULIN SHIRE TRIP FUND	\$970.00
		Payroll Deduction	
EFT17670	14/04/2021	KULIN SHIRE TRUST FUND	\$1,035.00
		Payroll Deduction	
EFT17671	14/04/2021	KULIN IGA	\$701.40
		Statement March 2021	
EFT17673	14/04/2021	KONDININ MEDICAL CENTRE	\$73.65
		Workers Compensation	
EFT17674	14/04/2021	OIL TECH FUEL	\$49,317.41
		Distillate & Unleaded Fuel	
EFT17675	14/04/2021	SHIRE OF KONDININ	\$233.30
		Reimbursement Electricity	
EFT17676	14/04/2021	SPYKER BUSINESS SOLUTIONS	\$80,904.14
		Supply & Installation of CCTV	
EFT17677	14/04/2021	ULTIMO PARTNERS PTY LTD	\$2,431.00
		Plant Hire	
EFT17678	14/04/2021	OFFICEWORKS BUSINESS DIRECT	\$521.33
		Stationery	
EFT17679	14/04/2021	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	\$40.80
		Office Deskpads	
EFT17680	14/04/2021	WA DISTRIBUTORS PTY LTD	\$356.75
		Cleaning Supplies	
EFT17681	16/04/2021	KULIN CARE CAR	\$300.00
		Car Detailing, MV 54	
EFT17682	22/04/2021	AVON WASTE	\$14,968.03
		Refuse Service March 2021	
EFT17683	22/04/2021	CHILD SUPPORT AGENCY	\$212.12
		Payroll Deduction	
EFT17684	22/04/2021	AUSTRALIA POST	\$497.31
		Postage & Freight	
EFT17685	22/04/2021	AUTOPRO NORTHAM	\$94.80
		Parts	
EFT17686	22/04/2021	BEST OFFICE SYSTEMS	\$77.00
		Photocopier Maintenance	
EFT17687	22/04/2021	BITUTEK PTY LTD	\$115,498.46
		Supply & Spray Bitumen	
EFT17688	22/04/2021	COUNTRY WIDE FRIDGE LINES PTY TLD	\$453.68
		Freight on Bar Purchase	
EFT17689	22/04/2021	CORSIGN (WA) PYT LTD	\$568.70
		Marker Post, WSNF Fence Road	

Shire of Kulin

EFT & Chq Listing for period ended 30 April 2021

CHQ / EFT No.	DATE	DESCRIPTION	AMOUNT
EFT17690	22/04/2021	LANDGATE	\$960.40
		Custom Shire Map	
EFT17691	22/04/2021	JULIE DALL	\$28.00
		Embroidery	
EFT17692	22/04/2021	DYNAMIC POOLS AUSTRALIA	\$9,878.00
		Supply & Installation of Aquarius Controllers Progress	
EFT17693	22/04/2021	ENGINE PROTECTION EQUIPMENT PTY LTD	\$24.97
		Parts	
EFT17694	22/04/2021	EASIFLEET MANAGEMENT	\$1,522.67
		Staff Novated Lease	
EFT17695	22/04/2021	EMERGE ASSOCIATES	\$6,017.00
		Youth Precinct Aquatic Centre	
EFT17696	22/04/2021	FEGAN BUILDING SURVEYING	\$1,419.00
		Contract Building Surveying	
EFT17697	22/04/2021	GANGELLS AGSOLUTIONS	\$4,235.12
		Various Building, Depot & Road Maintenance Supplies	
EFT17698	22/04/2021	GREAT SOUTHERN FUEL SUPPLIES	\$172.94
		Fuel	
EFT17699	22/04/2021	HOLCIM AUSTRALIA PTY LTD	\$1,650.00
		Parts	
EFT17700	22/04/2021	IT VISION	\$1,447.60
		Email Debtors Invoices/Statements Functionality	
EFT17701	22/04/2021	KULIN HARDWARE & RURAL	\$5,818.64
		Various Building, Depot & Road Maintenance Supplies	
EFT17702	22/04/2021	KULIN SOCIAL CLUB	\$200.00
		Payroll Deduction	
EFT17703	22/04/2021	KULIN SHIRE TRIP FUND	\$870.00
		Payroll Deduction	
EFT17704	22/04/2021	KULIN SHIRE TRUST FUND	\$935.00
		Payroll Deduction	
EFT17705	22/04/2021	KULIN COMMUNITY HUB PTY LTD	\$100.00
		Accommodation, Spyker	
EFT17706	22/04/2021	KULIN LIBRARY, POST OFFICE AND MAIL	\$1,423.30
		Library Service Fee & Christmas Voucher	
EFT17707	22/04/2021	KELYN TRAINING SERVICES	\$7,845.00
		White Card, Traffic Management/Control Courses	
EFT17708	22/04/2021	KONDININ MEDICAL CENTRE	\$737.00
		Pre Employment & Pilot Vehicle Medicals	
EFT17709	22/04/2021	KEY CIVIL PTY LTD	\$3,932.53
		Claim #5 - Final Payment, Jilakin & CBH Access RD	
EFT17710	22/04/2021	KULIN CARE CAR	\$150.00
		Interior Car Detail, Work Manager Vehicle	
EFT17711	22/04/2021	TA & SL MCADAM	\$100.00
		Vases & Craft Items	
EFT17712	22/04/2021	MERREDIN GLAZING SERVICE	\$4,211.90
		Supply & Install Single Roller Blinds, 52 Bowey Way	
EFT17713	22/04/2021	NEWDEGATE STOCK & TRADING CO	\$50,983.56
		Distillate & Unleaded Fuel	
EFT17714	22/04/2021	EXURBAN RURAL & REGIONAL PLANNING	\$2,274.22
		Town Planning Consulting Services	
EFT17715	22/04/2021	RYLAN PTY LTD	\$9,636.00
		Barrier & Mountable Kerb, High Street	
EFT17716	22/04/2021	EB & OM SLOGGETT	\$704.52
		Refrigeration Maintenance, FRC	
EFT17717	22/04/2021	SWAN BREWERY COMPANY PTY LTD	\$1,398.45
		Bar Purchase	
EFT17718	22/04/2021	SPYKER BUSINESS SOLUTIONS	\$914.60
		IT Connection, WSN Old Shire Office	
EFT17719	22/04/2021	T-QUIP	\$3,861.00
		Mow Master SP100 Sprayer	
EFT17720	22/04/2021	TIN HORSE AUTOMOTIVE	\$110.00
		Wheel Alignment, MV54	

Shire of Kulin

EFT & Chq Listing for period ended 30 April 2021

CHQ / EFT No.	DATE	DESCRIPTION	AMOUNT
EFT17721	22/04/2021	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	\$195.00
		Staff Training, Fiona Jasper	
EFT17722	22/04/2021	WURTH AUSTRALIA PTY LTD	\$306.06
		Depot Supplies	
EFT17723	22/04/2021	WA CONTRACT RANGER SERVICES	\$561.00
		Ranger Service	
EFT17724	22/04/2021	WA DISTRIBUTORS PTY LTD	\$578.80
		Cleaning Supplies	
EFT17725	28/04/2021	KONDININ BUILDING SERVICE	\$14,469.40
		Supply & Lay Concrete, Footpaths	
37309	22/04/2021	TELSTRA	\$2,023.80
		Phone Use & Equipment Hire	
DD7683.1	04/04/2021	REST SUPERANNUATION	\$411.47
		Superannuation Contributions	
DD7683.2	04/04/2021	COLONIAL FIRST STATE FIRST CHOICE WHOLESALE	\$822.76
		Superannuation Contributions	
DD7683.3	04/04/2021	AWARE SUPER	\$11,965.67
		Superannuation Contributions	
DD7683.4	04/04/2021	AUSTRALIAN SUPERANNUATION	\$625.78
		Superannuation Contributions	
DD7683.5	04/04/2021	BT SUPER FOR LIFE	\$500.02
		Superannuation Contributions	
DD7683.6	04/04/2021	BENDIGO SUPERANNUATION PLAN	\$190.43
		Superannuation Contributions	
DD7683.7	04/04/2021	MLC MASTERKEY SUPERANNUATION	\$302.83
		Superannuation Contributions	
DD7683.8	04/04/2021	DALHALL HOLDINGS PTY LTD	\$438.47
		Superannuation Contributions	
DD7683.9	04/04/2021	PRIME SUPERANNUATION	\$197.95
		Superannuation Contributions	
DD7700.1	18/04/2021	REST SUPERANNUATION	\$445.04
		Superannuation Contributions	
DD7700.2	18/04/2021	COLONIAL FIRST STATE FIRST CHOICE WHOLESALE	\$822.76
		Superannuation Contributions	
DD7700.3	18/04/2021	AWARE SUPER	\$11,921.97
		Superannuation Contributions	
DD7700.4	18/04/2021	AUSTRALIAN SUPERANNUATION	\$638.27
		Superannuation Contributions	
DD7700.5	18/04/2021	BT SUPER FOR LIFE	\$341.09
		Superannuation Contributions	
DD7700.6	18/04/2021	MLC MASTERKEY SUPERANNUATION	\$308.65
		Superannuation Contributions	
DD7700.7	18/04/2021	DALHALL HOLDINGS PTY LTD	\$438.47
		Superannuation Contributions	
DD7700.8	18/04/2021	PRIME SUPERANNUATION	\$197.27
		Superannuation Contributions	
DD7700.9	18/04/2021	BENDIGO SUPERANNUATION PLAN	\$100.28
		Superannuation Contributions	
DD7703.1	01/04/2021	BENDIGO BANK	\$4.54
		Bank Charges	
DD7703.2	01/04/2021	CARLTON UNITED BREWERIES PTY LTD	\$5,281.72
		Bar Purchase	
DD7703.3	15/04/2021	AUSTRALIAN LIQUOR MARKETERS PTY LTD - METCASH	\$4,418.83
		Bar Purchase	
DD7703.4	19/04/2021	BENDIGO BANK	\$0.15
		Bank Charges	
DD7703.5	20/04/2021	SYNERGY	\$111.25
		Electricity, Public Conveniences Dudinin	
DD7703.6	01/04/2021	FIRST DATA MERCHANT SOLUTIONS AUSTRALIA PTY LTD	\$435.89
		Bank Charges	
DD7703.7	01/04/2021	WESTNET INTERNET SERVICES	\$179.90
		Westnet Service	

Shire of Kulin

EFT & Chq Listing for period ended 30 April 2021

CHQ / EFT No.	DATE	DESCRIPTION	AMOUNT
DD7703.8	02/04/2021	BENDIGO BANK	\$135.94
		Bank Charges	
DD7703.9	07/04/2021	SYNERGY	\$1,124.00
		Electricity, Caravan Park	
DD7706.1	01/04/2021	CREDIT CARD - MASTER CARD	\$6,197.42
		Statement March 2021	
DD7709.1	02/04/2021	BENDIGO BANK	\$122.26
		Merchant Fees	
DD7711.1	21/04/2021	BENDIGO BANK	\$8.85
		Bank Charges	
DD7711.2	22/04/2021	SYNERGY	\$1,525.04
		Electricity, Street Lights & Information Bay	
DD7711.3	22/04/2021	BENDIGO BANK	\$6.45
		Bank Charges	
DD7711.4	28/04/2021	BENDIGO BANK	\$0.15
		Bank Charges	
DD7711.5	29/04/2021	CARLTON UNITED BREWERIES PTY LTD	\$1,260.83
		Bar Purchase	
DD7683.10	04/04/2021	CBUS SUPER	\$180.40
		Superannuation Contributions	
DD7700.10	18/04/2021	CBUS SUPER	\$89.01
		Superannuation Contributions	
DD7703.10	07/04/2021	BENDIGO BANK	\$9.30
		Bank Charges	
DD7703.11	14/04/2021	BENDIGO BANK	\$2.55
		Bank Charges	
6456788	07/04/2021	BULK PAYMENT	\$73,274.38
		Payroll	
6481974	21/04/2021	BULK PAYMENT	\$66,800.00
		Payroll	
Sub-total: EFT & Chq Payments			\$624,911.99
TOTAL PAYMENTS FOR MONTH ENDING 30 April 2021			\$624,911.99



Shire of Kulin

MONTHLY FINANCIAL REPORT

For the period ended 30 April 2021

Presented to Ordinary Council Meeting

TABLE OF CONTENTS

Summary of Information - Graphs

Statement of Financial Activity

Statement of Financial Position

Note 1 Net Current Assets & Banking Information

Note 2 Rating Information

Note 3 Asset Information

Note 4 Reserve Information

Note 5 Grants Information

Note 6 Borrowings

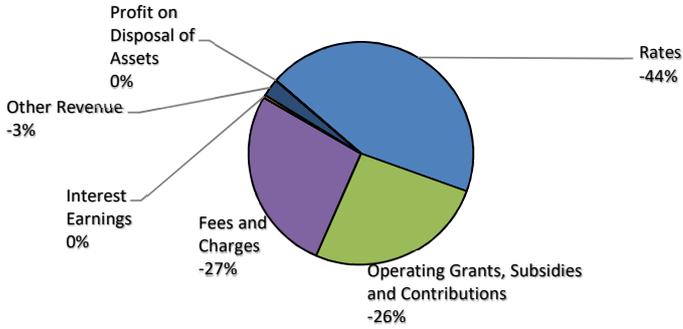
Note 7 Major Variances

**LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

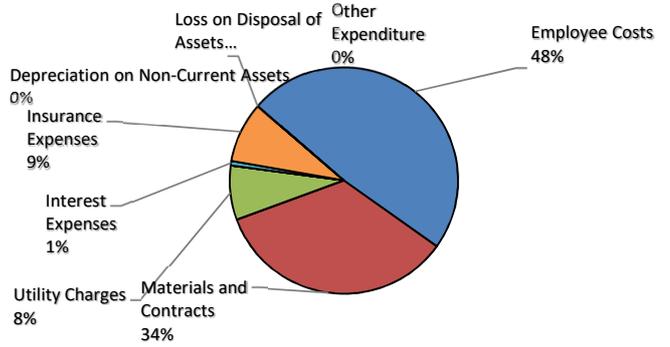
Shire of Kulin
SUMMARY INFORMATION - GRAPHS
 For the period ended 30 April 2021

OPERATING ACTIVITIES

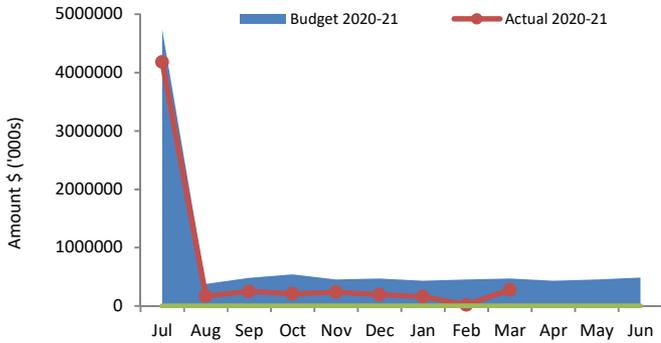
OPERATING REVENUE



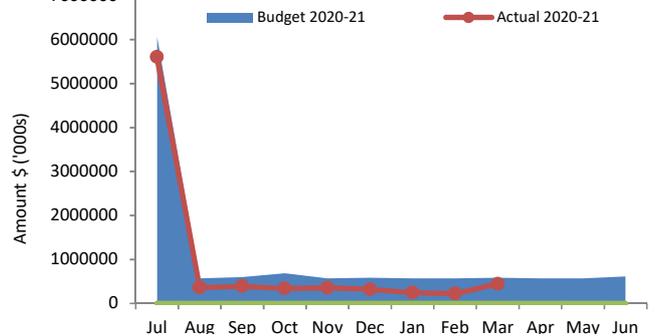
OPERATING EXPENSES



Budget Operating Revenues -v- Actual

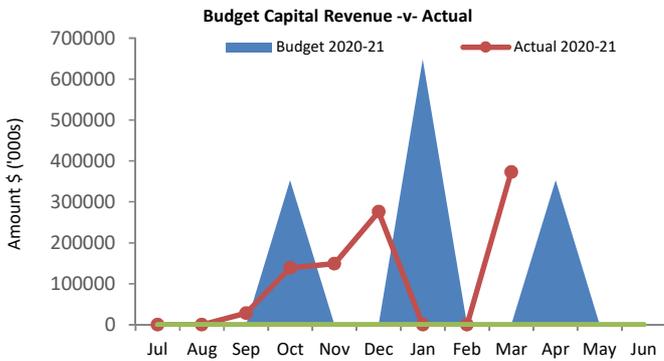


Budget Operating Expenses -v-YTD Actual

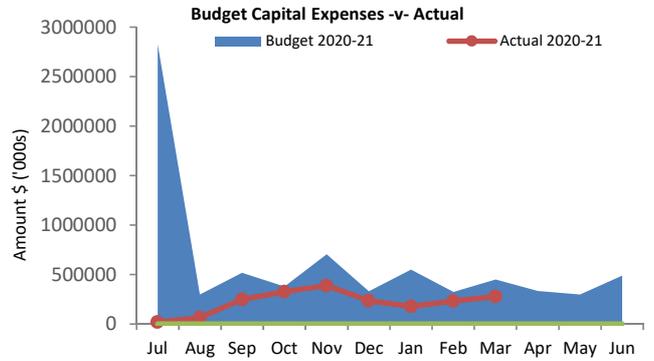


INVESTING ACTIVITIES

CAPITAL REVENUE



CAPITAL EXPENSES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Shire of Kulin
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the period ended 30 April 2021

	Ref Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var. \$	Var. %	
Opening Funding Surplus(Deficit)	1(a)	1,671,941	1,671,941	1,657,227	(14,714)	(1%)	
Operating Revenues							
General Purpose Funding		1,717,020	1,283,139	1,114,188	(168,951)	(15%)	▼
General Purpose Funding - Rates	2	2,028,931	2,028,931	2,035,248	6,317	0%	
Governance		17,970	14,960	47,824	32,864	69%	▲
Law, Order and Public Safety		33,400	26,390	32,741	6,351	19%	▲
Health		0	0	354	354	100%	
Education and Welfare		270,440	234,100	186,205	(47,895)	(26%)	▼
Housing		108,282	90,220	84,077	(6,143)	(7%)	
Community Amenities		101,224	100,014	102,942	2,928	3%	
Recreation and Culture		214,449	184,600	202,411	17,811	9%	
Transport		257,681	250,215	236,610	(13,605)	0%	
Economic Services		1,235,800	924,730	740,902	(183,828)	(25%)	▼
Other Property and Services		120,864	96,530	129,911	33,381	26%	▲
Total (Excluding Rates)		6,106,061	5,233,829	4,913,413	(320,416)		
Operating Expense							
General Purpose Funding		(96,808)	(73,420)	(64,442)	(8,978)	(14%)	▼
Governance		(219,077)	(166,386)	(202,533)	36,147	18%	▲
Law, Order and Public Safety		(151,392)	(85,590)	(127,841)	42,251	33%	▲
Health		(120,039)	(96,870)	(53,810)	(43,060)	(80%)	▼
Education and Welfare		(323,674)	(269,620)	(255,232)	(14,388)	(6%)	
Housing		(263,405)	(219,390)	(213,114)	(6,276)	(3%)	
Community Amenities		(377,752)	(306,270)	(286,707)	(19,563)	(7%)	
Recreation and Culture		(1,231,739)	(1,030,104)	(961,485)	(68,619)	(7%)	
Transport		(3,382,226)	(2,812,100)	(2,751,371)	(60,729)	(2%)	
Economic Services		(1,101,998)	(920,180)	(871,483)	(48,697)	(6%)	
Other Property and Services		(93,007)	(100,840)	47,939	(148,779)	310%	
Total		(7,361,116)	(6,080,770)	(5,740,079)	(340,691)		
Funding Balance Adjustment							
Add back Depreciation	3(c)	3,175,584	2,381,688	2,245,742	(135,947)	-6%	
Adjust (Profit)/Loss on Asset Disposal	3(b)	(43,746)	0	0	0		
Total Adjustments		3,131,838	2,381,688	2,245,742	(797,054)		
Investing Activities							
Proceeds from Capital Grants	5	1,504,000	1,060,500	937,859	(122,641)	-13%	▼
Proceeds from disposal of assets	3(b)	171,000	42,750	130,127	87,377	67%	▲
Payments for property, plant and equipment and infrastructure	3(a)	(4,991,340)	(2,826,051)	(2,970,703)	144,651	5%	
		(3,316,340)	(1,722,801)	(1,902,717)			
Financing Activities							
Transfer from reserves	4	218,327	109,164	58,723	50,441	46%	▲
Repayment of debentures	6	(90,511)	(45,256)	(44,912)	(344)	1%	
Transfer to reserves	4	(316,263)	(158,132)	(309,523)	151,392	-96%	
		(188,447)	(94,224)	(295,712)			
Closing Funding Surplus(Deficit)	1(a)	43,937	1,389,663	877,874			

Shire of Kulin
STATEMENT OF FINANCIAL POSITION
For the period ended 30 April 2021

Description	Balance 30 June 2020 \$	Movement \$	Total Actual 30-Apr-21 \$
CURRENT ASSETS			
Cash at Bank	1,983,660	(112,957)	1,870,703
Cash at Bank Reserves & Restricted Funds	1,871,837	249,812	2,122,637
Sundry Debtors	265,734	(157,416)	108,318
Sundry Debtors - Rates	54,423	3,574	57,997
Accrued Interest	3,007	(3,007)	0
Stock on hand	52,446	104,235	156,681
TOTAL CURRENT ASSETS	4,231,106	84,242	4,316,336
CURRENT LIABILITIES			
Contract Liabilities	0		(476,897)
Sundry Creditors	(196,709)	(175,443)	(374,811)
Accruals	(276,683)	71,654	(205,029)
LSL - Current	(217,364)	0	(217,364)
GST Clearing Account	(11,443)	(31,099)	(42,542)
Loan Commitment - Current	(90,511)	44,912	(45,599)
ESL Collection	3,937	(4,808)	(871)
Rates Paid in Advance	(3,781)	2,810	(971)
TOTAL CURRENT LIABILITIES	(792,554)	(91,974)	(1,364,083)
NET CURRENT ASSETS	3,438,553	(7,732)	2,952,252
NON-CURRENT ASSETS			
Land & Buildings	21,065,490	(317,788)	20,800,564
Construction other than Buildings	325,900	(3,756)	408,267
Plant & Equipment	3,070,738	27,501	3,098,238
Furniture & Equipment	141,596	(6,733)	139,223
Motor Vehicles	1,465,714	(7,727)	1,457,986
Infrastructure	107,273,928	(653,906)	108,033,922
Shares - Kulin (Bendigo) Bank	5,000	0	5,000
Units Held - Local Government House Trust	71,221	0	71,221
TOTAL NON-CURRENT ASSETS	133,419,587	(961,970)	134,014,861
NON CURRENT LIABILITIES			
Loan Liability Non Current	(1,073,183)	0	(1,073,183)
Lsl Accrual - Non Current	(74,878)	0	(74,878)
TOTAL NON-CURRENT LIABILITIES	(1,148,061)	2,220	(1,145,841)
NET ASSETS	135,710,078	(967,482)	135,821,272
TOTAL ACCUMULATED RESERVES			
	1,871,837	250,800	2,122,637
Asset Revaluation - Infrastructure	80,027,800	0	80,027,800
Asset Revaluation - Property, Plant & Equipment	1,851,617	0	1,851,617
Asset Revaluation - Land & Buildings	11,639,170	0	11,639,170
Accumulated Surplus	40,319,655	111,193	40,430,848
TOTAL ACCUMULATED SURPLUS	133,838,241	(250,800)	133,698,635
TOTAL EQUITY	135,710,078	0	135,821,272

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 1(a) - Net Current Assets Composition

	Budget Last Year Closing 30-Jun-20	Actual Last Year Closing 30-Jun-20	Year to Date 30-Apr-21
Current Assets			
Cash and Cash Equivalents	4,010,595	3,855,497	3,993,340
Accounts Receivable - Rates	69,220	54,579	56,155
Accounts Receivable - Sundry	271,384	265,734	108,318
Inventories	59,377	52,446	156,681
Other	3,007	3,007	0
Less: Current Liabilities			
Contract Liabilities	0	0	(476,897)
Sundry Creditors	(372,755)	(197,359)	(407,298)
Payroll Accruals	(86,562)	(106,150)	0
Provision for Annual Leave	(169,883)	(169,883)	(169,883)
Provision for Long Service Leave (Current)	(217,364)	(217,364)	(217,364)
ATO Liability	(17,828)	(11,443)	(42,542)
Borrowings (Current)	(90,511)	(90,511)	(45,599)
Adjustments to Current Assets			
Less: Reserves (Restricted Cash)	(1,871,837)	(1,871,837)	(2,122,637)
Add: Borrowings (Current)	90,511	90,511	45,599
Closing funding surplus/(deficit)	1,677,353	1,657,227	877,874

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Note 1(b) - Banking Information

	General Ledger Balance 30-Apr-21	Bank Statement Balance 30-Apr-21
Cash at Bank - Unrestricted		
Municipal Funds	707,451	712,547
Freebairn Recreation Centre	140,255	140,331
Investments	1,019,403	1,019,403
Till Float	3,095	3,415
Petty Cash	500	500
	1,870,703	1,876,197
Cash at Bank - Restricted		
Reserve Funds	2,122,637	2,122,637
	2,122,637	2,122,637

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 2 - Rating information

Rate Type	Rate in \$	Number of properties	Rateable Value	Budgeted Rate Revenue	Actual Rate Revenue
General Rate					
Gross Rental Value					
Residential	0.10187	134	1,189,708	121,196	121,146
Industrial	0.10187	13	116,376	11,855	11,855
Commercial	0.10187	28	447,448	45,582	45,582
Rural	0.10187	11	88,608	9,026	9,026
Unimproved Value					
Rural	0.01049	347	180,837,500	1,896,713	1,898,686
Mining	0.01049	0	-	-	-
Sub-total		533	182,679,640	2,084,371	2,086,294
Minimum Payment					
Gross Rental Value					
Residential	443.89	10	4,160	4,439	4,439
Industrial	443.89	5	9,736	2,219	2,219
Commercial	443.89	4	8,600	1,776	1,776
Rural	443.89	7	12,795	3,107	3,107
Unimproved Value					
Rural	443.89	9	235,700	3,995	3,995
Mining	443.89	21	213,553	9,322	9,322
Sub-total		56	484,544	24,858	24,858
		589	183,164,184	2,109,229	2,111,152
Discount				(91,000)	(89,721)
Concessions/Write-offs				(13,000)	(9,884)
Total raised from general rates				2,005,229	2,011,547
Ex-Gratia Rates				23,701	23,701
Total Rates				2,028,930	2,035,248

All land (other than exempt land) in the Shire of Kulin is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire of Kulin.

The general rates detailed for the 2020/21 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of local government services/facilities.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 3 - Asset information

Note 3(a) - Asset Acquisitions

Description	YTD			Category	Renewal/	
	Budget	Budget	YTD Actual		Replace	New Asset
Server Equipment Replacement	47,732	-	-	F&E	Y	
Old Administration Building	13,500	-	-	F&E	Y	
Main Street CCTV	75,000	-	73,549	OC		Y
KCCC Shade Sail	-	-	4,360	F&E	Y	
Cemetery Entrance Upgrade	15,098	-	12,443	OC	Y	
Aquatic Centre Recreation Improvements	135,000	-	-	Inf	Y	
Aquatic Centre Infr & Equip Improvements	83,000	83,000	84,134	Inf	Y	
Freebairn Rec Centre Surface Replacement	250,000	-	-	L&B	Y	
Freebairn Rec Centre Equip Improvements	30,000	15,000	-	P&E		Y
Oval Irrigation Upgrade	160,000	160,000	153,260	Inf	Y	
Town Playground Sofffall Replacement	50,000	-	-	L&B	Y	
Lowloader	125,000	125,000	132,800	P&E	Y	
Side Tipper Trailer	120,000	120,000	98,145	P&E	Y	
Tractor	55,000	55,000	55,000	P&E	Y	
Mini Excavator	45,000	-	47,570	P&E		Y
Plant Trailer	11,000	11,000	8,330	P&E		Y
Miscellaneous Plant (inc EWP trial)	20,000	15,000	3,510	P&E		Y
Toyota Prado (CEO)	55,000	-	-	MV	Y	
Toyota Prado (WM)	55,000	55,000	58,757	MV	Y	
Isuzu 3T Tipper	66,000	-	-	MV	Y	
4x2 Utility (No Trade)	25,000	25,000	32,832	MV		Y
Holt Rock Depot Improvements	24,706	18,530	8,995	L&B	Y	
RRG Road Construction	626,271	469,703	569,598	Inf	Y	
R2R Road Construction	426,344	319,758	522,997	Inf	Y	
BS Road Construction	802,786	602,090	124,790	Inf	Y	
WSFN Road Construction	-	-	113,176	Inf	Y	
HSVPP Road Construction	-	-	485,863		Y	
Own Resource Road Construction	890,628	667,971	260,897	Inf	Y	
Drainage Improvements (High Street)	147,884	-	-	Inf	Y	
Footpath Construction	150,891	-	54,469	Inf		Y
Pingaring Dam	30,500	15,000	18,476	Inf		Y
Youth Precinct	330,000	-	43,427	L&B		Y
Water Infrastructure	92,000	69,000	2,886	Inf		Y
Caravan Park Disabled Ablutions	33,000	-	440	L&B	Y	
	4,991,340	2,826,051	2,970,703			

Note 3(b) - Disposal of Assets

Asset Description	Budget			YTD Actual		
	Net Book Value	Proceeds on Sale	Profit/Loss on Sale	Net Book Value	Proceeds on Sale	Profit/Loss on Sale
PPE74 - Roadwest Lowloader	10,000	25,000	(15,000)	-	-	-
PPE114 - Haulmore S/Tipper	8,502	20,000	(11,498)	-	-	-
PPE18 - New Holland Tractor	12,752	20,000	(7,248)	-	-	-
PMV37 - Isuzu 3T Tipper	6,000	16,000	(10,000)	-	-	-
PMV27 - Toyota Prado (CEO)	44,000	45,000	(1,000)	-	-	-
PMV30 - Toyota Prado (WM)	46,000	45,000	1,000	-	-	-
	127,254	171,000	(43,746)	-	-	-

Note 3(c) - Depreciation

	Depreciation Expense			Asset Sustainability Ratio	
	YTD			Budget	Actual
	Budget	Budget	YTD Actual		
Furniture & Equipment	9,942	7,457	0	-	0
Land & Buildings	461,285	345,964	0	0.05	0
Motor Vehicles	72,100	54,075	0	1.02	0
Construction Other than Buildings	15,205	11,404	0	-	0
Plant & Equipment	366,115	274,586	0	1.09	0
Infrastructure	2,250,937	1,688,203	0	1.36	0
	3,175,584	2,381,688	-	1.19	-

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 4 - Cash Backed Reserves

Reserve	Budget				Actual				
	Opening Balance	Transfer to	Transfer from	Closing Balance	Opening Balance	Transfer to	Transfer from	Closing Balance	
Leave	361,521	28,150	-	389,671	361,521	26,788	-	388,309	
Plant	397,979	53,600	-	451,579	397,979	151,997	-	549,976	
Building	248,034	87,250	-	335,284	248,034	86,245	-	334,279	
Admin Equipment	76,640	675	47,732	29,583	76,640	385	47,723	29,302	
Natural Disaster	142,362	1,260	20,000	123,622	142,362	714	-	143,076	
Joint Venture Housing	75,946	675	-	76,621	75,946	381	-	76,327	
FRC Surface & Equipment	141,595	600	139,595	2,600	141,595	40,865	-	182,460	
Medical Services	114,998	1,035	-	116,033	114,998	586	-	115,584	
Fuel Facility	81,814	720	-	82,534	81,814	402	-	82,216	
Sportsperson Scholarship	13,625	108	-	13,733	13,625	68	-	13,693	
Freebairn Rec Centre	217,323	1,935	11,000	208,258	217,323	1,091	11,000	207,414	
Short Stay Accommodation	-	140,255	-	140,255	-	-	-	-	
	1,871,837	316,263	218,327	1,969,773	1,871,837	309,523	-	58,723	2,122,637

Reserve Details	Reserve Details	Anticipated Use Date	Informal Min.	Informal Max.
Leave	To fund employee long service and annual leave entitlements	-	-	As req
Plant	To fund the purchase of major plant. On average plant replacement cost approx. \$450k annually, on years where we spend less than this the difference is banked in to reserve. In years where we spend more we draw from the reserve.	-	350,000	-
Building	To fund the development of future housing	-	-	-
Admin Equipment	To fund the replacement of administration equipment.	-	50,000	100,000
Natural Disaster	To fund the LG contribution as specified through the WANDRRA guidelines and other natural disaster recovery expenditure.	-	100,000	-
Joint Venture Housing	A maintenance reserve to fund the long term maintenance of each Joint Venture Housing arrangement.	-	-	-
FRC Surface & Equipment	To fund the replacement of equipment and sports surfaces at the Freebairn Recreation Facility as necessary.	-	-	-
Medical Services	To fund the recruitment and provision of medical services in the future. Difference between the budgeted and actual expenditure is	-	100,000	150,000
Fuel Facility	To fund the replacement of the equipment at the fuel facility. Net profit from the sale of fuel is transferred to this reserve.	-	75,000	200,000
Sportsperson Scholarship	To fund the development of local sportspersons.	-	-	15,000
Freebairn Rec Centre	To fund maintenance and replacement of land and building assets at the FRC	-	100,000	-
Short Stay Accommodation	To fund the construction of short stay accommodation	30/06/2022	-	250,000

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 5 - Operating Grants

Grant Source	Purpose	Budget	YTD	
			Budget	YTD Actual
Grants Commission	Federal financial assistance grants	1,070,000	802,500	812,309
Local Roads & Community Infrastructure Program	Federal Government Stimulus	601,000	450,750	277,694
Department of Primary Industries & Regional Development	Regional Economic Development (RED)	30,000	-	-
Fire & Emergency Services	Emergency Services Levy Operating Grant	25,000	18,750	24,885
KCCC Sustainability Grant	Childcare Sustainability Grant	52,500	52,500	50,000
Main Roads	State Direct Grant (Untied Road Funding)	212,935	212,935	206,610
Department of Primary Industries & Regional Development	Community Resource Centre Funding	100,000	100,000	106,459
Department of Water	Drought Communities	590,000	295,000	-
		2,091,435	1,637,435	1,477,958

Capital Grants

Grant Source	Purpose	Budget	YTD	
			Budget	YTD Actual
Main Roads	Regional Road Group Road Construction	365,000	273,750	471,735
Department of Infrastructure	Roads to Recovery Road Construction	525,000	393,750	466,123
Main Roads	Black Spot Road Construction	524,000	393,000	-
Department of Water	Community Water Supply	90,000	-	-
		1,504,000	1,060,500	937,858

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the period ended 30 April 2021

Note 6 - Borrowings

	Budget				Actual			
	Principal		Interest		Principal		Interest	
	Principal 01/07/2020	Repayment s	Principal 30/06/2020	Repayment s	Principal 01/07/2020	Repayment s	Principal 30/06/2020	Repayment s
Loan 1 Administration Building	1,164,231	90,511	1,073,720	42,895	1,164,231	44,912	1,119,319	21,902
	1,164,231	90,511	1,073,720	42,895	1,164,231	44,912	1,119,319	21,902

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 7 - Explanation of Material Variances

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

The material variance adopted by Council for the 2020-21 year is \$5,000 or 10.00% whichever is the greater.

Revenue from operating activities	Var \$	Var %	Explanation
			Lower than budgeted for LRCIP income, income for completed projects recognised, projects (funding amount) still to be completed All Ages Activity Precinct (150k), Playground Softfall (25k), Public Toilets (10k) & Footpaths (100k)
General purpose funding - other	(168,951)	-15%	
General purpose funding - rates	6,317	0%	Below 10% threshold
Governance	32,864	69%	Insurance rebates (30k) not budgeted for
Law, order and public safety	6,351	19%	Income from ESL grant higher than budgeted for due to reimbursement from overspends in previous years.
Health	354	100%	Below \$5,000
Education and welfare	(47,895)	-26%	Childcare centre fees below what was budgeted (37k), main issue in this area being that expenditure is close to what was budgeted for which is creating a deficit which is unbudgeted for (currently 46k)
Housing	(6,143)	-7%	Below 10% threshold.
Community amenities	2,928	3%	Below \$5,000 & 10% threshold
Recreation and culture	17,811	9%	Below 10% threshold.
Transport	(13,605)	0%	Below 10% threshold
Economic services	(183,828)	-25%	\$400k of Drought communities income has been received however not recognised in financials until progress milestones achieved (budgeted to recognise \$295k in April). Fuel facility income is \$96k above budget.
Other property and services	33,381	26%	Private works income higher than budgeted for (\$50k) Expenditure higher in line with the additional work completed. Rental income for staff housing lower than what was budgeted for \$19k
Expenditure from operating activities	Var \$	Var %	Explanation
General purpose funding	(8,978)	-14%	Admin allocations lower than budgeted.
Governance	36,147	18%	Below 10% threshold
Law, order and public safety	42,251	33%	Overall, governance expenditure is less than what was budgeted for. Each month these expenses are allocated throughout the accounts and this automatic allocation journal is not clearing all expenditure. The issue is currently being investigated by our software provider.
Health	(43,060)	-80%	Expenditure on medical centre (37k), mosquito control (2k)
Education and welfare	(14,388)	-6%	Below 10% threshold
Housing	(6,276)	-3%	Below 10% threshold
Community amenities	(19,563)	-7%	Below 10% threshold
Recreation and culture	(68,619)	-7%	Below 10% threshold
Transport	(60,729)	-2%	Below 10% threshold
Economic services	(48,697)	-6%	Below 10% threshold
Other property and services	(148,779)	310%	Expenditure on dep'n for plant is lower than what was budgeted and also lower than the value which is being allocated based on plant usage. The rates of dep'n costed to jobs needs to be adjusted as overall dep'n rates have been reduced in line with our asset management planning.
Investing activities	Var \$	Var %	Explanation
Proceeds from non-operating grants, subsidies and contributions	(122,641)	-13%	Capital grants have been received as expected in the budget. Some of these grants have not yet been recognised as income as construction milestones have not yet been met.
Proceeds from disposal of assets	87,377	67%	Budget timing differences relating to sale of plant, budgeted to be received close to year end, have already been received.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2021

Note 7 - Explanation of Material Variances

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

The material variance adopted by Council for the 2020-21 year is \$5,000 or 10.00% whichever is the greater.

Payments for property, plant and equipment and infrastructure	144,651	5%	Below 10% threshold
Financing activities	Var \$	Var %	Explanation
Transfer from reserves	50,441	46%	Budgeted transfers have taken place, YTD budget figures behind, timing issue.
Repayment of debentures	(344)	1%	Below \$5,000 & 10% threshold
Transfer to reserves	151,392	-96%	Budgeted transfers have taken place, YTD budget figures behind, timing issue.

Code of Conduct for Council Members, Committee Members and Candidates



Table of Contents

Division 1 — Preliminary provisions

1. *Citation*

Error! Bookmark not defined.

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Division 1 — Preliminary provisions

2

1. *Citation*
2. *Terms used*

2

2

Division 2 — General principles

2

3. *Overview of Division*
4. *Personal integrity*
5. *Relationship with others*
6. *Accountability*

2

2

3

3

Division 3 — Behaviour

3

7. *Overview of Division*
8. *Personal integrity*
9. *Relationship with others*
10. *Council or committee meetings*
11. *Complaint about alleged breach*
12. *Dealing with complaint*
13. *Dismissal of complaint*
14. *Withdrawal of complaint*
15. *Other provisions about complaints*

3

4

4

4

5

5

6

6

6

Division 4 — Rules of conduct

7

16. *Overview of Division*
17. *Misuse of local government resources*
18. *Securing personal advantage or disadvantaging others*
19. *Prohibition against involvement in administration*
20. *Relationship with local government employees*
21. *Disclosure of information*
22. *Disclosure of interests*
23. *Compliance with plan requirement*

7

7

7

7

8

8

9

10

Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates

Policy Purpose:

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

Division 1 — Preliminary provisions

1. Citation

This is the Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

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

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

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

4. Personal integrity

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

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

- (2) A council member or committee member should —
- (a) act in accordance with the trust placed in council members and committee members; and
 - (b) participate in decision making in an honest, fair, impartial and timely manner; and
 - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
 - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

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

6. Accountability

A council member or committee member should —

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

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

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

8. Personal integrity

- (1) A council member, committee member or candidate —
- (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

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

10. Council or committee meetings

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

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and

- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

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

12. Dealing with complaint

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

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

13. Dismissal of complaint

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

14. Withdrawal of complaint

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

15. Other provisions about complaints

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

Division 4 — Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

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

17. Misuse of local government resources

- (1) In this clause —

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

resources of a local government includes —

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

18. Securing personal advantage or disadvantaging others

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

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.

- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

- (2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
- (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
- (c) act in an abusive or threatening manner towards a local government employee.

- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
- (b) use an offensive or objectionable expression when referring to a local government employee.

- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

- (1) In this clause —

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

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

document includes a part of a document;

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

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

22. Disclosure of interests

- (1) In this clause —

interest —

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

- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

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



Complaint About Alleged Breach Form - Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

- NOTE:** A complaint about an alleged breach must be made —
- (a) in writing in the form approved by the local government
 - (b) to an authorised person
 - (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:

Name:

Given Name(s)

Family Name

Contact details of person making the complaint:

Address: _____

Email: _____

Contact number: _____

Name of the local government (city, town, shire) concerned:

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

--

Date of alleged breach:

_____ / _____ / 20_____

SIGNED:

Complainant's signature:

Date of signing: _____ / _____ / 20_____

Received by Authorised Officer

Authorised Officer's Name:

Authorised Officer's Signature:

Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

Signed complaint form is to be forwarded to:

sfo@kulin.wa.gov.au; or PO Box 125, KULIN WA 6365

LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021 – EXPLANATORY NOTES

These regulations bring into effect **sections 48 to 51** of the *Local Government Legislation Amendment Act 2019*.

In particular, the following will take effect: sections 5.102A, 5.103, 5.104 and 5.105.

	Regulation	Explanation
3	Model Code of Conduct	These regulations provide for the model code of conduct for council members, committee members and candidates in Schedule 1.
4	<i>Local Government (Rules of Conduct) Regulations 2007</i> repealed	This regulation repeals the <i>Local Government (Rules of Conduct) Regulations 2007</i> (Rules of Conduct Regulations) as they now form part of the Model Code regulations (Schedule 1, Division 4).
5	<i>Local Government (Administration) Regulations 1996</i> amended	<p>This regulation inserts new Part 9A – Minor breaches by council members - into the Model Code regulations. It replaces existing regulation 4 of the Rules of Conduct Regulations (Contravention of certain local laws) and instead inserts it into the Administration Regulations.</p> <p>Part 9A provides that a contravention of a local law that relates to the conduct of people at council or committee meetings is a minor breach for the purposes of section 5.105(1)(b) of the Act. This is not a rule of conduct, which is why it is separate to the provisions in the Model Code.</p>
6	<i>Local Government (Audit) Regulations 1996</i> amended	This regulation amends the statutory requirements for the compliance audit return to capture the adoption of the Model Code and deletes the reference to the Rules of Conduct Regulations.
7	<i>Local Government (Constitution) Regulations 1998</i> amended	This regulation amends Schedule 1 Form 7 (Declaration by elected member of council) of the Constitution Regulations to reference the code of conduct adopted by the relevant local government, rather than the Rules of Conduct Regulations.
	Schedule 1 – Model code of conduct	
1	Citation	New section 5.104 of the Local Government Act requires local governments to adopt the model code of conduct within three months of these Regulations coming into operation. Until the Model Code is adopted, in accordance with section 5.104(5), the model code is taken to be a local government’s adopted code of conduct until the local government adopts a code of conduct.

	Regulation	Explanation
		<p>The Model Code, as drafted, provides a template for local governments to adopt the code as their own by inserting their local government name.</p> <p>In accordance with section 5.104(3), local governments can include additional behaviours under Division 3 that are not inconsistent with the Code, which may not currently be represented.</p> <p>To adopt the code, a resolution needs to be passed by an absolute majority. Once the code is adopted, it must be published on the local government's website.</p>
2	Terms Used	This clause defines "Act", "candidate", "complaint" and "publish". All other terms used have the same meaning as in the Act unless the contrary intention appears.
	Division 2 – General principles	
3	Overview of Division	As per new section 5.103(2)(a), the Model Code is to contain general principles to guide behaviour. These are set out in Division 2.
4	Personal Integrity	<p>This clause outlines specific personal integrity principles, including the need to:</p> <ul style="list-style-type: none"> • act with reasonable care and diligence; • act with honesty and integrity; • act lawfully; • identify and appropriately manage any conflict of interest; • avoid damage to the reputation of the local government.
5	Relationships with others	This clause outlines principles for relationships with others, including the need to treat others with respect, courtesy and fairness, and maintain and contribute to a harmonious, safe and productive work environment.
6	Accountability	This clause outlines principles for accountability, including that decisions should be based on relevant and factually correct information and that a council or committee member should be open and accountable to, and represent, the community in the district.
	Division 3 - Behaviour	
7	Overview of Division	<p>As per new section 5.103(2)(b), the Model Code is to contain requirements relating to behaviour.</p> <p>This division sets the standards of behaviour which enable and empower members to meet the principles outlined in Division 2. Division 3 behaviour breaches are managed by local</p>

	Regulation	Explanation
		governments, and so the division also includes a mechanism to deal with alleged breaches. The emphasis is on an educative role to establish sound working relationships and avoid repeated breaches.
8	Personal Integrity	<p>This clause provides for behaviours for council members, committee members and candidates, as well as behaviours specific to council and committee members.</p> <p>Behaviours include that a council member, committee member or candidate must ensure their use of social media and other forms of communication comply with the code. Members must also not be impaired by alcohol or drugs in the performance of their official duties.</p>
9	Relationships with others	<p>This clause provides for behaviours related to relationships with others, including the requirement to:</p> <ul style="list-style-type: none"> • deal with the media in a positive and appropriate manner; • not use offensive or derogatory language when referring to another person; • not disparage the character of another council member, committee member, candidate or local government employee in connection with the performance of their official duties; and • not impute dishonest or unethical motives to another council member, committee member, candidate or local government employee in connection with the performance of their official duties.
10	Council or committee meetings	<p>This clause provides for behaviours when attending a council or committee meeting. This includes that a council member, committee member or candidate must not:</p> <ul style="list-style-type: none"> • act in an abusive or threatening manner towards another person; • repeatedly disrupt the meeting; or • make a statement that they know, or could reasonably be expected to know, is false or misleading.
11	Complaints about alleged breach	<p>This clause provides that a person may make a complaint alleging a breach of Division 3 by submitting the complaint in writing (in a form approved by the local government) within one month of the alleged breach occurring.</p> <p>The local government is to authorise at least one person to receive complaints and withdrawals of complaints.</p>

	Regulation	Explanation
12	Dealing with complaint	<p>This clause provides a process for dealing with complaints. Subclause (1) requires local governments to make a finding as to whether the breach occurred, unless the complaint is dismissed (clause 13), or withdrawn (clause 14).</p> <p>Before making a finding, the person to whom the complaint relates must be given a reasonable opportunity to be heard. A finding about whether the breach has occurred should be based on whether it is more likely than not that the breach occurred. This is the same premise used by the Standards Panel in its decision making.</p> <p>If a finding of breach is made, the local government can choose to take no further action or develop a plan to address the person's behaviour. This may include training, mediation, counselling or any other action considered appropriate. Subclause (5) requires that the local government must consult with the person to whom the complaint relates in preparing the plan.</p> <p>After a finding has been made, written notice of the outcome needs to be given to the complainant and the person to whom the complaint relates.</p>
13	Dismissal of complaint	This clause provides that a complaint must be dismissed if the behaviour occurred at a council or committee meeting, and the local government is satisfied that the behaviour has already been dealt with, or the person responsible for the behaviour has taken remedial action in accordance with the meeting procedures local law.
14	Withdrawal of complaint	This clause provides that a complainant may withdraw a complaint at any time before a finding is made.
15	Other provisions about complaints	This clause provides that a complaint about a candidate cannot be dealt with unless the candidate is elected. It also allows local governments to determine the procedure for dealing with complaints to the extent it isn't already provided for.
	Division 4 – Rules of conduct	
16	Overview of Division	<p>As per section 5.103(2)(c) of the Amendment Act, the Model Code contains rules of conduct. The rules of conduct are specific rules for which alleged breaches (minor breaches) are referred to the Standards Panel. A reference to a council member in this division includes a council member acting as a committee member.</p> <p>The Rules of Conduct Regulations are being repealed (see regulation 4 above) and replaced by this Division.</p>

	Regulation	Explanation
17	Misuse of local government resources	This clause is based on regulation 8 of the Rules of Conduct Regulations. It provides that a council member must not misuse local government resources, which includes local government property or services.
18	Securing personal advantage or disadvantaging others	This is based on regulation 7 of the Rules of Conduct Regulations. It provides that a council member must not make improper use of their office to gain advantage or cause detriment to the local government or any other person.
19	Prohibition against involvement in administration	This is based on regulation 9 of the Rules of Conduct Regulations. It provides that a council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government (council) or CEO.
20	Relationship with local government employees	This is based on regulation 10 of the Rules of Conduct Regulations. It provides that a council member or candidate must not direct, influence, abuse or threaten a local government employee.
21	Disclosure of information	This is based on regulation 6 of the Rules of Conduct Regulations. It provides that a council member must not disclose information that is from a confidential document or was acquired at a closed meeting.
22	Disclosure of interests	This is based on regulation 11 of the Rules of Conduct Regulations. It provides that a council member must disclose impartiality interests, which includes interests arising from kinship, friendship or membership of an association.
23	Compliance with plan requirement	This is a new rule of conduct that provides for a minor breach if a council member does not comply with a plan requirement (see clause 12(4)(b)) imposed by the local government following a breach of a behaviour under Division 3.

Code of Conduct Behaviour Complaints Management Policy



Table of Contents

1. Principles	4
1.1. <i>Procedural fairness</i>	4
1.2. <i>Consistency</i>	4
1.3. <i>Confidentiality</i>	4
1.4. <i>Accessibility</i>	4
2. Roles	5
2.1. <i>Behaviour Complaints Officer</i>	5
2.2. <i>Complaint Assessor</i>	5
2.3. <i>Behaviour Complaints Committee</i>	5
3. Procedure	6
3.1. <i>Making a complaint</i>	6
3.2. <i>Candidate Complaints</i>	6
3.3. <i>Withdrawing a Complaint</i>	7
3.4. <i>Notice to Complainant</i>	7
3.5. <i>Notice to Respondent</i>	7
3.6. <i>Alternative Dispute Resolution</i>	7
3.7. <i>Order of Complaints</i>	8
3.8. <i>Appointment of Complaints Assessor</i>	8
3.9. <i>Search of Local Government Records</i>	8
3.10. <i>Assessment of the Complaint</i>	9
3.11. <i>Complaint Report</i>	9
3.12. <i>Complaints Committee Meeting</i>	9
3.13. <i>Compliance with Plan Requirement</i>	10
4. Decision Making	11
4.1. <i>Objective and Principles</i>	11
4.2. <i>Dismissal</i>	11
4.3. <i>Finding</i>	11
4.4. <i>Action</i>	11
4.5. <i>Plan Requirements</i>	12



Policy Objective

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

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

Policy Scope

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

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

Definitions

Act means the *Local Government Act 1995*.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

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



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

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

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

Code of Conduct means the Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates.

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

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

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

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

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

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

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

Council means the Council of the Shire of Kulin.

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

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

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

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

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

Policy Statement

1. Principles

1.1. Procedural fairness

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

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

1.2. Consistency

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

1.3. Confidentiality

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

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

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

1.4. Accessibility

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

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

2. Roles

2.1. Behaviour Complaints Officer

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

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

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

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

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

2.2. Complaint Assessor

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

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

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

2.3. Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in Council Policy Shire of Kulin Behaviour Complaints Committee Terms of Reference.

3. Procedure

3.1. Making a complaint

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

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

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

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

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

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

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

3.2. Candidate Complaints

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

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

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

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

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

3.3. Withdrawing a Complaint

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

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

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

3.4. Notice to Complainant

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

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

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

3.5. Notice to Respondent

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

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

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

3.6. Alternative Dispute Resolution

The Shire of Kulin recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint.

Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

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

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

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

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

3.7. Order of Complaints

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

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

3.8. Appointment of Complaints Assessor

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

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

3.9. Search of Local Government Records

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

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

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the Shire of Kulin Meeting Procedures/Standing Orders local Laws 2021.

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

3.10. Assessment of the Complaint

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

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

3.11. Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

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

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

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

3.12. Complaints Committee Meeting

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

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

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

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

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

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

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

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

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

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

3.13. Compliance with Plan Requirement

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

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

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

4. Decision Making

4.1. Objective and Principles

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

4.2. Dismissal

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

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the Shire of Kulin Meeting Procedures/Standing Orders Local Laws 2021.

4.3. Finding

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

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

4.4. Action

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

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

4.5. Plan Requirements

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

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Document Control Box							
Document Responsibilities:							
Owner:	[insert Position Title]			Owner Business Unit:	[insert Unit Title]		
Reviewer:	[insert Position Title]			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021						
Other:							
Organisational:							
Document Management:							
Risk Rating:	[low / med / high]	Review Frequency:	[annual / biennial / triennial]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:		Synopsis:				
1.	[decision date / TRIM Ref]		[brief description of the adoption / changes approved]				
2.							



Behaviour Complaint Form

Division 3 of the Code of Conduct for Council Members, Committee Members and Candidates

Instructions for: **Making a complaint about an alleged breach of the Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates**

Behaviour Complaint

Please read the Shire of Kulin's Code of Conduct Behaviour Complaints Policy on our website kulin.wa.gov.au before submitting a complaint. This Policy details:

- How the Shire of Kulin will process and determine a Behaviour Complaint; and
- How confidentiality of the complaint will be handled.

To make a valid **Behaviour Complaint**:

-
- The allegation must relate to a breach of the behaviour standards in Division 3 of the Shire of Kulin's Code of Conduct for Council Members, Committee Members and Candidates.
-
- Complete all sections of the Behaviour Complaint Form attached, including any additional information that will support assessment of the complaint. *The Behaviour Complaints Officer may contact you to clarify or ask for more information.*
-
- The completed Behaviour Complaint Form **MUST** be lodged with the Shire of Kulin Behaviour Complaints Officer within one (1) month of the alleged behaviour breach.
-

Rules of Conduct Complaint

A **Rules of Conduct Complaint** refers to a breach of the Rules of Conduct outlined in Division 4 of the Shire of Kulin's Code of Conduct for Council Members and Candidates, including Council Members when acting as a Committee Member. This type of complaint is determined by the Local Government Standards Panel, administered through the Department of Local Government, Sport and Cultural Industries. Further information about Rules of Conduct Complaints may be obtained from:

- Department of Local Government, Sport and Cultural Industries: (08) 6552 7300 or www.dlgsc.wa.gov.au; OR
- The Shire of Kulin's Rules of Conduct Complaints Officer: (08) 9880 1204 or admin@kulin.wa.gov.au

Need Advice?

If you require advice in making a Behaviour Complaint, please contact the Shire of Kulin's Behaviour Complaints Officer on (08) 9880 1204 or by email admin@kulin.wa.gov.au

Behaviour Complaint Form

Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates

Name of Person Making the Complaint			
Complainant Name: <i>Given Name/s and Family Name</i>			
Contact Details			
Residential Address:			
Postal Address:			
Phone:	Day-time:		Mobile:
Email:			

Complaint Details:			
1.	Insert Name of Person alleged to have committed a behavior breach:		
2.	Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:	Council Member of the Shire of Kulin	<input type="checkbox"/>
		Member of a Committee of the Shire of Kulin	<input type="checkbox"/>
		Candidate for election at the Shire of Kulin	<input type="checkbox"/>
3.	Date that the alleged behaviour breach occurred:		
4.	Location where the alleged behaviour breach occurred:		

5.	Which of the behaviours prescribed in Division 3 of the Shire of Kulin's Code of Conduct do you allege this person has breached?	
	Clause 8. Personal integrity	
	(1) A council member, committee member or candidate —	
	(a) must ensure that their use of social media and other forms of communication complies with this code; and	<input type="checkbox"/>
	(b) must only publish material that is factually correct	<input type="checkbox"/>
	(2) A council member or committee member —	
	(a) must not be impaired by alcohol or drugs in the performance of their official duties; and	<input type="checkbox"/>
	(b) must comply with all policies, procedures and resolutions of the local government.	<input type="checkbox"/>
	Clause 9. Relationship with others	
	A council member, committee member or candidate —	
	(a) must not bully or harass another person in any way; and	<input type="checkbox"/>
	(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	<input type="checkbox"/>
	(c) must not use offensive or derogatory language when referring to another person; and	<input type="checkbox"/>
	(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	<input type="checkbox"/>
	(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	<input type="checkbox"/>
	Clause 10. Council or committee meetings	
	When attending a council or committee meeting, a council member, committee member or candidate —	
	(a) must not act in an abusive or threatening manner towards another person; and	<input type="checkbox"/>
	(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	<input type="checkbox"/>
	(c) must not repeatedly disrupt the meeting; and	<input type="checkbox"/>
	(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	<input type="checkbox"/>
	(e) must comply with any direction given by the person presiding at the meeting; and	<input type="checkbox"/>
	(f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	<input type="checkbox"/>

6. State the full details of the alleged breach.		
7 List any additional information you have provided as part of this complaint: <i>Please ensure all information relevant to the alleged breach has been attached. This information will be the basis on which the complaint is considered.</i>		
9 Have you made any efforts to resolve the complaint with the Respondent? <i>Please note, you MUST complete this section</i>		
YES	<input type="checkbox"/>	<i>If yes, please describe the efforts that you have made.</i>
NO	<input type="checkbox"/>	<i>If no, please include a brief statement explaining why you have not made any efforts to resolve the issue with the person complained about.</i>

10	<p><i>The Shire of Kulin has a policy that the Complainant and the Respondent be offered the opportunity to participate in an Alternative Dispute Resolution process, that if agreed to by BOTH parties, will be undertaken before the complaint is dealt with.</i></p> <p><i>The objective is to support both parties to reach a mutually satisfactory outcome that resolves the issues and restores the relationship between them. An outcome may be that as the Complainant, you will have absolute discretion to withdraw or continue with this Complaint.</i></p> <p><i>Please contact the Behaviour Complaints Officer if you would like more information.</i></p>		
	Would you agree to participate in an Alternative Dispute Resolution process?	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>

11	<p>Desired outcome of the Complaint <i>Please explain what you would like to happen as a result of lodging this complaint, including the opportunity to participate in Alternative Dispute Resolution.</i></p>

COMPLAINANT <i>please sign and date</i>	
Signature:	
Date:	

Please submit completed Behaviour Complaint to:

The Shire of Kulin's Behaviour Complaints Officer:

Mailing Address: PO Box 125

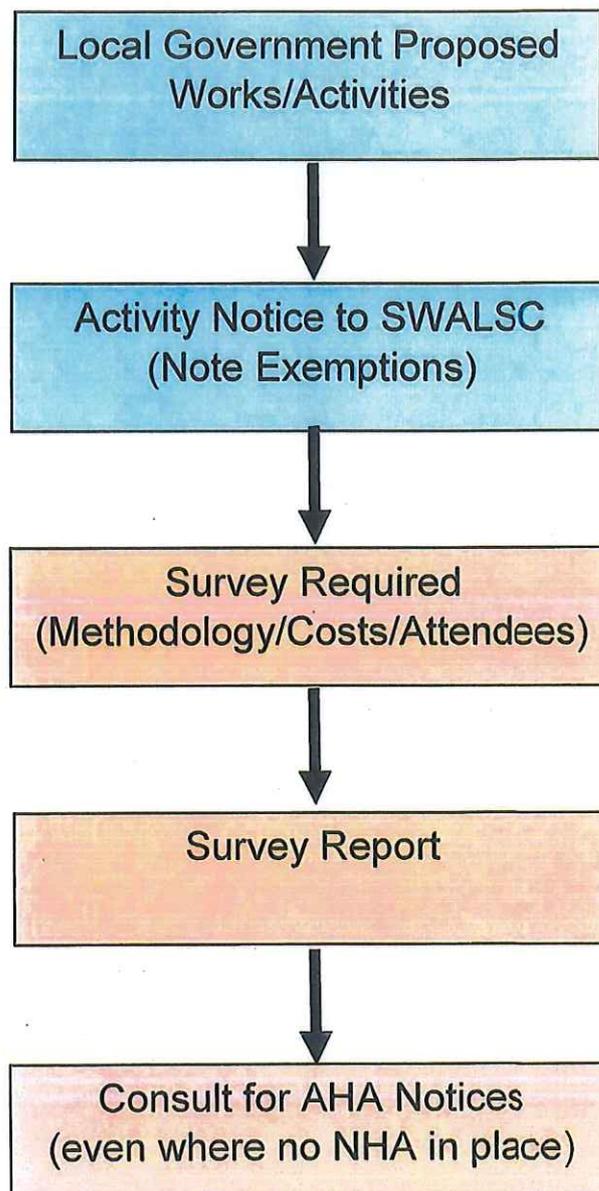
In person: 38 Johnston Street
Kulin WA 6365

OFFICE USE ONLY: <i>Received by the Council appointed Behaviour Complaints Officer</i>	
Authorised Officer's Name:	
Authorised Officer's Signature:	
Date received:	

Noongar Heritage Agreement for Local Government

Key Terms Flow Chart

Marcus Holmes
Land Equity Legal
April 2021





SHIRE OF KULIN OF FEES & CHARGES For the financial year ending 30 June 2022

NOTES:

There are four categories of GST treatment for fees & charges which are as follows:

- | | | |
|---|----------------------------|---|
| 1 | Taxable | GST is payable on the supply made. GST is normally 1/11th of the price. |
| 2 | GST Free | No GST is payable on the supply of the GST free goods or services |
| 3 | Input Taxed | An input tax credit may be claimed (via the BAS) for anything acquired (or imported) to make this supply
An input taxed supply is not subject to GST and input tax credit cannot be claimed. Eg. Residential rent |
| 4 | Outside the Scope / Exempt | A fee or charge will be outside the scope of GST if it does not meet one or more of the elements necessary to make a taxable supply. Fees & charges outside of the scope of GST under Division 81 are more commonly referred to as 'exempt' |

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

GENERAL PURPOSE FUNDING						
	GL Code	20-21 GST treatment		2020-21 (inc. GST if payable)	2021-22 Proposed	Comment
RATES						
Instalment interest	1030140	No	- Input	3.0%	5.5%	Set by Reg 68 Local Government (Financial Management) Regulations 1996
Penalty interest	1030141	No	- Input	5.5%	11.0%	Set by Reg 70 Local Government (Financial Management) Regulations 1996
Instalment administration fee (per instalment)	1030142	No	per assessment	7.00	10.00	
Payment plan administration fee	1030142	No	per assessment	no charge	no charge	
Copies of Rate Notices	1030160	No	each	8.00	8.00	
OWNERSHIP ENQUIRY FEE						
Statement of rates (financial) - written	1030160	No	per assessment	65.00	67.50	
Confirmation of orders & requisitions - written	1030160	No	per assessment	75.00	77.50	
Combined statement & confirmation	1030160	No	per assessment	140.00	145.00	
GOVERNANCE						
	GL Code	19-20 GST treatment		2020-21 (inc. GST if payable)		Comment
OWNERS & OCCUPIERS ROLL						
Copy of roll - disk/email	1041040	No	each	7.70	10.00	
Copy of roll - hard copy	1041040	No	each	18.60	25.00	
ELECTORAL ROLL						
Copy of roll - disk/email	1041040	No	each	7.70	8.00	
Copy of roll - hard copy	1041040	No	each	18.60	20.00	
Election Nomination Fee	1041041	No		80.00	80.00	Local Government (Elections) Regulations 1997
COUNCIL MINUTES & AGENDAS						
All agendas and minutes are available for download at kulin.wa.gov.au, if you wish for these to be printed at the Shire the following chages will apply.						
Agenda only	1042440	No	per month		15.00	
Minutes only	1042440	No	per month		5.00	
Minutes & Agenda	1042440	No	per month		20.00	
Minutes - Annual copy	1042440	No	per year		60.00	
SALE OF HISTORY BOOKS						
History Book (Soft cover)	1132430	Yes	each	20.00	20.00	Plus Postage
Tin Horse Highway Souvenir Book	1132450	Yes	each	10.00	10.00	Plus Postage
KBR Tin Horse Highway Book	1132450	Yes	each	25.00	25.00	Plus Postage
Tin Horse Highway Souvenir Book (Wholesale)	1132450	Yes	each	8.00	8.00	Plus Postage
POSTAGE (via Australia Post)						
Normal envelope	1042045	Yes	per envelope	2.10	2.50	
Large A4 envelope under 500g	1042045	Yes	per envelope	6.00	6.50	
Parcel under 500g	1042045	Yes	per parcel	13.00	13.00	
Parcel Under 3kg	1042045	Yes	per parcel	17.00	17.00	
Parcel Under 5kg	1042045	Yes	per parcel	22.00	22.00	
Over 5kg	1042045	Yes	per parcel	cost + 10%		
OTHER - FREEDOM OF INFORMATIO (FOI)						
Freedom of Information Requests (Personal)	1041045	No	each	-	-	
Freedom of Information Requests (Non-Personal)	1041045	No	each	30.00	35.00	
Labour Charges Relating to	1041045	No	each	30.00	35.00	per hour

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

LAW, ORDER & PUBLIC SAFETY	GL Code	20-21 GST treatment		2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
FIRE PENALTIES						
Fire Break Penalty	1051400	No		250.00	250.00	Bush Fires (Infringements) Regulations 1978 (up to \$5,000)
All other penalties	1051400	No		as per	as per	Bush Fires (Infringements) Regulations 1978
FIRE MAPS						
FESA Map of Shire	1132420	Yes	per map	10.80	-	Removed - No longer produced and accessible online
FESA Map of Shire	1132420	Yes	per pair	16.30	-	Removed - No longer produced and accessible online
ANIMAL CONTROL						
Dog Registration Sterilised Dog						
Normal Fee - 1 year	1052420	No	per dog	20.00	20.00	Dog Act 1976
Normal Fee - 3 year	1052420	No	per dog	42.50	42.50	Dog Act 1976
Normal Fee - Lifetime	1052420	No	per dog	100.00	100.00	Dog Act 1976
Pensioner Concession	1052420	No	per dog	50% of fee	50% of fee	Dog Act 1976
Working Dog	1052420	No	per dog	25% of fee	25% of fee	Dog Act 1976
Dog Registration Unsterilised Dog						
Normal Fee - 1 year	1052420	No	per dog	50.00	50.00	Dog Act 1976
Normal Fee - 3 year	1052420	No	per dog	120.00	120.00	Dog Act 1976
Normal Fee - Lifetime	1052420	No	per dog	250.00	250.00	Dog Act 1976
Pensioner Concession	1052420	No	per dog	50% of fee	50% of fee	Dog Act 1976
Working Dog	1052420	No	per dog	25% of fee	25% of fee	Dog Act 1976
Cat Registration						
Normal Fee - 1 year	1052420		per dog	20.00	20.00	Cat Act 2013 - Cats must be microchipped & sterilised.
Normal Fee - 3 year	1052420	No	per dog	42.50	42.50	Cat Act 2013 - Cats must be microchipped & sterilised.
Normal Fee - Lifetime	1052420	No	per dog	100.00	100.00	Dog Act 1976
Pensioner Concession	1052420	No	per dog	50% of fee	50% of fee	Cat Act 2013 - Cats must be microchipped & sterilised.
Replacement Dog/Cat Tags	1052421	Yes	per tag	2.70	2.70	
Dog Pound Charges						
Impounding Fees	1052400	No	per day	65.00	65.00	
Infringements						
Infringements will be issued as per the penalty prescribed in the Dog Act 1976 and relevant Regulations.						
Destruction of dog	1052400	Yes	per dog			CEO's discretion
Cat Traps						
Hire Fee		Yes		No Fee	No Fee	
Bond	hold	No		50.00	50.00	If bond not refunded then GST applicable
HEALTH SERVICES						
ASBESTOS DISPOSAL						
Fee for asbestos disposal	1141410	Yes	per m ³	Cost + 10%	Cost + 10%	As per charge imposed by Shire of Corrigin (Bendering Tip)
EFFLUENT DISPOSAL						
Application for the approval of an apparatus	1074410	No	per apparatus	113.00	113.00	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
Permit to use an apparatus	1074410	No	per apparatus	113.00	113.00	
Health Department Application with a local gov. report	1074410	No	per apparatus	35.00	35.00	
Health Department Application without a local gov. report	1074410	No	per apparatus	110.00	110.00	
ITINERENT FOOD VENDOR						
Annual Permit	1074410	No	per year	100.00	100.00	
OTHER HEALTH FEES						
Inspection Fee (as requested by settlement agents)	1074410	No	per premises	Cost + 10%	Cost + 10%	
Offensive Trade - Piggeries	1074410	No	per premises	as per Health Local Laws	as per Health Local Laws	Health Local Laws
Inspection - Public Buildings	1074410	No	per premises	as per Health Local Laws	100.00	Health Local Laws
Inspection - Food Businesses	1074410	No	per premises	as per Health Local Laws	50.00	Health Local Laws
Registration - Food Businesses	1074410	No	per premises	as per Health Local Laws	50.00	Health Local Laws
Registration - Lodging House (And Renewal)	1074410	No	per year	as per Health Local Laws	180.00	Health Local Laws

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

HOUSING	GL Code	20-21 GST treatment		2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
RESIDENTIAL						
Staff Rentals						
Level 1 - Housing (As defined in APOG)	see DCEO	No - input	per week	105.00	107.50	Deducted through pay
Level 2 - Housing (As defined in APOG)	see DCEO	No - input	per week	75.00	77.50	Deducted through pay
Level 3 - Housing (As defined in APOG)	see DCEO	No - input	per week	65.00	67.50	Deducted through pay
Private Rentals						
Joint Venture Units on Johnston Street	I092150	No - input	per week	167.50	170.00	
15 Bull Street - Joint Venture Housing	I092150	No - input	per week	177.50	180.00	
19 Wright Street - Joint Venture Housing	I092150	No - input	per week	177.50	180.00	
19 McInnes Street - Vacant	I092150	No - input	per week	177.50	180.00	
5 Bowey Way - Vacant	I092150	No - input	per week	-	200.00	
12 Bowey Way	I092150	No - input	per week	270.00	270.00	
Other private rentals	see DCEO	No - input	per week			
Bonds						
Staff Rentals	Trust	No		800.00	800.00	
Private Rentals	Trust	No		800.00	800.00	
Pet Bond	Trust	No		200.00	200.00	
VEHICLE CONTRIBUTIONS						
Lot 4 Bull Street - CEO	I042045	No	per week	45.00	47.50	Deducted through pay
9 Rankin Street - Deputy CEO	I042045	No	per week	45.00	47.50	Deducted through pay
3 Hodgson Street - Works Manager	I042045	No	per week	45.00	47.50	Deducted through pay
5 Bowey Way - Camp Kulin Manager	I042045	No	per week	45.00	47.50	Deducted through pay
14 Stewart Street - Mechanic	I042045	No	per week	45.00	47.50	Deducted through pay

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

COMMUNITY AMENITIES	GL Code	21-22 GST treatment		2020-21 (inc. GST if payable)	2021-221 (inc. GST if payable)	Comment
PUBLIC CEMETERIES						
All Internments in Grave	I107400		per internment	510.00	510.00	
Re-Opening of an ordinary grave - as for internment	I107400		per internment	510.00	510.00	
Re-Opening of an ordinary grave - as for exhumation	I107400		per exhumation	510.00	510.00	
Internment of Ashes in family grave	I107400		per internment	100.00	100.00	
Permission to erect Headstone	I107400	No	per internment	50.00	50.00	
Niche Wall - single	I107400	Yes	per internment	70.00	70.00	
Niche Wall - double	I107400	Yes	per internment	100.00	100.00	
Niche Wall Reservation Fee	I107400		per internment	30.00	30.00	
Funeral Director Licence Fee	I107400	No	per internment	25.00	25.00	
Reservation Fee	I107400		per internment	30.00	30.00	
TOWN PLANNING						
Planning Fees						
value < or = \$50,000	I106110	No	per application			Planning and Development Regulations 2009
value > \$50,000 and or =\$500,000	I106110	No	per application			of the estimated cost of development
value > \$500,000 and < or = \$2.5M	I106110	No	per application			plus 0.257% for every \$1 in excess of \$500,000
value > \$2.5M and < or = \$5M	I106110	No	per application			plus 0.206% for every \$1 in excess of \$2.5M
All other fees	I106110	No	per application			Planning and Development Regulations 2009
Sale of Publications						
Scheme Text	I106110	Yes	per copy			
REFUSE						
Domestic bin charges	I101400	No		248.00	255.00	
Commercial bin charges	I101400	No		248.00	255.00	
Recycling bin charges	I101400	No		145.00	150.00	
Recycle Bin charge (non-townsite residents only)	I102410	Yes	per bin	4.00	5.00	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

RECREATION & CULTURE						
	GL Code	21-22 GST treatment		2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
PUBLIC HALLS						
Memorial Hall Office Hire	I111022	Yes	per month	135.00	140.00	Ian Bailey - Invoice monthly
Memorial Hall Room Hire	I111022	Yes	per week	60.00	62.50	Maureen Gillbard (weekly charge)
LIBRARY FEES						
Lost / Damaged Books		Yes	Per item			Cost
AQUATIC CENTRE ENTRY FEES						
Adult	I112405	Yes	per day	4.00	4.50	
Child	I112410	Yes	per day	2.00	2.50	
Slide	I112450	Yes	per day	9.00	10.00	
School Carnivals	I112410	Yes	per day	2.00	2.50	Faction carnivals free entry, interschool carnivals competitors and staff free, spectators \$2.00
Spectators	I112410	Yes	per day	2.00	2.50	
AQUATIC CENTRE SEASON PASS						
Not including slide						
Adult	I112480	Yes	per season	75.00	76.00	Season tickets half price after 31 January
Child	I112480	Yes	per season	46.00	47.00	Season tickets half price after 31 January
Family (2 Adults & 2 Children or 1 Adult & 3 Children)	I112480	Yes	per season	137.00	139.00	Season tickets half price after 31 January
Each Additional Child	I112480	Yes	per season	46.00	47.00	Season tickets half price after 31 January
Summer Holiday Family Season Pass	I112480	Yes	per season	86.00	87.00	Last day of term 4 to first day of term 1 the following year
Each Additional Child	I112480	Yes	per season	25.00	25.00	
Including Slide						
Adult	I112480	Yes	per season	154.00	162.00	Season tickets half price after 31 January
Child	I112480	Yes	per season	96.00	101.00	Season tickets half price after 31 January
Family (2 Adults & 2 Children or 1 Adult & 3 Children)	I112480	Yes	per season	285.00	299.00	Season tickets half price after 31 January
Each Additional Child	I112480	Yes	per season	96.00	101.00	Season tickets half price after 31 January
Summer Holiday Family Season Pass	I112480	Yes	per season	170.00	170.00	Last day of term 4 to first day of term 1 the following year
Each Additional Child	I112480	Yes	per season	60.00	60.00	
RECREATION & CULTURE - FRC						
	GL Code	21-22 GST treatment		2021 Member	2022 Member	Comments
MEMBERSHIP						
Corporate Member		Yes	Annual	110.00	110.00	
Ordinary Member	I113100	Yes	Annual	70.00	70.00	
Temporary Member	I113130	Yes	3 months or less	40.00	40.00	eg. Backpackers
Social Member	I113120	Yes	Annual	30.00	30.00	
Junior Member (over 13 yrs)	I113110	Yes	Annual	20.00	20.00	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

RECREATION & CULTURE - FRC		GL Code	21-22 GST treatment		2022 Member	2022 Non Member	Comments
FRC HIRE CHARGES							
Kath Freebairn Room	1113390	Yes	Per Hour		22.00	44.00	
Kath Freebairn Room	1113390	Yes	Half Day		37.00	46.00	
Kath Freebairn Room	1113390	Yes	Whole Day		53.00	74.00	
Phil Freebairn Room	1113390	Yes	Per Hour		30.00	60.00	
Phil Freebairn Room	1113390	Yes	(1-60 Persons)		63.00	89.00	
Phil Freebairn Room	1113390	Yes	(61-100 persons)		84.00	108.00	
Phil Freebairn Room	1113390	Yes	(101+ persons)		147.00	226.00	
Hire of Indoor Courts	1113300	Yes	Individuals		NA	12.00	
Hire of Indoor Courts	1113300	Yes	Sports Activities		37.00	68.00	
Hire of Indoor Courts	1113300	Yes	Sports Activities with Lights		68.00	97.00	
Hire of Indoor Courts	1113300	Yes	Full Day single court (non sport)		142.00	159.00	
Hire of Indoor Courts	1113300	Yes	Full Day both courts (non sport)		194.00	244.00	
Hire of Indoor Courts	1113300	Yes	Day & Night both courts (non sport)		252.00	317.00	
Golf Club Function Room	1113390	Yes	Per Hour		60.00	120.00	
Golf Club Kitchen (not available unless FRC already booked for function)							
2 hours or less	1113320	Yes			50.00	75.00	
1/2 Day 2-4 hours	1113320	Yes			100.00	150.00	Function - coffee, tea, sugar, salt, pepper and 4L milk included. Additional milk requirements to be purchased by persons hiring the kitchen
Full Day (greater than 4 hours)	1113320	Yes			200.00	250.00	
BBQ Hire only	1113320	Yes			5.00	10.00	Canteen - Hotdog paper and 4L milk included.
Special Events (max. 2 full days)	1113320	Yes			250.00	300.00	
Each day thereafter	1113320	Yes			70.00	90.00	
Set up fee		Yes	per hour			Cost +10%	
FRC KITCHEN HIRE							
Junior sports training canteen hire	1113320	Yes			20.00	40.00	
2 hours or less	1113320	Yes			35.00	70.00	
1/2 Day	1113320	Yes			67.00	100.00	Function - coffee, tea, sugar, salt, pepper and 4L milk included. Additional milk requirements to be purchased by persons hiring the kitchen
Full Day (greater than 4 hours)	1113320	Yes			100.00	135.00	
BBQ Hire only	1113320	Yes			5.00	10.00	Canteen - Hotdog paper and 4L milk included.
Special Events (max. 2 full days)	1113320	Yes			135.00	200.00	
Each day thereafter	1113320	Yes			65.00	100.00	
TEA & COFFEE (for functions - no kitchen hire)							
less than 5 persons	1113395	Yes			8.00	15.00	
5-15 persons	1113395	Yes			17.00	28.00	Coffee, tea, sugar and 4L milk included. No kitchen hire.
15-40 persons	1113395	Yes			31.00	51.00	
40+ persons	1113395	Yes			62.00	2.00	
OTHER HIRE CHARGES							
Extended Liquor License Application - additional		No	Per licence		0.00	163.00	
Bowling Green	1113340	Yes	Per Person		NA	9.00	
Bowling Green	1113340	Yes	Per Group		NA	45.00	
Gymnasium	113393	Yes	Per Session per individual		0.00	15.00	During operating hours
Gymnasium	113393	Yes	Per Quarter		0.00	75.00	Key provided for after hours access
Oval	1113370	Yes	Per Session		NA	125.00	
Golf Course	1113350	Yes	Per Person		NA	9.00	
Golf Course	1113350	Yes	Per Group		NA	45.00	
Tennis Courts	1113351	Yes	Per Person		NA	9.00	
Tennis Courts	1113351	Yes	Per Group		NA	45.00	
Golf/Tennis Clubhouse Function Room Only	1113380	Yes	Per Hour		15.00	25.00	Only available for hire if FRC booked
Golf/Tennis Clubhouse Function Room & Kitchen	1113380	Yes			POA	POA	Only available for hire if FRC booked
Pool Table	1113394	Yes	Per game		1.00	1.00	
Trestles	1113336	Yes	Each		0.00	3.00	Use of chairs at Memorial Hall - \$30/hr for Shire to move chairs. No Charge if hirer transports chairs and returns.
Chairs	1113336	Yes	Each		0.00	2.00	Damage costs will be recouped. Hire charges waived if held in the FRC and it is the choice of the group to utilise the Hall. Charges waived for churches

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

ECONOMIC SERVICES						
	GL Code	21-22 GST treatment		2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
STANDPIPE WATER						
Standpipe water access cards	I136010	Yes	per card	25.00	25.00	
Fotheringham Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Yealering Kulin Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Dandagin Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Pederah Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Dudinin Lot 83	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
High St Kulin	I136010	No	per kilolitre	8.78	9.21	Fee charged by Water Corp to be passed on to user
Kulin-Lake Grace Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Commonwealth Rd	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Eighty Six Gate Rd	I136010	No	per kilolitre	5.26	5.53	Fee charged by Water Corp to be passed on to user
Luke Price St Pingaring	I136010	No	per kilolitre	2.66	2.80	Fee charged by Water Corp to be passed on to user
Williams Kondinin Rd	I136010	No	per kilolitre	5.26	5.53	Fee charged by Water Corp to be passed on to user
FUEL FACILITY						
Margin on fuel (determining the price of fuel)	I139010	Yes	per litre	0.11-0.15	0.11-0.15	Cost the Council/litre + 11-15 cents
LEASE OF CROPPING LAND						
Airport Land	I136050	Yes	per hectare	10.00	10.00	
Prouds Land	I136050	Yes	per hectare	10.00	10.00	
CARAVAN PARK						
Camp site powered - 2 People own van/tent (TOURISTS)	I132410	Yes	per day	Pay what you think	Pay what you think	Tourists only, limit of 5 nights per 3 month period
Camp site powered - 2 People own van/tent (OTHER THAN TOURISTS ie Workers, Western Power etc)	I132410	Yes	per day	28.00	30.00	
Extra Person powered site	I132410	Yes	per day	8.00	10.00	
Camp site unpowered - per person	I132410	Yes	per day	9.00	9.00	
Permanent - 2 People (minimum 2 week stay)	I132410	Yes	per week	125.00	130.00	
Extra Person permanent	I132410	Yes	per day	7.00	10.00	
Vans Parked / Stored (Unpowered)	I132410	Yes	per week	14.00	25.00	
Vans Parked / Stored (Powered)	I132410	Yes	per week	40.00	80.00	
Use of showers at Caravan Park	I132410	Yes	per wash	9.00	10.00	
HOSTEL						
Per Night	I132409	Yes	per person	25.00	25.00	Minimum 8 people (guests provide linen)
Per Night	I132409	Yes	per person	-	40.00	Minimum 8 people (linen provided)
Per Night	I132409	Yes	per person	16.00	16.00	School Groups & stay greater than 2 weeks
Laundry - Washer & Dryer	I132409	Yes	per wash	1.00	1.00	
BUILDING						
Certified						
Building Permit - Class 1 or Class 10	I133410	No		0.19%	0.19%	of the estimated value of the building work (min \$90)
Building Permit - Class 2 to 9	I133410	No		0.09%	0.09%	of the estimated value of the building work (min \$90)
Uncertified						
Building Permit	I133410	No		0.32%	0.32%	of the estimated value of the building work (min \$90)
Demolition						
Permit - Class 1 or Class 10	I133410	No		90.00	90.00	
Permit - Class 2 to 9	I133410	No	each storey	90.00	90.00	
Application to extend licence	I133410	No		90.00	90.00	
Occupancy Permits						
Completed Building	I133410	No		90.00	90.00	
Temporary for incomplete building	I133410	No		90.00	90.00	
Modification of permit for additional use	I133410	No		90.00	90.00	
Replacement of permit for permanent change	I133410	No		90.00	90.00	
For a building in respect of which unauthorised work has been done	I133410	No		0.18%	0.18%	of the estimated value of the building work (min \$90)
Replace permit for an existing building	I133410	No		90.00	90.00	
Application for extension of time	I133410	No		90.00	90.00	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

ECONOMIC SERVICES		GL Code	21-22 GST treatment	2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
Building Approval Certificate						
For a building in respect of which unauthorised work has been done	I133410	No		0.18%	0.18%	of the estimated value of the building work (min \$90)
For a building in respect of which unauthorised work has been done	I133410	No		90.00	90.00	
Application for extension of time	I133410	No		90.00	90.00	
Building Inspection Fees & Travel						
Building Inspection Fee - kulin townsite & 10km radius	I133410	Yes	per inspection	56.50	56.50	
Building Inspection Fee - outside 10km radius of kulin	I133410	Yes	per inspection	46.00	46.00	Plus Travel
Building Inspection Travel - outside 10km radius of kulin	I133410	Yes	per km	0.93	0.93	
Building Registration Board						
Building Permit	I133425	No		\$40.50	\$40.50	\$45,000 or less
Demolition Permit	I133425	No		\$40.50	\$40.50	\$45,000 or less
Occupancy Permit for approved building work	I133425	No		\$40.50	\$40.50	\$45,000 or less
Building Approval Certificate for approved building work	I133425	No		\$40.50	\$40.50	\$45,000 or less
Occupancy Permit for Unauthorised Building Work	I133425	No		\$91.00	\$91.00	\$45,000 or less
Building Approval Certificate for Unauthorised Building Work	I133425	No		\$91.00	\$91.00	\$45,000 or less
Building Permit	I133425	No		0.09%	0.09%	of work value over \$45,000
Demolition Permit	I133425	No		0.09%	0.09%	of work value over \$45,000
Occupancy Permit for approved building work	I133425	No		\$40.50	\$40.50	over \$45,000
Building Approval Certificate for approved building work	I133425	No		\$40.50	\$40.50	over \$45,000
Occupancy Permit for Unauthorised Building Work	I133425	No		0.18%	0.18%	over \$45,000
Building Approval Certificate for Unauthorised Building Work	I133425	No		0.18%	0.18%	over \$45,000
Building construction industry training fund						
BCITF Levy	I113420	No				0.2% of the total contract price (inc. GST). Only applicable if total contract price (inc. GST) is over \$20,000.
	I113420	No				OR \$200 in every \$100 000 worth of project value.
KULIN RESOURCE CENTRE						
PHOTOCOPYING						
Standard white copy paper						
A4 single sided	I134070	Yes		0.20	0.20	
A4 double sided	I134070	Yes		0.25	0.25	
A4 colour single sided	I134070	Yes		0.35	0.35	
A4 colour double sided	I134070	Yes		0.45	0.45	
A3 single sided	I134070	Yes		0.35	0.35	
A3 double sided	I134070	Yes		0.45	0.45	
A3 colour single sided	I134070	Yes		0.55	0.55	
A3 colour double sided	I134070	Yes		0.75	0.75	
Own paper (for all prints)	I134070	Yes		0.15	0.15	
Own paper Colour (for all prints)	I134070	Yes		0.25	0.25	
Card paper 200gsm						
A4 single sided	I134070	Yes		0.40	0.40	
A4 double sided	I134070	Yes		0.45	0.45	
A4 colour single sided	I134070	Yes		0.55	0.55	
A4 colour double sided	I134070	Yes		0.65	0.65	
A3 single sided	I134070	Yes		1.05	1.05	
A3 double sided	I134070	Yes		1.25	1.25	
A3 colour single sided	I134070	Yes		1.25	1.25	
A3 colour double sided	I134070	Yes		1.45	1.45	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

ECONOMIC SERVICES	GL Code	21-22 GST treatment	2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
Coloured Paper					
A4 single sided	I134070	Yes	0.30	0.30	
A4 double sided	I134070	Yes	0.35	0.35	
A4 colour single sided	I134070	Yes	0.45	0.45	
A4 colour double sided	I134070	Yes	0.55	0.55	
A3 single sided	I134070	Yes	0.55	0.55	
A3 double sided	I134070	Yes	0.75	0.75	
A3 colour single sided	I134070	Yes	0.75	0.75	
A3 colour double sided	I134070	Yes	0.95	0.95	
FAXING					
Sending Faxes					
First Page Local	I134090	Yes	1.20	1.20	
Additional Page	I134090	Yes	0.60	0.60	
Receiving Faxes					
First Page	I134090	Yes	0.15	0.15	
Additional	I134090	Yes	0.15	0.15	
EMAILING					
Per Email	I134220	Yes	3.50	3.50	
LAMINATING					
A4	I134140	Yes	2.00	2.00	
A3	I134140	Yes	3.50	3.50	
Poster (A2)	I134140	Yes	15.00	15.00	
Large Poster	I134140	Yes	20.00	20.00	
BINDING					
Per article	I134220	Yes	5.00	5.00	
FOLDING					
Per 100	I134220	Yes	6.00	6.00	
STAPLING					
Per 100	I134220	Yes	6.00	6.00	
GUILOTINING					
Staff member - per hour	I134220	Yes	40.00	40.00	
Hire - Per Hour	I134220	Yes	7.00	7.00	
LABOUR CHARGE					
Per 5 mins			6.00	6.00	
Per 15 mins			15.00	15.00	
Per 30 mins			25.00	25.00	
Per Hour			40.00	40.00	
CONSUMABLES					
Community Phone Book A4 Colour	I134160	Yes	10.00	15.00	
Community Phone Book A4 B&W	I134160	Yes	5.00	10.00	
Community Phone Book A5 Colour	I134160	Yes	10.00	10.00	
Community Phone Book Plain A5 B&W	I134160	Yes	5.00	5.00	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

ECONOMIC SERVICES	GL Code	21-22 GST treatment	2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
LCD Projector & Screen					
Weekend	I134150	Yes	70.00	70.00	
1 day	I134150	Yes	45.00	45.00	
1/2 day	I134150	Yes	30.00	30.00	
Bond	I134150	No	500.00	500.00	If bond not refunded then GST applicable
Projector screen only	I134150	Yes	25.00	25.00	
Whiteboard					
Per day		Yes	NA	NA	
Fortnightly Update					
Quarter Page	I134130	Yes	20.00	20.00	Advertising only, content and notices (such as AGM) for local groups is free.
Half Page	I134130	Yes	25.00	25.00	Advertising only, content and notices (such as AGM) for local groups is free.
Full page BW	I134130	Yes	40.00	40.00	Advertising only, content and notices (such as AGM) for local groups is free.
Full page Colour	I134130	Yes	80.00	80.00	Advertising only, content and notices (such as AGM) for local groups is free.
Front or Back page	I134130	Yes	100.00	100.00	Advertising only, content and notices (such as AGM) for local groups is free.
Advertising Package (0-6 months)	I134130	Yes	5% discount	5% discount	
Advertising Package (6-12 months)	I134130	Yes	10% discount	10% discount	
BUILDING HIRE					
Meeting Room					
Per day	I134170	Yes	80.00	85.00	
Per half day	I134170	Yes	40.00	45.00	
Evening	I134170	Yes	40.00	45.00	
Student Exams (Per Hour)	I134170	Yes	70.00	75.00	Higher per hour charge as a staff member is required to attend and is unable to complete work throughout the exam.
1 hour	I134170	Yes	30.00	35.00	
Council Chambers					
Per day	I134170	Yes	100.00	110.00	
Per half day	I134170	Yes	50.00	55.00	
Evening	I134170	Yes	50.00	55.00	
1 hour	I134170	Yes	30.00	35.00	
Large Office					
Month	I134170	Yes	375.00	385.00	
Week	I134170	Yes	120.00	125.00	
Day	I134170	Yes	85.00	90.00	
1/2 Day	I134170	Yes	50.00	55.00	
Memberships					
Business & Organisations - 12 months	I134010	Yes	70.00	75.00	
Business & Organisations - 6 months	I134010	Yes	45.00	50.00	
Family - 12 months	I134010	Yes	60.00	65.00	
Family - 6 months	I134010	Yes	40.00	45.00	
Single - 12 months	I134010	Yes	45.00	45.00	
Single - 6 months	I134010	Yes	28.00	28.00	
Concession - 12 months	I134010	Yes	35.00	35.00	
Concession - 6 months	I134010	Yes	28.00	28.00	
Kulin Community & Sporting Clubs	I134010	Yes	15.00	15.00	

SHIRE OF KULIN FEES & CHARGES
For the financial year ending 30 June 2022

PRIVATE WORKS	GL Code	20-21 GST treatment		2020-21 (inc. GST if payable)	2021-22 (inc. GST if payable)	Comment
PLANT HIRE						
Bulldozer	I141410	Yes	per hour	260.00	260.00	
Pushing Gravel – Dozer	I141410	Yes	per m ³	4.50	4.50	
Bulldozer (tree lines/rubbish holes)	I141410	Yes	per hour	220.00	220.00	
Grader	I141410	Yes	per hour	178.00	178.00	
Grader (water)	I141410	Yes	per hour	165.00	165.00	
Prime Mover/Low Loader	I141410	Yes	per hour	170.00	170.00	
Loader- alternative Long haul rate	I141410	Yes	per km	6.50	6.50	
Road Train	I141410	Yes	per hour	195.00	195.00	
Prime Mover/Side Tipper	I141410	Yes	per hour	170.00	170.00	
Truck 10T	I141410	Yes	per hour	155.00	155.00	
Truck 3T	I141410	Yes	per hour	130.00	130.00	
Bomag/Pacific Roller	I141410	Yes	per hour	160.00	160.00	
Backhoe	I141410	Yes	per hour	160.00	160.00	
Loader	I141410	Yes	per hour	170.00	170.00	
Tractor & Broom Roller	I141410	Yes	per hour	147.00	147.00	
Bobcat	I141410	Yes	per hour	155.00	155.00	
Wood Chipper	I141410	Yes	per hour	90.00	90.00	Check availability with Works Manager
Cherry Picker	I141410	Yes	per hour	75.00	75.00	Check availability with Works Manager
Jack Hammer	I141410	Yes	per day	80.00	80.00	Check availability with Works Manager
Plate Compactor	I141410	Yes	per day	80.00	80.00	Check availability with Works Manager
Cement Mixer	I141410	Yes	per day	80.00	80.00	Check availability with Works Manager
Scaffold Hire	I141410	Yes	per day	15.00	15.00	Check availability with Works Manager
Tandem Trailer	I141410	Yes	per day	75.00	75.00	
Car Trailer	I141410	Yes	1/2 day or less	60.00	60.00	
Car Trailer	I141410	Yes	per day	105.00	105.00	
LABOUR CHARGE						
Mechanical repairs labour	I141410	Yes	per hour	95.00	95.00	
No Labour charged out	I141410	Yes	per hour	40.00	40.00	
Labour Charge Only	I141410	Yes	per hour	50.00	50.00	
COMMUNITY BUS HIRE						
Bus Hire	I142100	Yes	c/km	1.10	1.20	
Trailer	I142100	Yes	per day	58.50	61.40	
MATERIALS						
Sand/Gravel	I141410	Yes	m3	22.00	22.00	
Blue Metal	I141410	Yes	m3	81.00	81.00	
Blue Metal 2nd's	I141410	Yes	m3	60.00	60.00	
Black Sand (includes \$10 to owner)	I141410	Yes	m3	31.00	31.00	Check availability with Works Manager
Mulch	I141410	Yes	m3	11.00	11.00	Check availability with Works Manager
Woodchips	I141410	Yes	m3	11.00	11.00	Check availability with Works Manager
Woodchips - delivered	I141410	Yes	m3	22.00	22.00	Check availability with Works Manager
Kerbing	I141410	Yes	each	6.00	6.00	Check availability with Works Manager
Slabs	I141410	Yes	each	5.00	5.00	Check availability with Works Manager
Grader Blades (Old)	I141410	Yes	each	5.00	5.00	Check availability with Works Manager

GENERAL COMPLIANCE CHECKLIST APRIL 2021

Class	Task	Date	Frequency	Detail	Yes/No
Governance	Freedom of Information Statement	1/04/2021	Annual	Freedom of Information Statement to be published annually in Update	In Progress
Bushfire/ Governance	Report to Council Minutes of FCO & Advisory Committee meeting & appoint CFO's and Dual CFO's -	1/04/2021	Annual	Advertise CFO's and send letters concerning Dual FCO's - Finalise Bushfire Notice changes for rate season.	In Progress
Governance	Presidents Allowance Review	April	Annual	Report to Council for review	In Progress
Governance	Commence Integrated Planning Review	31/05/2021	Quarterly	Quarterly review due May - if not already commenced	In progress
Governance	Policy Manual review	30/06/2021	Annual	Annual Policy manual review	June
Governance/ SAO	Gifts Register - reminder	30/04/2021	Twice Yearly		In Progress
Governance/ SAO	Create Election Timeline	April	Biennial	Available from Electoral Commission	To commence
SAO	Wreath for Anzac Day service April 25th	April	Annual	Council wreath and determine who will be representing Council on Anzac Day - Kulin and Holt Rock	Done
SAO	Update Records Management Disaster Plan	April	As required	Submit to State Records by Sept	Discussion with Nicole Thompson
CEO	Performance Review	1/04/2021	Annual	Report to Council to select Panel for Performance review in May	June/July
CEO	Staff Performance Reviews	19/12/2021	6 monthly	Administration staff, DCEO and Managers.	June
CEO	Adjust KRA's for Senior staff and Managers	19/12/2021	6 monthly	Administration staff, DCEO and Managers.	June
DCEO	Conduct staff performance reviews and report to CEO	19/12/2021	6 monthly		June
DCEO	Budget Review	30-May-21	Annual	The review must be submitted to the council within 30 days (30 April 2016 latest) and the review and the determination (council's decision on the review) submitted to the Department within 30 days, that is, by 30 May 2016.	Done
DCEO	FBT Return Due	April	Annual	Due in May	In Progress
DCEO	Update Creditors details	31/01/21	Quarterly	via Finance Officer - list and analyse suppliers details to detect duplicates. Cull inactive accounts	Done
DCEO	Process Improvement Auditor		Annual	Confirm Interim Audit	Interim Audit - 8- 9/06/2021 Financial Management Review 2- 4/06/2021
DCEO	Aquatic Centre Charges	April	Annual	Review admission fees/family pool pass charges prior to adoption of Fees & Charges (2 adults/2 children etc)	Done

GENERAL COMPLIANCE CHECKLIST APRIL 2021

Finance	Rents, Fees & Charges Review	1/04/2021	Annual	Fees and charges are to be reviewed at least annually. If fees and charges are set after the Budget is struck, advertising is required before implementing	Done
SFO	Rates - Pensioners	1/04/2021	Annual	Send letters to pensioners who have not paid their rates reminding of rebate option which will expire on 30 June	Reminder Letters in May
SFO	Key to Kulin reimbursement		Quarterly		Done in April
WM	R2R Draft Budget Inclusions	April	Annual	Identify R2R projects for inclusion in draft Budget	Done
WM	R2R Projects	April	Annual	Prepare submissions for RRG - list of projects due July	Done
WM	Road Construction & Maintenance Review	01/04/21	Monthly	Review previous month road construction and maintenance - complete recoups, MRD line marking requests, MRD Form 8 etc. as required - Advise DCEO of invoices required for MRD and private works recovery - complete report to CEO/Council	Done
WM	Spray Water Catchments	April	Biennial	As required to improve run-off	N/A
WM	Take down shade sails at pool - end of pool season	April	Annual	Assist Pool Manager with removal of shade sails	Done
WM	Occupational Health & Safety	April	Tri-annual	Hold committee meeting and toolbox meeting	Done
WM	Air-conditioner filters	1/04/2021	Biannual	Liaise with Building Mtce to clean filters in air-conditioner	Ongoing
WM	Spray caltrop golf course	Summer rain	Summer Rain	As Required	N/A
CRC	Conduct staff performance reviews and report to CEO	19/12/2021	6 monthly		N/A
Tourism/ CRC	Nominations for WA Tourism Awards	1/06/2021	Annual	Check WA Tourism Council website for details on exact dates	Not doing
CRC	Updating of Town Notice Board/Website		Weekly		Completed
CRC	Quarterly Stats to DRD	1/04/2021	Quarterly	Submit quarterly statistics to Dept. Regional Development	Completed
EHO	Waste Water Recycling Scheme		Monthly	If scheme is in use into May	-
SPM	Swimming Pool Water Sampling		Oct>Apr	due once a month in opening season	-
FRC	Monthly Stock on Hand		Monthly	Report to DCEO	Done
Build Mtce	Reticulation Controller Batteries	1/04/2021	Annual	Replace batteries	In Progress
Build Mtce	Smoke Detector Batteries	1/04/2021	Annual	Replace batteries	In Progress



SHIRE OF KULIN

POLICY MANUAL

Adopted June 2017

Original Author
Noel Mason – CEO
June 2017

Reviewed May 2021

INTRODUCTION

This Shire of Kulin Policy Manual has been prepared to assist Council and staff to administer the Shire.

The manual is a compilation of policy on subject matters that form the basis of administrative decision making without the need to refer matters to the Council for a decision, before it can be enacted. It also enables Councillors and staff to readily answer questions raised by electors, the public and stakeholders about the usual business of the Shire.

As new policies are adopted, or existing policies are amended, the Manual is updated, maintaining the Shire’s most recent view on how it will conduct business. Obviously, time changes the need for and relevance of policy responses. The Policy Manual framework allows the Council to design, recreate or update policy, without being overly influenced by current hot topics as it develops the best Shire response to matters at a policy level.

The use of policy in Local Government (LG) sits between statute and legislative requirements or the ‘must do’s and must comply’ elements of its business and the operational procedures that provide a guide on the best way to conduct the operations. Therefore, in some ways it can sometimes be an expression of principle, culture and process and not a direct account of what the Council believes must be the order of the day.

Policy sometimes can be misinterpreted as having firm legal status like a statute or local law but this is not the case. More accurately, it is a stated combination of the what/how/where and when that the Council would like to see in its business practice and whilst case law may apply to some of these elements, policy is only a past resolution of the Council. Whilst having the status of a Council resolution, the effect of such can be changed by a new resolution or rescission motion.

Policy’s true purpose is to provide an outline and guidance of the Council expectation and response so that consistency of decision making can be achieved.

If the interpretation of policy identifies that the matter cannot be accurately understood or addressed, or that the policy takes away from the cultural or principled positions of the Council – then at those times review is required to again clarify what the Council’s intent would be in those circumstances.

The Policy Manual therefore is reviewed annually by the Council and tested against live examples and current trends to ensure that the policies are still consistent with Council’s current stance and preference.

Garrick Yandle
Chief Executive Officer
May 2021

INDEX

A1	CODE OF CONDUCT - MEMBERS AND STAFF	4
A2	COMMON SEAL – AFFIXING OF	9
A3	CORPORATE CREDIT CARDS – USE	10
A4	DISABILITY ACCESS AND INCLUSION	11
A5	EQUAL OPPORTUNITY and HARASSMENT	12
A6	LEGAL ADVICE, REPRESENTATION & COST REIMBURSEMENT	13
A7	OCCUPATIONAL SAFETY & HEALTH POLICY	15
A8	PRIMARY DOCUMENTS	17
A9	PUBLIC INTEREST DISCLOSURE	19
A10	REGIONAL PRICE PREFERENCE POLICY	20
A11	PROCUREMENT PURCHASING & TENDERS	21
G1	LOCAL GOVERNMENT ELECTIONS	29
HR1	TERMINATION PAYMENTS – SEVERANCE PAYMENTS	30

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A1 CODE OF CONDUCT - MEMBERS AND STAFF

Administration

PREAMBLE: The Shire of Kulin has adopted the model Code of Conduct which provides elected 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.

OBJECTIVE: The Code provides a guide and a basis of expectations for elected 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.

POLICY:

Role of Elected Members

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

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

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the 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 Councillors and on Local Governments.

1. Conflict and Disclosure of Interest

1.1 Conflict of Interest

- (a) 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) Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing which may otherwise be in conflict with the Council's functions.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

(d) 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.

1.2 Pecuniary Interest

Members and staff will adopt the principles of disclosure of pecuniary interest as contained within the Local Government Act.

1.3 Disclosure of Interests Affecting Impartiality

Members are required to disclose any conflicts of interest of a non-financial nature that they may have that could be perceived as likely to affect the judgement of that person to act impartially. Details of the nature of the disclosure by the member must be recorded in the minutes of the meeting.

Staff and consultants who are providing advice to the meeting must make the disclosure at the time of giving such advice.

1.4 Disclosure of Interest

(a) Members and appropriate staff will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.

(b) Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing within the register provided.

2. Personal Benefit

2.1 Use of Confidential Information

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, or to improperly cause harm or detriment to any person or organisation.

2.2 Intellectual Property

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

2.3 Improper or Undue Influence

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

2.4 Gifts and Bribery

(a) Members and staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Local Government or their performance of any duty or work which touches or concerns the Local Government.

- (b) If any gift, reward or benefit is offered and is in excess of \$300 (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate register.

3. Conduct of Members and Staff

3.1 Personal Behaviour

- (a) 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 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) Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

3.2 Honesty and Integrity

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.

3.3 Performance of Duties

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

3.4 Compliance with Lawful Orders

- (a) 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 cannot be achieved, with the Chief Executive Officer.
- (b) Members and Staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

3.5 Administrative and Management Practices

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

3.6 Corporate Obligations

- (a) Standard of Dress:-
Staff are expected to comply with neat and responsible dress standards at all times.
Management reserves the right to raise the issue of dress with individual staff.
- (b) Communication and Public Relations:
- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities, should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, Members should acknowledge that:
- as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not to be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

3.7 Relationships between Members and Staff

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

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

3.8 Appointments to Committees

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

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

4. Dealing with Council Property

4.1 Use of Local Government Resources

Members 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).

4.2 Travelling and Sustenance Expenses

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 provision of the Local Government Act.

4.3 Access to Information

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

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.

HEAD OF POWER: Local Government Act 1995

A2 COMMON SEAL – AFFIXING OF

Administration

PREAMBLE: Numerous agreements and contracts require the affixing of the Common Seal. This Policy and delegation to the CEO and the Shire President apply the affixing of the Common Seal as and when required.

OBJECTIVE: The Policy sets out the conditions that apply to the use of the Common Seal.

POLICY: The Shire President and Chief Executive Officer are authorised, when the situation demands, to sign and affix the Common Seal of the Shire of Kulin to documents. Where the contract or agreement is a continuation of an existing arrangement or previous Council resolution, Council's prior resolution is not required. Where a matter has not been before the Council on any previous occasion, Council resolution to affix the Common Seal is required.

All uses of the Common Seal including contracts or agreements of any nature are to be recorded in the Delegations Register and reported monthly to Council in the Compliance - Delegations Exercised Report.

PROCESS: Prior to the Common Seal being used for the first time on a contract or agreement, Council is to have resolved to enter into a contract or agreement.

The CEO is charged with the care of the Common Seal and is only to apply the Common Seal to documents at the same time and sitting as the Shire President.

Details of when the Common Seal has been used are to be recorded in the Delegation Register, and the Compliance - Delegations Exercised Report submitted for information monthly to the Council.

HEAD OF POWER: Local Government Act 1995 Section 9.49A

DELEGATION: To the CEO to permit the affixing of the Common Seal when required.

A3 CORPORATE CREDIT CARDS – USE

Administration

PREAMBLE: Credit Cards are being used within Government as a purchasing resource. They can however expose the Shire to significant risk if not properly controlled and managed.

OBJECTIVE: To ensure the proper use and control of Corporate Credit and to comply with s6.5 (a) Local Government Act 1995 and regulation 11 (1) (a) of the Local Government (Financial Management) Regulations.

POLICY: The use of Corporate Credit cards is at the Chief Executive Officer's discretion and shall not be used as a means to supersede the Shire's purchasing system and procedures; use of credit is a complimentary function of purchasing.

Credit Cards shall only be used for purchasing goods or services where expediency and processes do not allow the normal purchasing practices to apply e.g. over the phone purchases, payment for goods where seller requests immediate payment. In the case of purchases where it is still appropriate to issue a Shire order to record details of the purchase this should also be undertaken – indicating that payment has already been made by credit card.

Credit cards will not be used for cash purchases.

Credit cards will not be used for personal purchases, and if this occasion arises by error, immediate repayment is required.

Credit cards will only be issued with the approval of the Chief Executive Officer and in the case of the CEO, following a report and approval of the Council by resolution.

A "non-reward" business credit card shall be the preferred option offered by the Shire's banker, and if rewards are offered, all rewards remain the property of the Shire.

Card holders are responsible for the physical and information security of the card in their possession and in the case of a lost or misplaced card, the cardholder shall notify the Bank and the DCEO immediately.

All expenditure on corporate credit cards shall comply with delegation limits for Shire officers and GST Invoices and receipts of transactions shall be obtained by the card holder for monthly acquittal.

PROCESS: Upon receipt of monthly corporate credit card statements, the officer will acquit all expenditure made by producing all receipts. It is the responsibility of the card holder to obtain documentation to acquit the credit card transactions.

A register of card purchases shall be maintained by the card holder and submitted with monthly receipts (a purchase order is still required to be completed).

As part of the monthly accounts for payment processes, the DCEO will present the Credit Card Statement detailing acquittal transactions and balances to the Council as part of the monthly meeting Agenda.

Non-compliance with the intent, principles and acquittal of this policy will result in withdrawal of the credit card and at the discretion of the Chief executive Officer, disciplinary action.

HEAD OF POWER: Local Government Act 1995, Section 2.7(2) (a) & (b) and Section 6.5(a). Local Government (Financial Management) Regulations 11(1) (a).

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A4 DISABILITY ACCESS AND INCLUSION

Administration

PREAMBLE: The Shire of Kulin is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers. Having an adopted Disability Access and Inclusion Plan (DAIP) of action forms part of this commitment.

OBJECTIVE: The Shire of Kulin interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

POLICY: The Shire of Kulin:

- recognises that people with disability are valued members of the community who make a variety of contributions to local, social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all its members makes for a richer community life;
- believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice;
- is committed to consulting with people with disability, their families and carers and where required, disability organisations to ensure that barriers to access are addressed appropriately;
- will ensure its agents and contractors work towards the desired outcomes in the DAIP;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability.

PROCESS: The Shire of Kulin is also committed to achieving the seven desired outcomes of its DAIP. These are:

1. People with disability have the same opportunities as other people to access the services of, and any event by a public authority;
2. People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority;
3. People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it;
4. People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority;
5. People with disability have the same opportunities as other people to make complaints to a public authority;
6. People with disability have the same opportunities as other people to participate in any public consultation by a public authority;
7. People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

The CEO is authorised to review the DAIP and implement those actions that support the principles outlined and accommodate annual actions in the Budget and operational strategies of the Shire.

HEAD OF POWER: Local Government Act 1995; Disability Services Act 1993 and Shire of Kulin Disability Access and Inclusion Plan (DAIP) 2020 – 2025.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A5 EQUAL OPPORTUNITY and HARASSMENT

Administration

PREAMBLE: The WA Equal Opportunity Act 1984 requires all local government authorities to prepare and implement an Equal Opportunity Management Plan in order to achieve the objects of the Equal Opportunity Act.

OBJECTIVE: To set out procedures through which the Shire of Kulin achieves compliance with Equal Opportunity legislation.

PRACTICE: The Shire of Kulin recognises its legal obligations under the Equal Opportunity Act 1984, and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of race, sex, age, marital status, pregnancy, impairment or disability, mental health status, religious or political convictions, family responsibilities and family status or gender history and sexual orientation.

The Shire of Kulin will not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, colour, age, language, ethnicity, political or religious convictions, sex, marital status, impairment or other unwarranted comment.

The Shire will constantly review policies, practices and guidelines to ensure that administrative behaviour does not result in the discrimination or harassment of its employees. Shire Plans will be assessed to ensure that strategic and operational outcomes do not limit the Shire's ability to remain committed to EEO ideals.

Shire staff have the established grievance procedure processes from which to lodge an EEO or harassment complaint and Shire stakeholders are able to lodge complaint under complaint handling processes.

PROCESS: The Shire will promote change and application by;

- All employment training will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements of such training.
- All promotional policies and opportunities will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability to meet the minimum requirements for such promotion.
- All offers of employment will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements of engagement.

HEAD OF POWER: Local Government Act 1995

The WA Equal Opportunity Act 1984

- The Racial Discrimination Act (Cth) 1976
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1987
- The Disability Discrimination Act (Cth) 1992

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A6 LEGAL ADVICE, REPRESENTATION & COST REIMBURSEMENT

Administration

PREAMBLE: This policy is designed to protect the interests of Council, members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

OBJECTIVE: To provide security, that in the event of legal proceedings or claims being taken against a Council member or staff member in the legal conduct of their duty, Council will financially support their response to the claims and or proceedings.

POLICY: General Principles

The Chief Executive Officer is authorised to obtain from Solicitors such legal advice and opinions as deemed necessary to enable the proper legal administration of Council's business. The CEO is delegated under the Local Government Act 1995, section 5.42 the authority the engage solicitors following consultation with the Shire President an authorisation to the value of \$5000 for legal advice in relation to the proper legal administration of the Shire.

The Shire may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly or against the interests of the local government and/or in bad faith.

The local government may provide such assistance in the following types of legal proceedings:

1. Proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
2. Proceedings brought against members or employees, this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions); and
3. Statutory or other inquiries where representation of members or employees is justified.

The local government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

Repayment of Assistance

Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.

Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

PROCESS:

Applications for Financial Assistance

Decisions as to financial assistance under this policy are to be made by the Council.

A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.

Applications for financial support to the Council are to be accompanied by an assessment of the request along with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).

A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.

Where there is a need for the provision of urgent legal services before an application for financial assistance can be considered by Council, the CEO is delegated under the Local Government Act 1995, section 5.42 the authority to engage solicitors following consultation with the Shire President (and in the case of the Shire President seeking the financial support – the Deputy Shire President) an authorisation to the value of \$5000.

Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

HEAD OF POWER: Shire of Kulin - Local Government Act 1995 Financial Provisions,

DELEGATION: To the CEO under LGA Section 5.42, authorisation (with conditions) to seek legal advice in connection with the proper legal administration of the Shire and to support urgent responses to claims for financial assistance to members and staff, advice to the value of \$5000, without reference to Council.

A7 OCCUPATIONAL SAFETY & HEALTH POLICY

Administration

PREAMBLE: The Shire of Kulin Occupational Safety and Health manual provides the physical collection of processes, practice and procedures relating to health and safety at the Shire. As a governance commitment, the Council's adopted Shire Safety & Health Policy Statement details its obligation and duties towards Shire employees from the highest level in the organisation.

OBJECTIVE: To detail the Shire of Kulin Occupational Safety and Health Policy commitment and performance.

POLICY: The following statement forms the Shire of Kulin policy.

SAFETY AND HEALTH POLICY STATEMENT

The Shire of Kulin acknowledges its moral and legal responsibility to provide and maintain a work environment in which employees, contractors, customers and visitors are not exposed to hazards. This commitment extends to ensuring that the organisation's operations do not place the local community and visitors at risk of injury, illness or property damage.

The Shire of Kulin will:

- *Provide and maintain safe workplaces, safe plant and safe systems of work;*
- *Provide written procedures and instructions to ensure safe systems of work;*
- *Provide information, instruction, training and supervision to employees, contractors and customers to ensure that they are not exposed to hazards;*
- *Ensure compliance with legislative requirements and current industry standards;*
- *Provide support and assistance to employees.*

All levels of management are accountable for implementing this policy in their area of responsibility and implementation of this policy will be measured by annual performance reviews. Management responsibilities include the following:

- *The provision and maintenance of the workplace in a safe condition.*
- *Involvement in the development, promotion and implementation of safety and health policies and procedures with regular reviews of these.*
- *Training employees in the safe performance of assigned tasks.*
- *The provision of resources to meet the safety and health commitment.*

Employees are to:

- *Follow all safety and health policies and procedures and acknowledge their duty of care to themselves, their co-workers and the general public.*
- *Ensure Shire procedures for accident and incident reporting are followed, reporting potential and actual hazards/accidents/incidents to your supervisor and elected safety and health representatives.*

This policy is applicable to contractors and employees in all its operations and functions including those situations where employees are required to work off site.

Garrick Yandle

CHIEF EXECUTIVE OFFICER

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

PROCESS: The Shire of Kulin Occupational Safety and Health Manual provides information on processes, reporting requirements, inspection schedules and review mechanisms.

The Occupational Safety & Health Manual is provided to all employees of the Shire and as a working document will receive formal review every two years as a minimum.

Specific sections of the Manual shall be updated and reviewed as required.

The processes allow for immediate amendment of the Manual if identified shortcomings require such, or as the 2-yearly review of the Occupational Safety & Health Manual takes place, under the authorisation of the CEO.

HEAD OF POWER: Local Government Act 1995, Occupational Health and Safety Act 1984

A8 PRIMARY DOCUMENTS

Administration

PREAMBLE: To detail the primary source documents of the Administrative Guidelines and Operational Practices used by the Shire in the conduct of its business.

OBJECTIVE: To provide accurate reference to the documents and their updates, changes and reviews, presented in a concise accurate listing of the operationally preferred processes of the Shire. To have Council support and awareness for the majority of processes used by staff.

PRACTICE: The Primary Documents are to be regarded as the operational rules, administrative procedure, staff instructions, guidelines and reference material that apply to the conduct of Shire business. Whilst not backed with the direct authority of adoption as would Shire policy, the Primary Documents do have the standing of authority of the Council, having passed a resolution accepting the documents as working materials.

The Primary Documents impose procedural and administrative intent and requirements on the Shire staff, Shire residents, contractors and stakeholders alike, and may also contain reference to other legal obligations, applicable statutes, Shire policy, adopted Codes, Circulars and case law decisions.

The Primary Documents for the Shire of Kulin are;

Shire of Kulin Administrative Procedures and Operational Guidelines Manual 2019
Shire of Kulin Employee Safety Manual – Policies and Procedures 2017
Shire of Kulin Employee Induction Manual 2018

It is not the intention that the Primary Documents policy captures all operational and support documentation that applies to the business of the Shire as many additional documents are generated under other statutes. E.g. Town Planning Scheme No 2, Shire of Kulin Health Local Law.

Nothing in this policy prevents the Primary Documents from being amended, updated, altered, added to or changed as requirements of law may in fact require such. Any change must be consistent with the intent of producing sufficient documentation to allow staff to legally perform their duties and for the Council to express their desired operational approach.

Changes proposed that deliver consequences that vary from the general thrust of the Primary Documents, require reference to Council for approval.

PROCESS: The Shire of Kulin will table the Primary Documents every two years in June for the Council to adopt. The noted delegations and the detailed authorities would then be confirmed via the adoption by Council resolution of the Delegation Register.

NOTE: The CEO will maintain a listing of all Primary and Secondary Documents that impact on the operations of the Shire and table this at Policy Review.

HEAD OF POWER: Local Government Act 1995

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

POLICY MANUAL PRIMARY AND SECONDARY DOCUMENTS LISTING

PRIMARY DOCUMENTS - SHIRE OF KULIN

Shire of Kulin Policy Manual 2017 - adopted 14th June 2017, reviewed June 2019
Shire of Kulin Administrative Procedures & Operational Guidelines (APOG) Manual 14th June 2017, reviewed June 2019
Shire of Kulin Community Strategic Plan 2017 ed. Minor Review June 2019
Shire of Kulin Corporate Business Plan 2017 ed. Minor Review June 2019
Shire of Kulin Employee Safety Manual – Policies and Procedures 2017
Shire of Kulin Employee Induction Manual (ed. Aug 2016) 2018

SECONDARY DOCUMENTS – SHIRE OF KULIN

Shire of Kulin Workforce Plan 2017 ed.
Shire of Kulin Asset Management Plan 2017 ed.
Shire of Kulin Long Term Financial Plan 2017 ed.
Shire of Kulin Contracts and Legal Documents Register
Shire of Kulin Complaints Register
Shire of Kulin Corporate Style Guide
Shire of Kulin Customer Service Charter
Shire of Kulin Delegation Register June 2018.
Shire of Kulin Disability Access and Inclusion Plan (DAIP) 2014-2019;
Shire of Kulin Equal Employment Opportunity Plan (2019);
Shire of Kulin Freedom of Information Statement 2018;
Shire of Kulin Gifts Register
Shire of Kulin Incident Investigation Procedure ed. 2017;
Shire of Kulin Induction and Training Procedure ed. 2017;
Shire of Kulin – Kulin Aquatic Centre Operations Manual for Pool Plant, Equipment & Slide (ed. May 2014);
Shire of Kulin Management Orders (Landholdings) & Vesting Orders Register
Shire of Kulin Pecuniary Interest Register
Shire of Kulin Recordkeeping Management Plan March 2019
Shire of Kulin Safe Work Method Statements (as listed) 108, 109, 110.
Shire of Kulin Town Planning Scheme No 2 2017ed.
Shire of Kulin Classification Guide
Kulin Child Care Management Committee Policies & Procedures
Freebairn Recreation Centre Club Policy Manual & Constitution
Kulin Community Resource Centre Australia Day Event Procedure

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A9 PUBLIC INTEREST DISCLOSURE

Administration

PREAMBLE: The Shire of Kulin is committed to the aims and objectives of the Public Interest Disclosure Act 2003. To support Staff who make Public Interest Disclosures the Shire has both Policy and Practice adopted to encompass its commitment to the Act.

OBJECTIVE:

The object of the Act is to:

- facilitate the disclosure of public interest information;
- provide protection for those who make disclosures; and
- provide protection for those who are the subject of a disclosure.

This is achieved by:

- protecting the person making the disclosure from legal or other action;
- providing for the confidentiality of the identity of the person making the disclosure and a person who is the subject of a disclosure.

POLICY:

The Shire of Kulin does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Kulin and its officers, employees and contractors.

It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff as to corrupt or other improper conduct.

The Shire of Kulin will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure. The Shire of Kulin does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

The Shire has adopted internal procedures to provide for the manner in which the Shire of Kulin will comply with its obligations under the Public Interest Disclosure Act 2003. They provide for the manner in which:

- disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer).
- the PID Officer shall investigate the information disclosed, or cause that information to be investigated.
- the PID Officer may take action following the completion of the investigation.
- the PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence.
- the confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained.
- records as to public interest disclosures shall be maintained and reporting obligations complied with.
- providing remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

The rights and obligations created by the PID Act are described in the Shire of Kulin Public Interest Disclosure Procedures document detailed in the Primary Document policy.

Note: PID Act procedure manual can be found in the Primary and Secondary Documents listing.

HEAD OF POWER: Local Government Act 1995

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Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A10 REGIONAL PRICE PREFERENCE POLICY

Administration

PREAMBLE: To provide for a price preference framework for the purchase of goods and services from local Shire of Kulin suppliers.

OBJECTIVE: The policy aims to deliver a higher than average take-up of local supply, by detailing the extent of consideration the local suppliers will receive as opposed to non-local supply.

In terms of definition; local versus non-local can be determined from the originating source of the goods or service, as opposed to the Shire of Kulin based supplier of such goods and service.

PRACTICE:

General Purchasing (other than Tenders)

When officers seek quotations or purchase goods or services, quotes must be obtained from businesses (if in existence) that could provide the goods or services required that are located within the Shire of Kulin.

Tenders – Regional Price Preference

That a Regional Price Preference will be provided to businesses operating within the boundary of the Shire of Kulin for all goods and services in accordance with Regulation 24D of the Local Government (Function and General) Regulations 1996.

- Up to 10%-where the contract is for goods and services, up to a maximum reduction of \$50,000 on total cost.
- Up to 5%-where the contract is for construction (building) services, up to a maximum price reduction of \$50,000, or
- Up to 10% where the contract is for goods or services (including construction services), up to a maximum price reduction of \$500,000 if the Local Government is seeking tenders for the first time, due to goods or services previously being undertaken by the Shire of Kulin.

A copy of this policy must be supplied with each tender document.

The Regional Price Preference Policy will apply to all tenders unless otherwise resolved by Council and information that outlines the power of the Council to make that decision is to be included in the Tender advertising and specifications. (i.e. the lowest or any Tender not necessarily accepted)

Other

When the provision of goods or services is not being sought by tender the following preference will be provided to local suppliers whose business is based within the Shire of Kulin and the product quality is comparable.

5% for any purchase up to \$3,000

2% for any purchase between \$3,001 and \$49,999

HEAD OF POWER: Local Government Act 1995, Regulation 24D of the Local Government (Function and General) Regulations 1996.

Note: Regional Price Preference Policy was advertised in the Narrogin Observer in July 2017 accordance with the requirements of the Local Government Act 1995 and formally adopted by resolution 12/0917.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

A11 PROCUREMENT PURCHASING AND TENDERS

Policy originally A21 in APOG Manual

Administration

PREAMBLE: The Shire of Kulin is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This practice statement provides the Shire of Kulin with a more effective way of purchasing goods and services, ensures that purchasing transactions are carried out in a fair and equitable manner and strengthens integrity and confidence in the purchasing system.

The practice should deliver value for money, compliance, heightened governance, environmental impact analysis and when followed offer a degree of risk minimisation via sound probity principles.

OBJECTIVE: Firstly, to provide compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007) and to deliver a best practice approach and procedures to internal purchasing for the Shire of Kulin.

PRACTICE: ETHICS & INTEGRITY

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

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 Kulin Regional Price Preference Policy and the Code of Conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Kulin by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

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

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

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

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

- have been determined as necessary;
- demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- demonstrate environmental best practice in water efficiency;
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.

For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;

For new buildings and refurbishments – where available use renewable energy and technologies.

PROCESS:

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	Model Policy
Up to \$5,000	Direct purchase from suppliers not requiring any quotations, although one verbal quote could be obtained in most instances.
\$5,001 - \$19,999	Obtain at least two written quotations
\$20,000 - \$49,999	Obtain at least two written quotations but where suppliers/contractors are available a minimum of three is required.
\$50,000 - \$249,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$250,000 and above	Conduct a public tender process.

* Note: For purchase of specific plant and machinery parts up to value of \$5,000 refer to “Sole Source of Supply” criteria.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

Up to \$5,000

Goods and services valued at up to \$5,000 do not require the conduct of a competitive process, although one verbal quote could be obtained in most instances, and the purchase must represent value for money.

However, it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains a sample form for recording verbal quotations.

\$5,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,001 and \$19,999. At least two written or verbal quotations are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- ensure that the requirement / specification is clearly understood by the Shire of Kulin employee seeking the verbal quotations;
- ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote;
- read back the details to the Supplier contact person to confirm their accuracy;
- written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains sample forms for recording verbal and written quotations.

\$20,000 to \$49,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$49,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase). Where sufficient suppliers or contractors are unavailable the requirement shall be two written quotations.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion;
- the request for written quotation should include as a minimum:
 - written Specification;
 - Selection Criteria to be applied;
 - Price Schedule;
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

Note: *The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.*

\$50,000 to \$249,999+

For the procurement of goods or services where the value exceeds \$50,000 but is less than \$249,999, 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.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not 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.

NOTES: The general principles relating to written quotations are;

- an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion;
- the request for written quotation should include as a minimum:
 - written Specification;
 - Selection Criteria to be applied;
 - Price Schedule;
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Note: *The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.*

Tender Exemption

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

- an emergency situation as defined by the Local Government Act 1995;
- the purchase is prequalified panel of suppliers, a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- the purchase is under auction which has been authorised by Council;
- the contract is for petrol, oil, or other liquid or gas used for internal combustion engines;

Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

Sole Source of Supply (Monopoly Suppliers)

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

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

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

Anti-Avoidance

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

Tender Criteria

The Shire of Kulin shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

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

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;

Detailed information shall include;

- such information as the Shire of Kulin decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which tender should be accepted;
- whether or not the Shire of Kulin has decided to submit a tender; and
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

Issuing Tender Documentation

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

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

Tender Deadline

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

Opening of Tenders

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

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Shire Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

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

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

No Tenders Received

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

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,000 & \$250,000 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Kulin by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Addendum to Tender

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

Minor Variation

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

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

Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- the name of the successful tenderer
- the total value of consideration of the winning offer
- the details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

Records Management

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

- tender documentation;
- internal documentation;
- evaluation documentation;
- enquiry and response documentation;
- notification and award documentation.

For a direct purchasing process this includes:

- quotation documentation;
- internal documentation;

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

- order forms and requisitions.

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

HEAD OF POWER:

Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

SHIRE OF Shire of Kulin		
VERBAL & WRITTEN QUOTATION FORM (\$5,000 - \$19,999)		
Action REQUIRED		
Procurement Description Description of purchase/service _____		
Project Number (If applicable): _____		
Quotation and Evaluation Selection Criteria (Note – at this level, it may be sufficient to just quote ‘value for money’)		
The following suppliers were asked to quote as per Shire policy		
Date	Company/Contact Name/Contact Number	Amount Quoted
.....	\$
.....	\$
.....	\$
.....	\$
The recommended quote is from _____ For an amount of \$ _____ Justification: _____		
Signed _____	Date / /	
Name / Title Contract Officer / s		
Contract Award		
Purchase Order Issued. (Goods/minor services only) or Purchase Order Number: _____		
Letter of Appointment (Services) Acknowledged by Contractor & filed) or Yes <input type="checkbox"/>		
Letter of Engagement (Consultancy) (Acknowledged by Consultant & filed). Yes <input type="checkbox"/>		
Is the Contractor a small business? (i.e. employs less than 20 people) Yes/No		
Other _____		
Signed _____	Date / /	
Approving Officer		

G1 LOCAL GOVERNMENT ELECTIONS

Governance

PREAMBLE: The Shire of Kulin is required to determine the basis for the conduct of local government elections, either in person elections and/or elections by post. In doing so, the appointment of the necessary staff to conduct the elections is required.

OBJECTIVE: To formalise the Shire of Kulin election process as defined under the Local Government Act 1995.

POLICY: The Shire of Kulin has determined under the Local Government Act by resolution that “in person” elections are the preferred electoral process for local government elections in the Shire.

By resolution determined by the Council, the Chief Executive Officer (CEO) has been appointed as the electoral Returning Officer and the Deputy Chief Executive Officer (DCEO) will act as the Presiding Officer at all Shire of Kulin Council Elections.

The Council in accordance with the Local Government Act 1995, could change the electoral process by recision and subsequent adoption of alternate resolutions.

PROCESS: The Shire of Kulin by resolution has determined the nature of elections to be conducted in the Shire and in doing so has determined that the Returning Officer will be the CEO. The CEO and DCEO to sign the required appointment forms prior to the commencement of the electoral cycle processes.

HEAD OF POWER: Local Government Act 1995;

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

HR1 TERMINATION PAYMENTS – SEVERANCE PAYMENTS

Human Resources

PREAMBLE: Section 5.50(1) of the Local Government Act 1995, requires that a Council prepare a policy in relation to employees whose employment with the local government is finishing.

The policy is to set out:

- a) the circumstances in which the Shire of Kulin will pay an employee an amount in addition to any amount which the employee is entitled under a contract of employment or award relating to the employee; and
- b) the manner of assessment of the additional amount.

OBJECTIVE: As required under Section 5.50(1) of the Local Government Act 1995 this severance payment policy outlines the circumstances and manner of assessment upon which the Shire of Kulin will pay an employee an amount (severance payment) in addition to any amount to which the employee is entitled under a contract of employment, award, industrial agreement, or order by a Court or Tribunal.

PRACTICE:

Application

This policy applies to all employees of the Shire of Kulin.

Decisions under this policy are to be made;

- a) By Council where decision involves a severance payment to the CEO;
- b) By the CEO where the decision involves a severance payment to any other employee of the Shire of Kulin.

Circumstances for Severance Payment

The Shire of Kulin may pay a severance payment in the following circumstances;

- a) Redundancy.
- b) Local Government boundary change and amalgamations.
- c) Any other termination matter that does not relate to an employee being made redundant (e.g. dismissal).

Exclusions

A severance payment will not be made to an employee who;

- a) Is redeployed within the Shire of Kulin;
- b) Is dismissed for misconduct;
- c) Is employed on either a temporary or casual basis;
- d) Is under probation.

STAFF RETIREMENT *(also included in APOG)*

In recognition of length of service staff members will be paid by the Shire a gratuity on their retirement. The amount of the gratuity is determined by the length of service:

0 – 5 years	Nil
6 – 9 years	\$25 per year
10+ years	\$50 per year

Settlements and other terminations

For the purposes of determining the amount of severance payment in respect of settling a matter under this policy, the following may be taken into account;

- a) advice of an industrial advocate or legal practitioner on the strength of the case of respective parties in any litigation or claim in an industrial tribunal;
- b) the cost of any industrial advocate or legal advice support;
- c) the general costs associated with the hearing including witness fees, travel costs;
- d) disruption to operations.

Adoption Date – 14 June 2017

Next Review Date – May 2022

Shire President Initial _____ Chief Executive Officer Initial _____

Date 19/05/2021

Additional Payment

Council may pay to an employee whose employment with the Shire of Kulin is finishing an additional severance payment over and above that prescribed in this policy to the maximum severance payment made allowable under the Local Government Act 1995.

19A. Payments to employee in addition to contract or award s. 5.50(3)

(1) The value of a payment or payments made under section 5.50(1) and

(2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total;

(a) if the person accepts voluntary severance by resigning as an employee, the value of the person's final annual remuneration; or

(b) in all other cases, \$5 000.

An additional payment made under clause 4.3 will require local public notice to be made in relation to this payment.

HEAD OF POWER: Local Government Act 1995 and Shire of Kulin policy.