

# Policy Manual

Adopted Ordinary Council Meeting 18 December 2025 – OCM 25/159





## Policy A2 – Review of Policy Manual

### Policy Intention

To ensure that the Shire of Murray Policy Manual is maintained having regard to changes in legislation, community need and organisational requirements.

### Policy

A review of each policy in the Shire of Murray Policy Manual is to be conducted at least once every three years, unless otherwise provided by a written law. Each Policy will have a Policy Detail table that will show the next policy review year and the frequency of each review.

Reviews of Council policies are to be conducted to ensure:

- The content of a policy and the policy itself is still relevant or required;
- The implementation of a policy was successful and that there are no barriers to its ongoing operation;
- The policy remains efficient and does not contribute to excessive red tape and is continuing to serve its stated Policy Intention; and
- The policy aligns with the Shire of Murray's strategic direction through its Council Plan or other supporting strategies and plans.

**Nothing in this Policy prevents a review being done at any other time.**

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0343)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/066)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		21 December 2023 (OCM23/193)



# Policy A3 – Annual Shire of Murray Administration Office Closure

## 1. Policy Intention

To confirm Council's support for the annual closure of the Shire of Murray (**Shire**) Administration Office over the Christmas – New Year period and provides direction to the Chief Executive Officer (**CEO**) when determining the appropriate closure days.

## 2. Policy Scope

This Policy applies to the operations of the Shire Administration Office.

## 3. Policy Statement

### 3.1 Closure Period

The Shire Administration Office will close annually for the Christmas and New Year period. This closure will be for a maximum of five business days excluding public holidays and those days and times will be determined by the CEO.

### 3.2 Advertising of the Closure

To ensure the community are aware of the closure:

- advertising shall be published in the local newspapers circulating the district in the last week of November each year;
- notice is to be placed at the Shire Library and the Shire Administration Office Notice board once published, as above;
- in the first week of December notice of the office closure is to be placed on the Shire of Murray website;
- the external digital sign at the Shire Administration Office is to display the details of the closure at least 24 hours prior to commencing.

### 3.3 Maintaining essential services

The CEO will determine what essential operations are to be provided during the closure period each year and ensure that appropriate employees are available to resource the provision of these operations.

## 4. Definitions

**Administration Office** is the Administration Office at 1915 Pinjarra Road, Pinjarra

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 July 2013 (OCM13/129)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)
		28 March 2025 (OCM25/029)



## Policy A4 – Records Management

Shire of Murray

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### 1. Policy Intention

To ensure that records of all activities and decisions of Council are created, accessed, managed and retained or disposed of appropriately, and in accordance with relevant legislation.

### 2. Policy

The Shire of Murray (Shire) is committed to creating and maintaining full and accurate records of its business transactions and official activities. In accordance with legislative requirements, the Shire is obliged to maintain evidential records. Records created and received by Shire personnel and contractors are to be managed in accordance with the Shire's Approved Record Keeping Plan, this Policy and the associated Procedure Manual.

#### 2.1 Ownership

The Shire's records are a Government owned asset. The records created during the course of business belong to the Shire by virtue of their possession, not to the individuals who created such records during their time as a public officer or Council Member at the Shire. Officers or Council Members who acquire or create any records in the course of business shall not retain proprietary interest. Ownership of such records is vested in the Shire.

##### 2.1.1 Creation

It is the responsibility of all staff, contractors and Council Members to ensure that full and accurate records are created of the Shire's business, operational and administrative activities in accordance with legislative requirements.

##### 2.1.2 Capture and Control of Records

All records created and received in the course of Shire business are to be captured at the point of creation, with required metadata into appropriate record keeping and business systems, which are managed in accordance with sound record keeping principles.

##### 2.1.3 Security and Protection of Records

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

##### 2.1.4 Access to Records

Access to the Shire's records by individual staff and contractors will be in accordance with designated access and security classifications. Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992*. Access to the Shire's records by Council Members will be through the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1995*.

### 2.1.5 Appraisal, Retention and Disposal of Records

Records will only be destroyed or otherwise disposed of in accordance with the General Disposal Authority (GDA) for Local Government Records issued by the State Records Office, and following authorisation from the Records Manager and the Chief Executive Officer.

### 2.1.6 Council Member Records

Council Members records must be created and kept which properly and adequately record the performance of the Council Members functions arising from their participation in decision making processes of all meetings where they represent Council on Committees or external bodies. This requirement should be met through the creation and retention of records of meetings of local government and other communications and transactions of Council Member which constitute evidence affecting the accountability of Council and the discharge of its business. Electioneering (or party-political information) and personal records which are not related to a Council Members official duty are exempt. Any correspondence received as part of their duties should be periodically returned to the Shire for registering into the appropriate record keeping system.

### 2.1.7 All staff Including Contractors

All staff are to create, collect and retain records relating to business activities they perform. They are to identify significant records; ensure those records are registered into the record keeping system and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for record keeping.

## 2.2 Definitions

**'Record'** - A record as defined in the *State Records Act 2000* means any record of information however recorded and includes:

- anything on which there is writing or Braille;
- a map, plan, diagram or graph;
- a drawing, pictorial, graphic work or photograph;
- anything on which there are figures, marks perforations or symbols, having a meaning for persons qualified to interpret them;
- anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and/or
- anything on which information has been stored or recorded, either mechanically, magnetically or electronically.

Records may be categorised as:

- **'Ephemeral Records'** are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential or historical value. They may include insignificant draft's and rough notes, records of routine enquiries;

- **‘Significant Records’** contain information which is of administrative, legal, fiscal, evidential or historical value and are not recorded elsewhere on the Public Record. They may describe an issue, record who was involved, record why a decision was made, and may embody actual guidelines;

*Note: Distinguishing between significant and ephemeral records is a matter of judgement and the above definitions can only act as a guide. Reference to “Records” in this document should read as relating to significant public records unless otherwise stated.*

- **‘Vital Records’** are records which are essential to the continued business of the Shire. Vital records include those that protect the rights of individuals and the Shire, and are absolutely essential for the Shire’s reconstruction in the event of a disaster;
- **‘Non Records’** are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire’s activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a public directory or a training manual of a third party; or
- **‘Records Disposal’** is by way of depositing records in the State Archives, managing the records as designated State Archives at the Council, or by destruction in accordance with the “General Disposal Schedule for Local Government Records”.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Information Services	
<b>Responsible Officer</b>	Manager Information Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	18 December 2003 (OCM03/239)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 July 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)

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### 1. Policy Intention

This policy outlines the conditions governing the use of all Information Services facilities provided by the Shire of Murray (Shire). The policy applies to Council Members, staff and to others to whom access to Information Services will be provided.

### 2. Policy

#### 2.1 General Use

- 2.1.1** The Shire reserves the right to, without notice, modify, upgrade, withdraw or otherwise alter any facilities provided.
- 2.1.2** The Shire has ownership of all files and e-mail messages stored on Shire computers and reserves the right to examine all computer data and software on its facilities and to monitor usage in order to ensure compliance with this Policy.
- 2.1.3** Any facilities provided to users are for the business purposes of the Shire. The Shire will not be responsible for meeting any costs resulting from either the misuse of facilities or the use of facilities for non-business-related purposes.
- 2.1.4** The Shire supports only those facilities which it provides for business purposes. Hardware, software, operating systems and networking protocols not in use at, or provided and approved by the Shire Information Services Department, are not supported.

#### 2.2 Storage

- 2.2.1** All corporate information including correspondence, minutes of meetings, memos, file notes and reports (other than those generated through the Shire's databases) are to be stored in the Electronic Document Management System (EDMS). This is consistent with the legislative requirements of the *State Records Act 2000*.
- 2.2.2** E-mails and faxes, sent and received, and of corporate nature must be captured and stored in the EDMS. This is consistent with the legislative requirements of the *State Records Act 2000*.
- 2.2.3** Hard copy documents must be scanned and registered into the EDMS immediately upon receipt.
- 2.2.4** Corporate documents must not be stored on desktop computers, or on portable media or uploaded to personal cloud storage platforms (e.g. Dropbox, OneDrive) without authorisation from Information Services. There are appropriate methods for storing draft and 'working' documents within the EDMS. Network drives are provided for non-corporate documents only and only limited quotas are allowed. It is the responsibility of each staff member to understand what documents should be stored in the EDMS, this information can be obtained from the Records Department.
- 2.2.5** Users will be responsible for any loss of data stored on local drives or on portable media.

**2.2.6** Duplication of data is to be avoided. Any documents stored in the EDMS should not be stored elsewhere unless access to EDMS is planned to be unavailable or the data is stored on media specifically designed for the purpose of backup.

### **2.3 Installing Unauthorised Software or Files**

**2.3.1** Users must not purchase, install, copy or use any software without prior written consultation with Information Services.

**2.3.2** The use of any files that are subject to Copyright regulations that have not been authorised in writing for use by the Copyright owner are not permitted to be used on the Shire systems.

### **2.4 Access to Computer Facilities**

**2.4.1** Users may use only those facilities to which they have been properly authorised to use by the relevant Manager/Director. Authorisation must be provided to Information Services in writing before access is provided and/or modified.

**2.4.2** Users may not use any of the facilities provided by the Shire in such a way as to reflect poorly upon the Shire either in part or as a whole.

**2.4.3** Users may not use any of the facilities provided to them by the Shire in such a way as to achieve personal gain or to earn income external to their employment at the Shire.

**2.4.4** Where the use of any Information Services facility is governed by a password, the password must not be inappropriately divulged to any other person.

**2.4.5** Any computer account or facility allocated to a user is for their exclusive use. The user must not allow another person to use it without appropriate authorisation from Information Services, Directors or the Chief Executive Officer (CEO).

**2.4.6** Users will comply with any directive (verbal, written or electronic) from Information Services relating to access to Information Services facilities.

**2.4.7** Any willful damage sustained to IT equipment will result in the costs of repair being sought from the user of the equipment. Any damage sustained to equipment as a result of neglect may result in the costs of repair or replacement being sought from the user of the equipment.

**2.4.8** Users must be aware that the use of mobile computing facilities may result in significant communications costs. When users do not have access to local call connections to the Shire, on-line time should be kept to a minimum. The Shire will not be responsible for any excessive costs incurred. Mobile Broadband devices are available for specified staff, as approved by the CEO who have to travel and need internet access.

**2.4.9** Information Services staff reserve the right to perform schedule and ad-hoc system maintenance tasks outside regular Administration Centre working hours. Where abnormal maintenance tasks are planned notification of the anticipated down time will be communicated if possible. If staff has a particular need for after hour's access to IT facilities they should liaise with Information Services staff in advance to arrange access options.

## 2.5 Security

- 2.5.1** Regardless of the prevailing security, or lack of security, users shall not access any data or software except data or software that belongs to the user or have been provided for their use, or is stored on a shared medium for which they have been granted access.
- 2.5.2** Users must not attempt to rename, delete, or modify the data of another user without prior authorisation from Information Services, except in the following circumstances:
  - 2.5.2.1** For data or files stored on a shared network facility or transferred in/out via a shared network facility.
  - 2.5.2.2** Under direction of their supervising officer(s) to amend data or files stored in a personal directory.
- 2.5.3** Anti-virus software protection is provided at both server and desktop level. If a user suspects that their machine has become infected with a virus (or similar type entity) it should be reported immediately to Information Services.
- 2.5.4** Users are encouraged to log out of their workstations when they are not in use. An auto-locking policy is in place that locks computers if not used for more than 15 minutes.
- 2.5.5** Users should correctly shut their computer systems down before finishing work each day, unless otherwise requested by Information Services.
- 2.5.6** Users must report to Information Services, without delay, any breaches (either real or perceived) of security.
- 2.5.7** Users must take every reasonable precaution to ensure that their passwords, accounts, software and data are adequately protected. The password should also meet complexity requirements and never be stored in plain text. A password manager should be used for this purpose (i.e. KeePass).
- 2.5.8** Users will be responsible for protecting company information from external threats by remaining vigilant and maintaining good cyber security awareness practice.

## 2.6 Voice Mail

- 2.6.1** Voice Mail is a corporate resource for business use and serves to provide a minimum level of customer service when a telephone is unattended. Where possible telephones should be diverted to another officer.
- 2.6.2** The legitimate use of Voice Mail is for cases where staff are out of their offices for short periods where phone calls would go unanswered. Voice Mail should not be used to take calls when staff are on leave.
- 2.6.3** Users must work with each other to minimise the reliance on Voice Mail as much as possible. This will serve to ensure that a high level of customer service is maintained.

## 2.7 IT Support

- 2.7.1 Requests for new systems will be formal and such requests will be treated in order of priority or in accordance with a directive from the Chief Executive Officer.
- 2.7.2 Information Services has an Electronic Helpdesk system which users should use to report problems or requests with, to Information Services. This system allows Information Services to attend to service calls in a fair sequence and by level of priority.

## 2.8 Internet and E-mail

- 2.8.1 E-mail users *must* delete any unnecessary messages promptly and manage their e-mail files wisely to ensure compliance with limits that are set on mailbox sizes; therefore, users should make sure e-mails are registered into the EDMS.
- 2.8.2 When commencing leave, staff should utilise the ability of the email software to forward incoming mail to the person who is acting in the position during their absence or set an out of office message.
- 2.8.3 Outlook Calendars are regarded as a management tool and should be made available for other staff to review. Personal appointments can be marked 'Private' so reviewers may not see the details of the content.

## 2.9 What is Acceptable Use in regards to Internet and E-mail?

- 2.9.1 Subject to the balance of this policy, employees may use the Internet access provided by the Shire for:
  - 2.9.1.1 Work-related purposes.
  - 2.9.1.2 Sending and receiving personal email messages, provided that if email messages are sent with a Shire of Murray email address in the from: or Reply -To: header, a disclaimer shall accompany the email to the effect that the views of the sender may not represent those of Shire.
  - 2.9.1.3 Accessing the World Wide Web for limited personal purposes, provided in each case that the personal use is moderate in time, does not incur cost for the Shire and does not interfere with the employment duties of the employee or his or her colleagues.
  - 2.9.1.4 Utilising any other Internet service or protocol for personal purposes after obtaining permission in writing, to do so, from the Shire's Information Services.
- 2.9.2 E-mail messages of a corporate nature that leave the Shire destined for an external organisation are public records and must be captured in the EDMS. Any corporate e-mail messages that officers receive must also be captured in this manner. If the user is unclear of how to capture the correspondence in the EDMS themselves such messages should be forwarded to Records staff to facilitate this legislative (*State Records Act 2000*) requirement.

## 2.10. What is Not Acceptable Use in regards to Internet and E-mail?

**2.10.1** Except in the course of an employee's duties or with the express permission of the Shire, the Internet access provided by the Shire may not be used for:

- 2.10.1.1** Personal commercial purposes.
- 2.10.1.2** Sending unsolicited bulk email such as advertising or announcements that are not related to Council business to any group.
- 2.10.1.3** Sending any e-mail that is inappropriate, for example, e-mails that contains pornographic material, profanity, racial and sexual discrimination, forwarding of hoaxes, chain-mail, spam, harassing colleagues or knowingly sending or forwarding virus-infected e-mails.
- 2.10.1.4** Disseminating confidential information of the Shire.
- 2.10.1.5** Any illegal purpose.
- 2.10.1.6** Knowingly causing interference with or disruption to any network, information service, equipment or any user thereof.
- 2.10.1.7** Disseminating personal contact information of officers or employees of the Shire without their consent.
- 2.10.1.8** Knowingly causing any other person to view content which could render the Shire liable pursuant to equal opportunity or sexual discrimination legislation at the suit of that person; or
- 2.10.1.9** The use of real-time messaging services such as ICQ, MSN, Yahoo or similar programs.
- 2.10.1.10** Web sites including but not limited to those of the following nature:
  - Adult Entertainment;
  - Pornography; and
  - Chat Rooms / Channels.
- 2.10.1.11** Reference the Shire of Murray Code of Conduct Local Government Employees and the Social Media Management Practice HR019 for information relating to accessing and using Social Media.

### 2.11 Example of Disclaimer to be used

This e-mail message, including any attached files, is private and may contain information that is confidential. Only the intended recipient may access or use it. If you are not the intended recipient please delete this e-mail and notify the sender promptly. The views of this sender may not represent those of the Shire. The Shire uses virus-scanning software but exclude all liability for viruses or similar defects in any attachment.

## 2.12 Consequences of Unacceptable Use

- 2.12.1** The Shire keeps and may monitor logs of Internet usage which may reveal information such as which Internet servers (including World Wide Web sites) have been accessed by employees, and the email addresses of those with whom they have communicated. The Shire will not, however, engage in real-time surveillance of Internet usage, will not monitor the content of email messages sent or received by its employees unless a copy of such message is sent or forwarded to the company by its recipient or sender in the ordinary way, and will not disclose any of the logged, or otherwise collected, information to a third party except under compulsion of law.
- 2.12.2** Responsibility for use of the Internet that does not comply with this policy lies with the employee so using it and such employee must indemnify the Shire for any direct loss and reasonably foreseeable consequential losses suffered by the Shire by reason of the breach of policy.
- 2.12.3** The Shire will review any alleged breach of this Acceptable Use Policy on an individual basis.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Information Services	
<b>Responsible Officer</b>	Manager Information Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	23 April 2010 (OCM10/066)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 July 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		19 December 2019 (OCM19/270)
		22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)

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Shire of Murray

## Policy A6 – Closed Circuit Television (CCTV)

### 1. Policy Intention

To outline a position on the operation of Shire of Murray (Shire) owned Closed Circuit Television (CCTV) systems and equipment.

### 2. Application

This Policy applies to any Shire owned fixed CCTV systems and any mobile CCTV trailers. It does not apply to the operation and use of Body Worn Cameras and/or any vehicle dash mounted camera systems.

This Policy should be read in conjunction with any associated internal CCTV Procedures and/or Guidelines, approved by the Chief Executive Officer.

### 2. Policy

#### 2.1 Objectives

The general objective of CCTV systems is to:

- enhance safety by assisting in the prevention of crime by acting as a deterrent to potential offenders;
- assist with the identification of crime and/or inappropriate behaviour and support evidence gathering for prosecuting authorities;
- support security at remote locations or sites that are not staffed outside of normal business hours; and,
- to contribute to an integrated multi-agency approach to crime prevention and community safety.

#### 2.2 Partnership Approach

A partnership approach with the Western Australia Police Force (WAPF) is supported to consider future fixed CCTV system needs within the district and to support monitoring of existing and new fixed CCTV systems within local Police stations.

WAPF are involved in the broad decision-making process for future fixed CCTV system in the district.

WAPF also contribute to the decision-making process for the deployment of mobile CCTV trailers, where required in the local Police district, subject to the Shire's own operational needs not being compromised.

Formal arrangements to document the partnership approach with WAPF will be through Memorandums of Understandings (MOU).

#### 2.3 Assessment of Fixed CCTV System Requests

New fixed CCTV systems on Shire or private land in the district will be considered where community need is formal identified and substantiated or for operational purposes, where funding is available through budget or via grants for equipment and installation, and through budget for ongoing operational costs.

All requests for the installation of fixed CCTV systems will be assessed via a formal Needs Assessment Matrix.

Where fixed Shire CCTV is to be installed on private land documented arrangements, by MOU will be applied.

#### **2.4 Assessment of Mobile CCTV Trailer Requests**

New mobile CCTV trailers will be also be considered where community need is formal identified and substantiated or for operational purposes, where funding is available through budget or via grants for equipment and installation, and through budget for ongoing operational costs.

Requests are also assessed via a formal Needs Assessment Matrix.

#### **2.5 General Principles**

Fixed CCTV systems and any mobile CCTV will not be used to intentionally monitor adjacent or nearby premises or buildings, although it is acknowledged that data captured may generally include some exterior vision of other land.

Reasonable advisory signage is to be displayed in the vicinity of fixed CCTV systems to ensure public awareness. Advisory signage is not required where covert or mobile CCTV are in use.

#### **2.6 Registering Fixed CCTV Systems**

Registering fixed CCTV systems located in the public domain through the Office of Crime Prevention is supported, as location information is automatically provided to the WAFP to assist in investigations. [Registering CCTV systems](#)

#### **2.7 Release of CCTV**

CCTV recordings or images captured by fixed CCTV systems or mobile CCTV trailers will be released to WAFP or the Australian Federal Police on written request or as otherwise required by written law.

The release of CCTV recordings or images captured on any fixed CCTV system or mobile CCTV trailer to any other person or entity is generally not supported and is at the absolute discretion of the CEO or delegate and in accordance with Privacy Principles outlined in Schedule 1 of the *Privacy Act 1988*.

All supported requests for CCTV recordings or images will be provided in a digital format via the capture software's embedded smart client application to ensure the data is exactly as recorded with no way of interference to support evidentiary requirements.

Copies of any released recording and images will be retained for record keeping purposes as required by the *State Records Act 2000*.

The request to release CCTV recordings and images is dependent on time frames for retaining captured data.

#### **2.8 Retention of CCTV Data**

CCTV recordings or images (recorded data) is retained for a maximum of 30 days. This period may be reduced, based on the capacity of the either onsite or external data storage.

The exception to the above is where:

- the recorded data contains images relevant to an incident in respect of which a WAFP or other law enforcement agency investigation has commenced and the Shire are made aware by written request for specific data;
- the recorded data contains images relevant to a breach of Western Australian statute law or local laws enforced or administered by the Shire that requires further investigation,
- a valid application has been received for disclosure of data that is still within the applicable retention period and additional time is required to process the application and/or having processed the application, it is deemed appropriate to disclose the requested data to the applicant.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Information Technology	
<b>Responsible Officer</b>	Manager Information Technology	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	23 September 2010 (OCM10/200)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		23 June 2022 (OCM22/070)

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### Policy Intent

To outline the overarching principles for the organisation to effectively support Work Health and Safety (WHS).

### Policy Statement

The Shire of Murray (Shire) will actively work towards eliminating the risk of work-related injury and illness by:

- developing and promoting a safety culture where best practice initiatives are entrenched in daily business activities and safety is considered a shared responsibility;
- complying with all legislative obligations such as the *Work Health and Safety Act 2020* and associated Regulations, all applicable standards relating to Shire activities, and all other regulatory requirements to which the organisation subscribes;
- the provision and maintenance of a safe workplace and associated systems of work;
- proactive identification and control of workplace hazards;
- including WHS responsibilities and duty of care into all activities and roles within the organisation, including Position Descriptions;
- providing all employees, volunteers, contractors, work experience students and site visitors with adequate resources, information, education, training and supervision to meet WHS responsibilities;
- reporting key WHS performance measures and establishing measurable objectives to ensure effectiveness and suitability;
- consulting and communicating with employees and other appropriate parties in order to enhance the effectiveness of the WHS management system;
- encouraging suppliers and service providers to the Shire to make similar commitments;
- reviewing the WHS policies and supporting systems; and
- striving for excellence in safety by progressing the Shire's safety management systems in accordance with the relevant Australian Standards.

#### 1. Responsibilities

To support the principles of WHS –

- managers and supervisors are to ensure people under their direction, including employees, contractors, volunteers and visitors are made aware of, and comply with, all relevant requirements of the applicable legislation, appropriate standards, policies, procedures and programs and they shall ensure all incidents, exposures, hazards and WHS concerns within the workplace are reported and addressed in a timely manner;
- all employees, contractors, work experience students and volunteers are also required to take reasonable care to ensure their own safety at work and not adversely affect the health and safety of any person.

#### 2. Policy Support

This Policy should be read in conjunction with Section 2.0 of the Work, Health and Safety

Responsibilities Procedure.

### Legislation

*Work Health and Safety 2020*

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	People Development	
<b>Responsible Officer</b>	Manager People Development	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	27 November 2014 (OCM14/150)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

### Policy Intention

To ensure the workplace is free from discrimination and harassment. Council is dedicated to providing a harmonious and safe working environment and encourages good working relationships between all employees. All recruitment, selection and employment decisions will be based on the individual merit of applicants and employees.

### Policy Statement

The Shire of Murray (Shire) considers discrimination to be a serious issue and the aim of this policy is to highlight to employees the types of conduct deemed discriminatory and to explain what is meant by discrimination to assist in creating a harmonious work environment.

This means that the Shire will endeavour to ensure:

- job and career progression will be based on performance and potential to perform effectively;
- the workplace is free from any form of discrimination, bullying, sexual harassment and racial harassment;
- the philosophy and principles of Equal Employment Opportunity (EEO) will apply at all levels of the organisation, including any persons visiting/working on the Shire premises;
- employees with supervisory responsibility at all levels receive compulsory training in EEO awareness;
- employees receive regular EEO awareness training; and
- Human Resources will be available as a point of contact for anyone who wishes to raise any issues regarding EEO, which will be treated/held in the strictest confidence.

The following instructions have been designed to comply with the:

- Shire of Murray Code of Conduct Local Government Employees;
- applicable Management Practices; and
- the relevant state and federal legislation.

### 1. Roles and Responsibilities

It is the responsibility of all employees to report any kind of harassment or discrimination to their manager/supervisor or Human Resources.

All parties involved are to act professionally, maintain confidentiality and respect the privacy of employees who report harassment or discrimination.

#### Employers/Managers/Supervisors

Legal responsibility rests with the Shire to take all reasonable steps to promote and protect a non-discriminatory and harassment free work environment for all current and prospective employees. The Shire's management and supervisors must therefore make it a part of their duties to ensure that all staff in their care are treated within EEO guidelines.

#### Employees

Whilst it is the responsibility of management and supervisors to ensure proper standards of conduct are maintained at all times in the workplace, the Shire is of the view that these

standards cannot be successfully achieved unless employees at all levels cooperate by refusing to condone or participate in behaviour which may harass or discriminate against other employees.

These instructions have been designed with the aim of informing all employees of:

- conduct constituting harassment and discrimination; and
- action that should be taken to prevent harassment and discrimination.

The Complaint Handling Procedure below takes into consideration the sensitive nature of harassment, the need for confidentiality and the protection of the rights and reputation of both parties.

## 2. What the Law States

The law attempts to ensure equal employment opportunity in the following ways:

- prohibiting individual acts of discrimination on the basis of irrelevant characteristics by eliminating existing discrimination. For example, it is unlawful for an employer to refuse to promote an employee because she is female. This is dealt with in anti- discrimination legislation; and
- requiring employers to take affirmative action to overcome the effects of past discrimination against women and minority groups. This is required under the *Workplace Gender Equality Act 2012*.

## 3. Anti-Discrimination

The Shire aims to create an environment free from all forms of discrimination, including but not limited to:

Gender history	Race	Age
Religious conviction	Pregnancy	Family status
Impairment	Trade union activity or inactivity	Gender
Marital status	Family responsibility	Sexual orientation
Political conviction	Spent conviction	

These instructions aim to identify the different types of discrimination and the procedures to follow if you believe you are a victim of discrimination.

## 4. What is Discrimination?

Discrimination is essentially any practice that makes distinctions between individuals or groups of individuals on unlawful grounds so as to treat some less favourably than others. It can take two forms:

- direct discrimination – treating someone less favourably than another because of a characteristic, which applies or is assumed to apply, to a group to which that person belongs; or
- indirect discrimination – comes from a policy, procedure, rule or practice which appears to treat everyone equally, but which has the effect of disadvantaging individuals or groups.

### 5. Equal Opportunity in the Workplace

The Shire aims to ensure that minority groups in our organisation are given freedom and equality in the workplace. This involves:

- taking steps to identify and eliminate discrimination to create a level field where everyone can reach their full potential; and
- reviewing our human resources policies and practices to ensure they provide adequate support for the career progression of women and minority groups.

### 6. Harassment

The Shire is committed to providing a workplace where ethical and professional standards of behaviour are maintained. Harassment of any nature is considered to be unacceptable behaviour and will not be tolerated.

These administrative instructions aim to identify the different types of harassment and the process to follow if you believe you are a victim of harassment of any kind.

#### General Principles

Harassment is an unacceptable form of behaviour that will not be tolerated under any circumstances.

Everyone needs to work in an environment where they are free from harassment.

Disciplinary action will be taken against anyone found to be guilty of harassing a co-worker.

### 7. What is Harassment?

Harassment comes in many forms including, but not limited to, sexual, racial and bullying. It can be identified as physical, verbal, written or otherwise indicated. It is anything that is inappropriate, unwanted behaviour towards another person. Parties to harassment can be anyone that comes in contact with the Shire.

It is important to recognise that behaviour that may be acceptable and inoffensive to one person, can be unacceptable and deeply offensive and intimidating to another. Unintentional or misinterpreted behaviour may cause feelings of harassment.

### 8. Sexual Harassment

*What the Law States:*

#### Federal Law

Sexual harassment is a type of sex discrimination. Sexual harassment is any unwanted or unwelcome sexual behaviour which makes a person feel offended, humiliated or intimidated. It has nothing to do with mutual attraction or friendship.

#### State Law

The behaviour must be such that the harassed person has reasonable grounds to believe that if they reject the advance, refuse the request or object to the conduct they will be disadvantaged (for example dismissed, demoted or denied benefits).

#### Definition of Sexual Harassment

Sexual harassment does not need to be repeated or continuous, it can involve a single

incident. The harassment must be directed towards the person making the complaint. Some examples of harassment in the workplace include:

- deliberate and unnecessary physical contact, such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing;
- constant requests for drinks or dates, especially after prior refusal;
- requests for sexual favours, gestures or body movements of a sexual or intimidating nature;
- displays of offensive material, including posters, pictures, calendars, cartoons, graffiti or messages left on boards or desks;
- remarks about a person's sexual activities or private life;
- "humour" such as smutty or sexist jokes or comments;
- crude comments and suggestions;
- electronic mail messages, including offensive or discriminatory videos, graphics, jokes, messages and pornographic material downloaded from the Internet;
- telephone messages, contact through social media, screen savers (words and images), offensive telephone calls, Kris Kringle gifts; and
- innuendo, including sexually provocative remarks, suggestive or derogative comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance.

It is important to be able to ascertain the difference between sexual harassment and consensual behaviour. Sexual harassment does not arise in the context of mutual attraction and friendship, which is based on mutual choice and consent.

### 9. Racial Harassment

*What the Law States:*

#### Federal Law

Racial harassment is a type of race discrimination. Racial harassment is any unwanted or unwelcome behaviour, in whole or in part, because of the race, colour, or national or ethnic origin of a person or group and reasonably likely in all circumstances to offend, insult, humiliate or intimidate that person or group.

#### State Law

Race includes colour, descent, ethnic or national origin or nationality and may comprise two or more distinct races. This means no one can harass someone else because of his/her colour, descent, national origin or nationality. It is also unlawful to harass a person because a relative or associate of that person is of a different racial identity.

#### Definition of Racial Harassment

Racial harassment may take many forms including threats, abuse, insults and taunts based on a person's race or a characteristic belonging to, or generally believed to belong to, a particular race.

If a person is threatened, abused, insulted or taunted about their race, colour, descent, ethnic

or national origin or nationality, and if they reasonably believe by objecting to that behaviour they will be disadvantaged in terms of their employment, education or accommodation, then they have been racially harassed under the *Equal Opportunity Act 1984*. It is the use of inappropriate language including jokes, visual material or physical behaviour against a person or persons to:

- express hostility against a person or bring a person into contempt or ridicule on the grounds of that person's colour, race or ethnic or national origins, and the behaviour is hurtful or offensive to the recipient; and/or
- incite racial disharmony.

### 10. Bullying

Bullying is any unsought behaviour, which humiliates, offends or intimidates someone. It includes verbal taunts and threats, physical taunts and abuse and ostracism.

The emphasis is on repetition of the conduct. The behaviour is unwelcome, unsolicited and usually not reciprocated.

In some instances, the level of bullying may constitute criminal activity. Examples of behaviour that constitutes bullying include, but are not limited to:

- recurring shouting, verbal abuse, insults, intimidating language, sarcasm or innuendo;
- constant criticism, denigration or demeaning conduct, either in private or in front of others;
- continually isolating and excluding a person from various work activities or groups;
- attempts to make competent employees appear incompetent, in the hope that they will resign or be demoted or dismissed;
- damaging or interfering with an employee's property or work equipment;
- exposing an employee to offensive pictures, signs, slogans, graffiti, etc.;
- leaving offensive messages on email, voicemail, social media etc.;
- threats of violence, or actual incidents of violence;
- overloading with work, shortening deadlines and/or reducing resources available to do the work;
- attempting to block an employee's promotion opportunities;
- "initiation" rituals, in some cases involving violence;
- constant sexual or racial harassment;
- stalking, following or loitering;
- giving regular ultimatums and/or threats of dismissal;
- repeated practical jokes, taunts, ridicule or humiliation; and
- providing ambiguous or constantly changing work instructions.

Bullying behaviour does not always involve the ill treatment of subordinates by supervisors/managers. The reverse may also apply, or it may involve employees bullying their peers, older employees bullying younger ones (and vice versa), members of one sex bullying members of the other, or longer-serving employees bullying new ones such as apprentices.

### 11. EEO Complaint Handling Procedure

This procedure should act as a guideline for all staff in identifying and addressing issues of harassment, discrimination and bullying.

#### Informal Procedure

- (a) Any employee who is subjected to any form of harassment, discrimination or bullying is encouraged to take direct action by making it clear to the offender that the unwanted behaviour is unwelcome, unacceptable and offensive.
- (b) Where an employee feels that they are unable to tell the harasser(s) that their behaviour is unacceptable or if the harassment does not stop when requested, the person should raise the matter with their direct supervisor/manager.
- (c) It is the duty of supervisors/managers to deal with any allegation of harassment.
- (d) In instances where the alleged harassment is by a direct supervisor or manager, the matter should be reported to another supervisor/manager or the Manager People Development.
- (e) Where possible, and with the agreement of the employee, the matter will be dealt with by informal mediation with a person of the employee's choice.
- (f) Mediation will emphasise resolution and be held in the strictest confidence.

#### Formal Procedure

- (a) If the issue remains unresolved following the mediation, or either of the parties are not prepared to attend mediation, a formal and impartial investigation process will be commenced by the Manager People Development and/or the Shire's Industrial Relations Consultant. All discussions will be fully documented.
- (b) The Manager People Development and/or the Shire's Industrial Relations Consultant will forward their recommendation to the relevant Director for review by the Director and Chief Executive Officer, and a decision will be advised to all parties involved after careful and thorough consideration and consultation.
- (c) Employees found to have breached this policy will be counselled and where necessary, disciplinary action will be taken. This action may include dismissal.
- (d) Where harassment has occurred by a person visiting any of the Shire's premises, they will be asked to leave the premises. Where harassment has occurred by a person not employed directly by the Shire working on the Shire's premises, they will be asked to leave and the issue will be taken up with their direct employer.
- (e) Nothing in the above procedure prevents an employee from instituting a formal complaint with the Equal Opportunity Commission in the event that they are not satisfied with the results or believe that the issue was not handled appropriately.
- (f) Any employee or witness will not be disadvantaged having in good faith reported an allegation of harassment or discrimination.
- (g) Disciplinary action will be taken where reporting of harassment is found to have been malicious and vexatious.

All staff are expected as a condition of employment, to conduct themselves in a manner so as

to avoid any conduct or statement which could be misconstrued. Refer to the Shire of Murray's Code of Conduct Local Government Employees for further information.

## Legislation

*Equal Opportunity Act 1984*

*Workplace Gender Equality Act 2012*

## Related Documents

Shire of Murray Code of Conduct Local Government Employees

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	People Development	
<b>Responsible Officer</b>	Manager People Development	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	28 August 2014 (OCM14/114)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)



## Policy A9 – Defence Reservist Leave

Shire of Murray

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### 1. Policy Intention

To formally recognise that members of the Australian Defence Reserve Service employed by the Shire of Murray are able to access a reasonable amount of additional leave for that purpose.

### 2. Policy

It is recognised that the Australian Defence Reserves continue to be an important part of our national defence strategy and that support to Defence Reserves is essential to their continued effectiveness.

The reasonable amount will be determined at the discretion of the Chief Executive Officer and a management practice outlines the process to access applicable leave.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	People Development	
<b>Responsible Officer</b>	Manager People Development	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	

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# Policy A10 – Payments to Employees in Addition to a Contract or Award - Staff Farewells and Presentations

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## Policy Intent

To give effect to Section 5.50 of the *Local Government Act 1995* in relation to payments to employees in addition to a contract or award, upon leaving the organisation.

This policy outlines the circumstances in which gratuity payments may be made to an employee.

## Policy Statement

### 1. Application

This Policy applies to all employees of the Shire of Murray (Shire).

A gratuity payment, in the form of a monetary payment or gift(s) to an equivalent value, may be given as a token of appreciation for an employee's commitment and service to the Shire only when the employee is finishing their employment with the Shire.

A gratuity payment may be paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument.

This policy does not form a contractual entitlement for any employee of the Shire, or impact or change an employee's contractual entitlements under legislation or an industrial instrument.

This policy is to be read in conjunction with section 5.50 of the Local Government Act 1995 and Regulation 19A of the Local Government (Administration) Regulations 1996.

### 2. Commitment

The Shire is committed to recognising long serving employees within the parameters prescribed in the Act and Regulations.

### 3. Eligibility for gratuity payments

A gratuity payment entitlement is subject to completed years of continuous service as detailed in clause 6 below, and is only payable at the time an employee finishes their employment with the Shire for one of the following reasons:

- resignation (not as a result of any performance management or investigation or disciplinary process being undertaken by the Local Government);
- retirement; or
- redundancy.

An employee is not eligible to receive a gratuity payment under this policy where an employee:

- has been dismissed for any reason other than redundancy;
- resigns following commencement of a disciplinary, investigation or performance management process.

The Council will allocate funds for the purpose of gratuity payments in the Annual Budget.

The Chief Executive Officer (CEO) is authorised to approve expenditure for the purpose of gratuity payments in accordance with this policy. The CEO may determine the form of gratuity

payments including a monetary payment or gift(s) of an equivalent value

#### 4. Prescribed amounts for gratuity payments

Number of years' service	Amount of gratuity
Continuous service less than 10 years.	A Statement of Service and a monetary payment, gift, or contribution towards a gift, if the CEO deems that the employee has provided exceptional performance, up to the value of \$50.00.
Continuous service greater than 10 years and less than 15 years.	A Certificate of Appreciation and a monetary payment or gift up to the value of \$100.00. The gratuity is to be presented to the employee by the CEO, or nominated representative, at a function to be determined by the CEO up to the value of \$150.00.
Continuous service greater than 15 years and less than 20 years.	A Certificate of Appreciation and a monetary payment or gift up to the value of \$150.00. The gratuity is to be presented to the employee by the Shire President, or nominated representative of the Shire President, at a function to be determined by the CEO up to the value of \$150.00.
Continuous service greater than 20 years.	A Certificate of Appreciation and a monetary payment or gift up to the value of \$250.00. The gratuity is to be presented to the employee by the Shire President, or nominated representative of the Shire President, at a function to be determined by the CEO.

#### 5. Determining Continuous Service

Continuous service includes:

- any period of absence from duty on approved annual leave, long service leave, paid compassionate leave, paid personal/carer's leave and public holidays, and
- any period of absence that has been supported by an approved workers' compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, unless otherwise determined by Council resolution, continuous service does not include:

- any period of unauthorised absence from duty;
- any period of unpaid leave; or
- any period of absence from duty on unpaid parental leave.

#### 6. Financial Liability for Taxation

An employee who accepts a gratuity payment, either as a gift or monetary payment, is responsible for any attributable tax liability arising for the employee and/or the Local Government.



# Policy A10 – Payments to Employees in Addition to a Contract or Award - Staff Farewells and Presentations

## 7. Payments in addition to this policy

The Council may by resolution, determine to make a gratuity payment that is greater than prescribed in this policy, but does not exceed the amount prescribed in Administration Regulation 19A, subject to Local Public Notice requirements prescribed in section 5.50(2) of the Act.

The Local Government is prohibited by section 5.50 of the Act from making any payment to an employee finishing their employment, which exceeds the amount prescribed in Administration Regulation 19A, which is \$5,000.

## 8. Consequences of breaching this policy

This policy constitutes a lawful instruction to employees. Any breach of this policy may lead to disciplinary action.

## 9. Policy Review

The Council may periodically review this policy and may by resolution, amend or revoke this policy or adopt a new policy.

The Shire will take reasonable steps to notify employees when the policy is amended or revoked or a new gratuity policy is adopted by the Council.

## Legislation

*Local Government Act 1995, Section 5.50*

*Local Government (Administration) Regulations 1996, Regulation 19A*

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	People Development	
<b>Responsible Officer</b>	Manager People Development	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0422)
<b>Amendment Record</b>	<b>Date / Resolution</b>	24 April 2008 (OCM08/090)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		28 October 2021 (OCM21/169)
		23 June 2022 (OCM22/070)
		23 March 2023 (OCM23/025)
		18 December 2025 (OCM25/159)



## Policy A12 – Appointment of Rangers as an Authorised Officer/Person

### 1. Policy Intention

To streamline the process for the appointment of Rangers and other employees as required by the various Acts that Council administers.

### 2. Policy

That appointment of Rangers and other employees as determined in writing by the Chief Executive Officer will include the authority to administer and enforce the following Acts and Local Laws and the authority to instigate action in any Court of Competent Jurisdiction in relation to the appointments:

- To enforce the provisions of the *Litter Act 1979* as an Authorised Officer pursuant to Section 26 (1)(c) of *Litter Act 1979*;
- To enforce the provisions of the *Bush Fires Act 1954* as a Fire Control Officer pursuant to Section 38(1) and as a person authorised by Section 59 to institute and carry on proceedings and issue any infringement notice on behalf of the Local Government;
- As inspectors under the *Biosecurity and Agriculture Management Act 2007* for the control and management of narrow-leaf cottonbush specifically, when appointed by the Director General of the Department of Primary Industries and Regional Development.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 September 1999 (OCM99/350)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

## 1. Policy Intention

Council wishes to maintain continuous lease of its properties at fair rental.

## 2. Policy

- 2.1 That the Chief Executive Officer be responsible for arranging tenancies of Council residential properties and, if the letting of properties requires tenders to be called, be authorised to call and accept lease tenders or a letting fee subject to the amount being within the limit determined by Council under section 5.43 (b) and (d) of the *Local Government Act 1995*. For the purposes of the Sections 5.43(b) and (d) of the Act, the determined amount is \$500 per week.
- 2.2 A review of all rentals takes place with the budget process each year.
- 2.3 The maximum period for lease for residential properties be one year, with the exception of Coppers Mill for the purposes of a lessee to undertake the caretaker role, where a maximum period of five years applies.
- 2.4 When Council enters into a residential lease with an employee of Council, the rental shall be assessed having regard for any time spent on caretaker duties outside of normal working hours. Council will also meet a portion of each water account as determined in the annual budget. Any remainder of each account will be the responsibility of the tenant.
- 2.5 Where Council enters into a residential lease with a person who is not an employee of Council, the amount of each water account shall be divided equally between Council and the tenant.
- 2.6 In recognition of clauses (2.4) and (2.5) the tenant is required to maintain the gardens in a clean and tidy state.
- 2.7 Occupiers of Council property are required to obtain approval before entering into any agreement to sub-lease that property.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0411)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		22 February 2018 (OCM18/008)
		18 April 2024 (OCM24/039)

## Policy Intent

To ensure Council has a full understanding of the costs and benefits to the community associated with taking vesting (management) of land or buildings.

## Policy Statement

When land and/or buildings are offered to Council by some other person, organisation or body, or are sought by Council, a full report shall be prepared outlining the following:

- its future use and benefit to the community;
- the costs of improvements;
- the costs of annual maintenance; and
- any other relevant information.

This report is to be presented to Council for consideration and final approval, prior to the acceptance or rejection of the offer received.

Reserves are created during the subdivisional process under Section 152 of the Planning and Development Act 2005.

## Legislation

s.152 of the *Planning and Development Act 2005*

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Assets and Property	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0353)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/060)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)



## 1. Policy Intention

The key objective of this policy is to ensure that services delivered by the Shire of Murray (Shire) continue to be sustainably delivered. This will be achieved by managing infrastructure assets so they provide the desired level of service to meet the community's needs and expectations in a financially sustainable manner.

The policy will also provide clear direction as to how the Shire, as custodians of community assets, will manage those assets within a consistent management framework that is aligned to International Standard AS/NZS/ISO 55000:2014, integrated with the Shire's business practices, and is consistent with the State Governments integrated planning and reporting requirements.

## 2. Policy

### 2.1 Background

Infrastructure forms the basis of the Shire's service delivery. The importance of this infrastructure to communities and its significance in terms of the Shire's budgets and operational strategies, means that asset management must be at the centre of the Shire's overall financial and strategic planning. To achieve the policy objective, the Shire is committed to ensuring that Asset Management is recognised as a major business function within the Shire.

This policy, together with individual Asset Management Plans and associated working procedures and practices will put in place a comprehensive, accountable and transparent asset management framework for the Shire. This framework will outline the undertaking of Asset Management in a structured, coordinated, cost effective and financially sustainable manner across the whole of the organisation.

### 2.2 Asset Planning

Prior to making a commitment to acquire new infrastructure, the Shire will consider the following key principles:

- philosophy of renewing assets before acquiring new assets, with an emphasis on integrating services while maintaining / upgrading / replacing existing assets rather than adding new assets to Asset Management Strategy/Plans, unless cost benefit analysis justifies otherwise;
- prior to consideration of any acquisition or major improvement to an asset, a critical review of the following will occur as part of the evaluation process:
  - demonstrated need and asset function;
  - level of service;
  - community benefits;
  - overall community value of asset ownership;
  - risk implications;
  - statutory obligations;
- opportunities for rationalisation including multiple use; and

- whole of life cost.

The Shire will utilise clear prioritisation methods for capital works expenditure. This will include the requirement to report expenditure in the following classifications to ensure that discretionary and non-discretionary expenditure is identified:

- renewal (non-discretionary);
- upgrade (discretionary);
- new (discretionary);
- operational (discretionary); or
- maintenance (non-discretionary).

### **2.3 Asset Management Plans**

Council will adopt Asset Management Plans for all major classes of infrastructure. These Plans will form part of the Shire's day to day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing assets or dispose of existing assets.

Asset Management Plans will be prepared in accordance with the recommended format of the Institute of Public Works Engineering Australia's (IPWEA) International Infrastructure Manual. This will include long term financial modelling of the renewal profile of each asset class which will inform the Shire's Long-Term Financial Plan and Strategic Plan.

The Plans will:

- define service levels for Council services in terms of availability and standard;
- consider factors including legislative requirements, financial and risk management;
- determine what assets, if any, are required to support the provision of the service at the defined service level;
- determine the most appropriate method of providing the assets required to deliver the service;
- use full lifecycle costing to determine the particular actions and resources required;
- determine potential asset renewal funding gap and develop responses to address any such gap that are responsible, affordable and meet reasonable community expectations;
- be informed by community consultation to determine levels of service, maintenance standards and asset needs; and
- be informed by relevant local government asset and financial management frameworks.

## 2.4 Consultation

The Shire will undertake community consultation in accordance with the following principles:

- regular customer surveys will be conducted in key service provision areas to determine service quality and customer expectations;
- the organisation will endeavour to match customer service expectations with the costs for the provision of that same level of service through appropriate customer consultative groups. These informed groups shall advise the organisation on key issues affecting customers and assist with the development of strategies to meet expectations;
- results of consultation will be used to drive service delivery programs; and
- regular communication with the organisations stakeholders setting out results of the surveys and actual performance will be prepared.

## 3. Strategic Integration

This policy links to the following organisational strategic documentation, that is in effect:

- Murray Strategic Community Plan;
- Community Facilities and Infrastructure Plan;
- Corporate Business Plan;
- Long Term Financial Plan;
- Asset Management Improvement Strategy;
- Asset Management Plans;
- Annual Report; and
- Workforce Plan.

## 4. Roles and Responsibilities

To achieve this policy, the following key roles and responsibilities are identified:

### 4.1 Council

- (a) approving the Asset Management Policy, Asset Management Improvement Strategy and Asset Management Plans;
- (b) to act as stewards for infrastructure assets;
- (c) to set corporate Asset Management Policy and vision;
- (d) to ensure appropriate resources and funding for Asset Management activities are made available to integrate Asset Management policies, strategies and Asset Management Plans into the corporate governance framework;
- (e) promote and raise awareness of Asset Management to the Community;
- (f) to set levels of service, risk criteria and costs standards; and
- (g) approve the Long-Term Financial Plan.

#### **4.2 Chief Executive / Strategic Leadership Group**

- (a) to provide strategic direction and leadership;
- (b) to ensure asset management improvement;
- (c) to review existing policies and develop new policies related to asset management;
- (d) to implement Corporate Asset Management Strategy with agreed resources;
- (e) to monitor and review performance of the Shire's management and staff in achieving the Asset Management Strategy; and
- (f) to ensure that accurate and reliable information is presented to Council for decision-making.

#### **4.3 Asset Management Working Group**

- (a) ensuring that the Shire's Asset Management Improvement Strategy is achieved and that Asset Management Plans are prepared and maintained in line with the Shire's Policy on Asset Management;
- (b) reporting changes to the Shire's Asset Management Policy, Improvement Strategy; or;
- (c) plans to the Strategic Leadership Group (SLG) for consideration;
- (d) reporting non-compliance to SLG in relation to the Shire's Policy, Improvement Strategy or Plans;
- (e) reporting progress on an annual basis to SLG and Council;
- (f) to ensure appropriate community consultation is undertaken;
- (g) to develop Key Performance Indicators (KPI) that measure the Shire's performance to deliver the agreed service levels, monitor and report progress towards achieving those KPI's;
- (h) participate in appropriate training to develop the skills required to undertake asset management tasks as appropriate for the responsibility of the role or position;
- (i) report annually on State of the Assets to SLG;
- (j) progress to advanced asset management maturity in accordance with the National Asset Management Assessment Framework (NAMAF); and
- (k) endorse 10-year renewal program's for infrastructure assets.

#### **4.4 Managers and Staff**

- (a) to implement the Corporate Asset Management Improvement Strategy with agreed resources;
- (b) to develop and implement maintenance, refurbishment and capital works program's in accordance with Asset Management Plans, Annual Plan and Budget;
- (c) to deliver levels of service to agreed risk and cost standards;
- (d) to manage infrastructure assets in consideration of long-term sustainability;
- (e) consult with stakeholders to deliver levels of service to agreed risk and cost standards.

## 5. Reporting Framework



## 6. Training and Development

Training needs of Officers and Council Members will be assessed on an annual basis by the Asset Management Working Group with recommendations submitted to the SLG.

## 7. Policy Review

The policy will be reviewed by the Asset Management Working Group on an annual basis with recommendations for amendments being submitted to the SLG, if required.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/090)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		27 June 2013 (OCM13/096)
		26 June 2014 (OCM14/077)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)

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## 1. Policy Intent

The purpose of this policy is to provide the Council with a Graffiti Management Policy.

## 2. Policy Statement

That the Shire of Murray (Shire) will clean, remove, or cover all graffiti on buildings, fences and structures that are within the Shire boundaries of all reserves under the care and control of the Shire, including, but not exclusively, parks, reserves, public access ways and road reserves.

All graffiti reported to the Shire will be photographed and reported to the WA Police via their Goodbye Graffiti website ([goodbyegrffiti.wa.gov.au](http://goodbyegrffiti.wa.gov.au)). The photograph and graffiti incident report will be added to the Customer Request Event.

Wherever possible, any offensive graffiti will be removed from Shire owned assets within twenty four (24) business hours.

Graffiti on infrastructure not owned by the Shire will be reported to the goodbye graffiti website and also the asset owner for removal.

## 3. General Terms

Where the graffiti is on a structure that is a shared boundary, Council will require the adjacent land owner of the private property to provide permission prior to the removal of the graffiti or tag/s. In this situation, Council will require the adjacent landowner to indemnify the Shire against all actions, claims, damages, costs and expenses whatsoever resulting from the removal.

If the Graffiti Indemnity Form is not completed and returned to the Shire within 14 working days, the Shire may remove the graffiti under delegated authority under the Graffiti Vandalism Act 2016. Graffiti removal under delegated authority will depend on the location, size and severity of the graffiti.

Council will promote and broadcast information throughout the community including schools on the various issues relating to graffiti defacement and its criminality.

Council will work with existing agencies to promote and develop a range of affordable, accessible, and relevant activities for the Community Volunteers, Community Groups, and Resident Associations that will contribute to the lessening of graffiti vandalism.

## Related Documents

*Graffiti Vandalism Act 2016*

Delegated Authority Register – 7.1 Graffiti Vandalism Act 2016 - Powers, Duties and Functions of the Local Government

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Operations	
<b>Responsible Officer</b>	Manager Operations	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/060)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	18 December 2025 (OCM25/159)



# Policy A17 – Entering into Business Arrangements or Disposal of Goods, Services and Property

## 1. Policy Intention

To appropriately protect Council’s interest prior to entering into a formal agreement for the disposal of goods, services or property or for conducting business with a private company.

## 2. Policy

Prior to entering into any business arrangement or into an agreement for the disposal of goods, services or property, the Officers shall:

- establish whether the proposed action accords with all relevant legislation, including the *Local Government Act 1995*, *Land Administration Act 1997* and any other relevant legislation;
- prepare the appropriate level of documentation which may include exchange of letters, submission of purchase orders, contract documentation, deed of agreements, leases, rental agreements and any other appropriate or required documentation;
- determine the identification of the party with which the agreement is to be made;
- determine the financial capacity of the party with which the agreement is to be made;
- present a report to Council with the appropriate recommendations; and
- that Council should not under any circumstances accept any risk when entering into an agreement, therefore prior to ratification of an agreement the following shall occur:
  - all monies required shall be received or an irreversible security to be in place e.g. bank guarantee, prior to final disposal of the goods, services or property, or prior to finalising the business arrangement;
  - no guarantee or warranty shall be provided for the condition of the goods, services or property and it will be the obligation of the purchaser to establish that the goods, services or property is suitable for their requirements by conducting their own due diligence; and
  - no exchange of money shall occur until such time as the Shire of Murray has certified the quality of the goods, services or property, being that to the standard required and agreed to by the Shire.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 July 2001 (OCM01/259)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)



## Policy C4 – Consumption of Liquor on Council Property by Outside Bodies

### 1. Policy Intention

To control the consumption of liquor on Council properties by outside bodies using Council premises.

### 2. Policy

All users of Council controlled property must make written application to the Shire of Murray (Shire) if they wish to consume liquor at a function or event on that property detailing date, time, approximate number of persons, and reason for the function.

Applications to consume alcohol at a function or event on Council property shall be submitted in the manner and form required, from time to time, and approvals shall be granted in accordance with Delegation 6.20 and may be subject to conditions.

Where a group or body wishes to sell or supply alcohol from a Shire property a liquor licence is to be obtained from the relevant authority.

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Policy Detail		
<b>Responsible Directorate</b>	Place, Community and Economic Development	
<b>Responsible Department</b>	Place and Economic Development	
<b>Responsible Officer</b>	Manager Place and Economic Development	
<b>Next Policy Review / Schedule</b>	2024 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0407)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		23 June 2022 (OCM22/070)

## 1. Policy Intention

To define a robust framework to effectively manage safe and sustainable Recreational Vehicle (RV) use on a portion of Reserve 45518 to foster positive economic outcomes and support tourism activities within the district.

## 2. Policy

RV stays on the identified portion of Reserve 45518 are permitted, subject to the following.

### 2.1 Permitted Area

The approved permitted area is highlighted in red. Camping on any other portion of this Reserve is prohibited.



### 2.2 Length of Stay

- 2.2.1 RV's stays are limited to one night (24 hours), unless otherwise approved by the Chief Executive Officer due to exceptional and unforeseen circumstances;
- 2.2.2 The time frame between one period of stay and the next period of stay, **either by the same RV, or the same person**, shall be at least **twenty-eight** consecutive nights.

### 2.3. Site Numbers

A maximum of fifteen RV's are permitted in the approved area at any one time.

### 2.4 Annexes and Other Infrastructure

- 2.4.1 Constructing, erecting or maintaining a fixed annex is not permitted whether or not attached to an RV or otherwise, where poles or other means are used to fix an annex to the ground, a tree or other fixed point. (Annexes that do not require fixing to the ground and that form part of the RV are permitted).

- 2.4.2 Clotheslines external to an RV are not permitted.
- 2.4.3 Camp or cooking fires are not permitted.
- 2.4.4 No clothing hung externally to dry.
- 2.4.5 RVs must be self-contained with on-board toilet/shower and retain all grey water and waste within the confines of the vehicle.
- 2.4.6 Any rubbish generated by a user of the Pinjarra RV site must be removed by the user and the area left in a clean and tidy state prior to the users' departure.
- 2.4.7 That user of the Pinjarra RV site must ensure the site be left 'as it was' prior to their stay.
- 2.4.8 Accessing any private services or utilities such as power or water outlets is strictly prohibited.
- 2.4.9 No portable generators are permitted (on-board/built-in units are permitted).
- 2.4.10 The owner of any dogs or cats brought on site must comply with the *Dog Act 1976* and the *Cat Act 2011* including dogs having to be on a leash at all times and cats having to be confined to the owner' RV at all times.
- 2.4.11 No tents, camper trailers, or camping in a vehicle that is not considered by an authorised person to be an RV.
- 2.4.12 RV's are strictly to be parked within a designated bay of the Pinjarra RV site.
- 2.4.13 Parking or camping on the grassed areas adjacent to the Pinjarra RV site is strictly prohibited.
- 2.4.14 Any persons that return to the Pinjarra RV site within 28 days are to be permanently banned and will be dealt with in accordance with relevant legislation including the possibility that any RV, vehicle, trailer, caravan will be impounded.
- 2.4.15 Any persons that do not comply with the policy will be asked to leave immediately and if necessary will be dealt with in accordance with relevant legislation including the possibility that any vehicle, trailer, caravan will be impounded.

## 2.5 Signage

That appropriate signage be installed and maintained on the site to outline the use by RV's and provide contact information on local Caravan Parks or other approved camping facilities.

## 3. Definitions

**3.1.1 'Recreational Vehicle (RV)'** means a vehicle that is currently licensed to operate on a road within any jurisdiction that is primarily designed and constructed to provide occupancy to a person or persons, subject to the vehicle being fitted with an operable integrated black water waste system with a holding tank within the RV. The RV must also have a grey water waste system fitted with the system being capable of capturing grey water without it being deposited on the ground (an integrated holding tank is not required). Grey water can be captured in a separate non-fixed container to be later disposed of off site.

For the avoidance of doubt the term Recreational Vehicle includes a caravan or other types of vans, buses, coaches or any other licensed vehicle that completely fits the criteria detailed.

**3.1.2 'Night'** means the period between sunset on one day and sunrise on the next day.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Ranger and Community Safety	
<b>Responsible Officer</b>	Manager Ranger and Community Safety	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 May 2016 (OCM16/116)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 April 2024 (OCM24/044)



Shire of Murray

## Policy C6 – Leasing Freehold and Reserve Land to Community Groups, Sporting Clubs and Other Non-Profit Organisations

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### 1. Policy Intention

- 1.1 To assist community groups in improving facilities and increasing capacity within the Shire of Murray (Shire) that results in community strengthening and helps to build vibrant, inclusive and healthy communities.
- 1.2 To set a standard lease term and fee structure for the lease of freehold land and Reserves vested in the Shire to bodies exempt from the requirements of Section 3.58 of the *Local Government Act 1995* (the Act) by Regulation 30 (2)(b) of the *Local Government (Functions and General) Regulations 1996* (the Regulations) (Charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature bodies) whose members are not entitled or permitted to receive any pecuniary profit from the bodies' transactions.

### 2. Policy

- 2.1 Subject to Council and the Minister for Lands consent being obtained, the Chief Executive Officer (CEO) be authorised to negotiate and renew lease agreements where an option period is being exercised with groups defined as exempt bodies in Regulation 30 (2) (b) of the Regulations.
- 2.2 The standard lease term for exempt bodies leasing land vested in, or owned by the Shire is up to a maximum of ten years with a further option period of up to ten years.
- 2.3 The minimum annual fee for all lease agreements (excluding GST) and all other outgoings, including but not limited to power, water, gas or rubbish charges for:
  - (a) Exempt groups/bodies without a liquor licence – is \$50.00 per annum.
  - (b) Exempt groups/bodies with a permanent liquor licence – is \$500.00 per annum, plus the cost of preparing, executing or renewing a lease agreement.
- 2.4 An annual administration fee may also be levied on lease agreements.
- 2.5 When an option to renew a lease is exercised under clause 2.1 the (CEO) may determine an increase in the lease fees specified in Clause 2.3 (a) and (b) in line with the CPI changes, until the expiry of the agreement.

- 2.6 When a property or facility leased to an exempt body expires or is cancelled expressions of interest are to be publicly invited from exempt bodies in the district to lease the facility or property. When more than one expression of interest is received the decision to approve a new lease agreement shall be determined by Council.
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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	27 August 2009 (OCM09/155)
<b>Amendment Record</b>	<b>Date / Resolution</b>	24 June 2010 (OCM10/128)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)



## Policy C7 – Community Sponsorship Fund

### 1. Policy Intention

To provide support to individuals who reside within the Shire of Murray (Shire) who are selected to participate in state, national or international representation.

### 2. Policy

**2.1** To assist individuals or groups residing in the Shire with expenses associated with selection in state, national or international representation.

The policy applies where the following criteria are satisfied:

- written applications for funding assistance may be submitted at any time; and
- the applications will be presented to Council quarterly for information (or approval where required).

**2.2** Applications will be evaluated against the following criteria:

- all individual applicants must reside within the Shire;
- all applications must be supported by a reference from an authorised body to which the activity or project is aligned, stating that the person will be performing at state, national or international level;
- applications must be received prior to the event, as funding cannot be retrospective;
- funding may only be provided once in any financial year to any person (noting this relates to the date of the event and not the date of the application or payment);
- recipients are expected to acquit the funds received and acknowledge the Shire at all reasonable opportunities for the assistance provided to them especially in media releases and promotional material;
- the total budget pool is determined through the annual budget process; and
- funding is limited to the following maximum amounts and once the pool of funds has been expended no further applications will be accepted for consideration or approval for that financial year:
  - Individuals – Interstate – Representing WA in any competition and or travelling interstate \$200
  - Individuals – International – Representing Australia in any competition and or travelling overseas \$300

The Chief Executive Officer may approve applications under this policy, subject to the application criteria being satisfied for individuals within the maximum allocation under this Policy. Applications exceeding this amount are determined by Council.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Place, Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		22 June 2023 (OCM23/069)



## Policy C8 – Alcoa Community Partnership Grants

### 1. Policy Intention

To financially support community organisations in building engaged, vibrant, inclusive and healthy communities in partnership with Alcoa Australia.

### 2. Policy

To support community groups to:

- Build and strengthen their organisational capacity and sustainability; or
- Deliver events, projects, programs or facilities that benefit the Murray Community or address a well evidenced need, and effectively contribute to building engaged, vibrant, inclusive and healthy communities.

#### 2.1 Applications

Applications will be invited twice per year, with the total funding pool determined in the annual Shire budget. Applicants are eligible to apply for a maximum grant allocation of \$3,000 in any given financial year. Grant applications are subject to a competitive process and the availability of budget allocations.

Funding for any grant application (entirely or in part) is not assured or guaranteed prior to a formal notification of outcome being provided to the applicant by the Shire.

#### 2.2 Eligibility

To be eligible, applicants must:

- submit an application on the official application form, by the closing date;
- be an incorporated not-for-profit organisation relevant to the Shire of Murray;
- hold current public liability insurance;
- not have outstanding acquittals with the Shire or Alcoa Australia; and
- agree to comply with Local, State and Commonwealth laws applicable to the approved project or event.

Funding shall not be considered:

- where the requested amount is over \$3,000;
- where applications are received after the closing date or are incomplete;
- for projects that have already commenced;
- where projects are considered to be a private, commercial or individual responsibility;
- for recurrent maintenance, operating costs or bonds; or
- for events or activities held outside the Shire of Murray or do not directly benefit the Murray community.

Corporate and commercial entities, political parties or groups, State and Federal Government organisations and schools are ineligible to apply.

School P&C's are eligible to apply where the project has a clear, demonstrated broad community benefit.

Religious groups / organisations may be funded for community based activities / programs only. Funding towards religious specific activities will not be considered.

## 2.3 Focus Areas

Applications should meet at least one of the following priority focus areas:

- building the capacity and sustainability of community organisations;
- encouraging community engagement and participation in community life or activation of places and facilities;
- encouraging social inclusion;
- protection of our environment;
- supporting the development of and participation in arts and culture;
- supporting a safe and healthy community;
- promoting increased physical activity;
- increasing support or services to priority target groups including families, children, youth, seniors, indigenous, culturally diverse backgrounds, people with disability and people of low socio economic background; and/or
- supporting or promoting youth leadership including the enhancement of the wellbeing of young people.

## 2.4 Priorities

For applications that meet the focus areas and have strong community benefit, priority will be given to:

- Events, projects and initiatives that are new and address a well evidenced need or gap within the Shire, which may include, but not be limited to the promotion or celebration of multiculturalism, the arts, health & wellbeing and/or the environment.
- Events, projects and initiatives that demonstrate sustainability in the future.

## 2.5 Approval Process

Grants will be assessed against the focus and priority areas as identified within this policy by appropriate representatives from Shire of Murray and Alcoa to form recommendations. Recommendations will be determined by Councillors appointed to the Community Assistance Partnership Fund panel.

## Sundry Donations

Requests for funding of \$100 and under may be authorised by the Chief Executive Officer and will be presented to Council for information with the next round of funding applications. These requests will be required to meet the same requirements under this Policy.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 July 2013 (OCM13/129)
		25 June 2015 (OCM15/155)
		9 February 2017 (OCM18/008)
		22 February 2018 (OCM18/008)
		25 July 2019 (OCM19/150)
		23 June 2022 (OCM22/070)
		28 November 2024 (OCM24/141)

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### 1. Policy Intention

To assist community groups within the Shire of Murray to plan for, upgrade, extend or construct sport, recreation and community facilities that will benefit the community. The fund provides an opportunity to part fund an infrastructure project with strong community benefit.

### 2. Policy

The policy is to assist community groups in the Shire to obtain up to 70% of total project cost, up to a maximum of \$20,000 to plan for, upgrade, extend or construct sport, recreation and community facilities.

Council will consider applications once a year, with the application closing date to align with the CSRFF Small Round application process of the Department of Local Government, Sport and Cultural Industries.

Eligible applicants must meet the following criteria:

- be an incorporated not-for-profit sport, recreation or community organization;
- organisation or services be based within the Shire;
- project must be on land owned by or vested to the Shire of Murray;
- no outstanding acquittals from any previous round of the Shire's Community Facility Fund;
- written applications for funding assistance are to be submitted on the forms required;
- Applicants may only apply for funding toward one project each year; and
- Applicants may only seek up to 70% of the cash component of the project.

The Shire has the right to impose relevant conditions of funding to ensure the integrity of the project, and reserves the right to project manage the project if it is to be located on Shire owned land. Standard conditions detailed below will also be required:

- recipients will be required to enter into a formal agreement with the Shire committing to comply with the terms and conditions on which the funding is provided and the lodgement of acquittal documentation following the completion of the project;
  - recipients are required to acknowledge Council's support and contribution in promotional material, media releases or other public documents relating to the project, wherever possible; and
  - acquittal documentation is to be submitted to the Shire within 90 days of completion of the project or event.
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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Place, Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	28 November 2013 (OCM13/240)
		25 June 2015 (OCM15/155)
		10 March 2016 (OCM16/050)
		22 February 2018 (OCM18/008)
		22 October 2020 (OCM20/191)
		23 June 2022 (OCM22/070)
		22 June 2023 (OCM23/069)



# Policy C10 – Waiver of Fees and Charges – Venue Bookings

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## 1. Policy Intention

To provide clear guidelines for the equitable assessment of requests for the waiver of fees and charges relating to venue and facility bookings.

## 2. Policy

A procedure for the assessment of applications requesting a waiver of fees and charges ensures:

- transparency and accountability to the community;
- an equitable assessment of each application or request received; and
- a standard process for applicants to follow when requesting donations or waivers from Council.

All eligible waivers will be assessed at the discretion of Council or the Chief Executive Officer (CEO) (under delegated authority) as outlined within the Policy.

## 3. Reporting Procedures

A record of the decision relating to each request determined by the CEO shall be maintained as part of the Shire's Delegated Authority Register.

Information regarding waivers of fees and charges approved under delegated authority will be prepared and circulated to Council Members on a quarterly basis.

## 4. Implementation

### 4.1 Timeframe

Applications must be submitted on the official form and should be received with any other appropriate documentation no less than four weeks prior to the event or activity. The CEO has the discretion to consider varying this requirement under extenuating circumstances.

### 4.2 Criteria

The Shire of Murray (Shire) does not generally accept applications or requests to waive hire fees. Many organisations undertake fundraising activities as part of their business, or in support of other charities or not for profit organisations.

It is inappropriate for Council to support fee waivers for one organisation over another and therefore applications will not be considered solely due to fundraising.

Waivers will be considered where the application relates to a free community activity and at least one of the following criteria is met:

- the activity educates or strengthens communities or complements Council activities;
- the purpose of the activity supports a service or activity that the local government considers it would have undertaken and is beneficial to the community;
- the purpose of the activity supports the development of infrastructure or services that can be considered the responsibility of Council;

- the application supports the activities of an incorporated club or group within the first 12 months of their operation; or
- extenuating circumstances exist.

#### 4.3 Automatic Fee Waivers

Applications approved under this policy will have any associated special event fees waived.

Where financial support is provided through Shire of Murray grant funding schemes to a free community event an automatic fee waiver will be applied for the following fees:

- Venue hire costs;
- Special Event application fees including risk management plan assessment fees, where applicable.

#### 4.4 Conditions

Where a waiver is applied, it is considered a donation and the organisation will acknowledge the Council's support through the use of logo and other promotional activities.

A waiver for an activity or event, is considered to be valid for only that activity and does not imply an automatic approval for future years. Each event will be considered each year in its own right.

#### 4.5 Exclusions

Bonds will not be waived.

### 5. Determination Procedure

If an application for a donation or sponsorship does not meet the evaluation criteria but is assessed by Shire Administration as a case warranting further consideration, it will be forwarded to Council for determination.

Waiver Value	Determination Procedure
Applications up to and including the value of \$1,000 from Shire of Murray based organisations or individuals	Determined by CEO under delegated authority
Applications over \$1,000 from Shire of Murray based organisations and individuals	Council determination

Policy Detail		
<b>Responsible Directorate</b>	Place, Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	13 August 2015 (OCM15/198)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	23 May 2024 (OCM24/064)



# Policy C11 – Lane Allocation – Murray Aquatic and Leisure Centre

## 1. Policy Intention

To ensure that lane allocation to pool stakeholders is allocated fairly, and does not exclude public use of facilities.

## 2. Policy

### 2.1 General

- 2.1.1 The Murray Aquatic & Leisure Centre (MALC) will always aim to retain some pool space for recreational use, unless the public are notified of an event, function or activity that prohibits this.
- 2.1.2 The MALC has responsibility for the allocation of pool space for casual recreational and structured recreational use including swimming clubs.
- 2.1.3 The management of the MALC will have the overall right to cancel any bookings if the need arises. This would only be necessary in unforeseen circumstances and users will be provided with as much notice as is practicable.
- 2.1.4 Council reserves the right to approve special events (including, but not limited to School Carnivals) as a priority over the regular bookings.
- 2.1.5 All users will at all times endeavour to maintain cordial relations with other pool patrons, coaching personnel, pool staff and representatives of the Shire of Murray and Council.
- 2.1.6 All users will at all times remember that this is a public facility and ensure their behaviour does not affect the ability of other patrons to enjoy the MALC.

### 2.2 Fees and Charges

- 2.2.1 In recognition of the need to support continued growth of swimming clubs, a discount 80% *will be applied to lane hire charge for a local not for profit Club training at the MALC.*
- 2.2.2. Standard entry fees will be applicable to all members of swimming clubs other than nominated coaches of each club.

### 2.3 Pool Lane Allocation

Clubs and User Groups are required to allocate lanes based on the age groups of swimmers and in accordance with the minimum numbers of swimmers per lane.

<b>Age/defining factor</b>	<b>No of swimmers required for additional lane allocation</b>
Up to 11 years	Eight per lane
12 to 14 years	Six per lane
15 years and over	Five per lane

Priority lane space will be provided to the home Clubs, being the Pinjarra Piranhas and the Murray Masters.

## 2.4 Coaching from a Public Space

No coaching from a public lane is permitted other than in circumstances where the coaching:

- is being undertaken by an immediate family member; ~~and~~
- is not on a regular basis; and
- is for a short-term period (for example: training for a school sports carnival).

Or where

- more than three lanes are available for general public use, and
- the coaching causes no disruption to other swimmers.

MALC management have the authority to determine if the conditions are not suitable for coaching, e.g. where environmental conditions result in large numbers of recreational swimmers seeking to use the facility and further public space is required.

For the purposes of this clause, the following definitions apply:

- **'Family Member' means** parent, grandparent, brother or sister.
- **'Regular' means** on a day or time that is consistent over the short-term period.
- **'Short term period' means** a period less than six weeks.

## 2.5 Refusal to Comply

A Club or patron refusing to comply with the directions of Pool Staff or who behaves in any way that is deemed inappropriate by staff may:

- be requested to leave the Centre;
- result in cancellation of a membership; and/or
- be banned from future entry into the Centre.

## 3. Definitions

**'Local Club'** means a Club is defined as local, if more than 50% of its members reside in the Shire.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Murray Aquatic and Leisure Centre	
<b>Responsible Officer</b>	Manager Murray Aquatic and Leisure Centre	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	31 July 2014 (OCM14/096)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
		13 August 2015 (OCM15/199)
		24 April 2019 (OCM19/064)
		22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)

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## Policy C12 – Murray Library Services

Shire of Murray

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### 1. Policy Intention

To outline the role and responsibilities of the Shire of Murray's (Shire) public library.

### 2. Policy

The Shire is committed to the provision of free, accessible, quality library resources and services to the local community. Library services are provided in partnership with the State government.

#### 2.1 Library Membership

**2.1.1** Under the provisions of the *Library Board of Western Australia Act 1951* and *Library Board (Registered Public Libraries) Regulations 1985*, any person may apply for membership and borrowing rights of Murray Library, subject to the provisions of this policy.

**2.1.2** Applicants for membership of the Library must complete a library membership form, show valid documentation giving evidence of their name and address, and sign the membership register.

**2.1.3** Children (under the age of 18) must have the membership register countersigned by a parent or guardian.

**2.1.4** Any person not able to provide satisfactory proof of identity and residence will be able to enrol. Restricted borrowing conditions will apply.

**2.1.5** Organisations are eligible for membership. An individual within the organisation must sign as being responsible for materials borrowed.

**2.1.6** Signing of the membership register by the applicant indicates acceptance of the conditions of use of the library service. These are advised to applicants on issuing of the library card. The conditions are determined by:

- *The Library Board of Western Australia Act 1951*;
- *Library Board Registered Public Libraries Regulations 1985*; and
- The Manager Community and Library Services.

#### 2.2 Suspension of Borrowing Rights

**2.2.1** Borrowing rights are suspended for any library member who owes money for library materials not returned or damaged.

**2.2.2** Suspension is lifted immediately the items are returned in good condition or outstanding monies are paid.

#### 2.3 Standards of Behaviour

While using the Library service, community members must respect the rights of other users. The Manager Community and Library Services is responsible for establishing appropriate behavioural guidelines. This may include asking community members who are not adhering to these guidelines to leave the library premises.

## **2.4 Children in the Library**

**2.4.1** The Murray Library aims to promote the enjoyment of reading and encourage children to make full use of the library resources.

**2.4.2** Age is not a restriction to membership provided parents are willing to take full responsibility if damage to library materials occurs.

**2.4.3** Children under the age of ten may not be left in the library unattended by a parent or guardian.

**2.4.4** Children's use of library materials and the internet must be supervised by a parent or nominated guardian. Library staff may assist in choosing reading material but are not responsible for implementing the standards devised by parents for control of reading material of their child.

## **2.5 Library Stock**

**2.5.1** Library stock is obtained from the State Library of Western Australia, Council funds, donations and occasional grant funding. The Senior Library Officer is responsible for stock selection, utilising the following criteria:

- provision of a comprehensive collection which may be of value to the community in the format most appropriate to patron needs;
- as far as possible presenting all points of view equally on any subject;
- conforming to Federal and State censorship decisions;
- maintaining the value of the library collection as a Council asset; and
- provision of shelf-ready materials in the most timely and cost-effective manner possible.

**2.5.2** Donations of books and other materials are made by members of the community and organisations.

They are accepted on the understanding that they become the property of the Shire and are included in the library collection or disposed of at the discretion of the Manager Community and Library Services. Criteria of physical condition, currency, relevance to the collection and suitability of format apply.

**2.5.3** Surplus materials will be sold or donated at the discretion of the Manager Community and Library Services. Proceeds from sales are banked into a Council operating income account.

## **2.6 Photocopying / Printing / Scanning**

**2.6.1** A multifunction device for photocopying, printing and scanning is provided as a service to the community. Charges are set as part of Council's annual fees and charges.

**2.6.2** It is the responsibility of patrons to familiarise themselves with relevant copyright legislation when copying materials. A copy of the *Copyright Regulations 1969* is displayed at the public computers.

## **2.7 Sponsorship**

Commercial sponsorship may be sought for library programs or promotions as considered appropriate by the Manager Community and Library Services.

<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 April 2010 (OCM10/066)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	19 December 2024 (OCM24/159)



### 1. Policy Intention

To provide effective and efficient use of public computers (PC), online and wireless services whilst ensuring Council is not legally compromised by its provision of these services.

### 2. Policy

#### 2.1 Access

The Murray Library provide access to computers and online information services as one method of satisfying the information, recreation and cultural needs of the community. Policy guidelines are in place as set out below, and contravention of these may result in a patron being prohibited from using the Murray Library computers or wireless network. Illegal use may incur prosecution.

**2.1.1** Access to the public computers will be in half hour blocks on a first-come first served basis unless a prior booking has been made. Charges apply for some services including printing, scanning and photocopying.

**2.1.2** The Shire of Murray (Shire) cannot guarantee continuous internet access during the computer or wireless internet time booked.

#### 2.2 Internet Use

**2.2.1** On its public access PCs, the Shire uses filtering software with the intention of avoiding access to material which may contravene the *WA Censorship Act 1996*. However, no such software is guaranteed secure, or can guarantee blocking of what may be considered to be “objectionable” material.

**2.2.2** All users of the internet must not knowingly access sites containing objectionable material under the *WA Censorship Act 1996*. A copy of the *WA Censorship Act 1996* is displayed at the public computers.

**2.2.3** All users of the internet must abide by the *WA Censorship Act 1996*, section 102 which bans the use of the internet to transmit restricted material to a minor or to make restricted material available to a minor.

**2.2.4** Restriction of a child’s access to the internet is the responsibility of the parent or guardian.

**2.2.5** The Shire takes no responsibility for any damages, direct or indirect, arising from use of its server. Patrons are required to make their own assessment of the truth, completeness, accuracy or suitability of internet information.

**2.2.6** It is the responsibility of patrons to familiarise themselves with relevant copyright legislation to enable them to use online and other resources appropriately. A copy of the *Copyright Regulations 1969* is displayed at the public computers.

**2.2.7** The internet is not a secure, private environment. Patrons undertaking financial transactions or other activities that require confidentiality do so at their own risk. Information sent on the wireless service may be accessed by another wireless device. Security and antivirus measures are the

responsibility of the wireless device owner.

**2.2.8** The Shire respects users' rights to privacy but will comply with law enforcement agencies that issue warrants to inspect library electronic systems and logs. These are also subject to monitoring by network administrators in the usual performance of their duties.

**2.2.9** Prohibited activity includes but is not restricted to accessing sexually explicit material, games, personal and dating sites, gambling, criminal activity, hacking, phishing, proxies and translators, sending unsolicited bulk email, defamation.

**2.2.10** Download limits apply.

### **2.3 Other**

**2.3.1** Patrons are not permitted to modify the installed hardware or software in any way.

**2.3.2** Data may be saved to removable storage devices, but the Shire makes no assurances about the integrity of data.

**2.3.3** Library staff will only provide basic access assistance in the use of the public online services.

**2.3.4** The terms and conditions for using the Murray Library computers to access the internet are displayed and all users must comply at all times.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 April 2010
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 July 2013 (OCM13/129)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## Policy C14 – Community Association Funding Allocation (CAFA)

### 1. Policy Intention

To financially support Associations to allow them to access funding to deliver events, projects, programs or activities within their locality that will result in vibrant, inclusive and healthy communities.

### 2. Policy

As part of the budget process, the Shire of Murray (Shire) will support Community Associations through the allocation of annual funding for the purposes of projects and regular events based on the priorities of the community.

One funding allocation per locality per financial year may be approved.

In the event there is no Community Association or Residents and Ratepayers Association in a locality, another relevant not for profit group acting in the interests of the whole community may be allocated funding at the discretion of the Chief Executive Officer.

The key objective of the funding is to:

“Deliver events, projects, programs or activities that benefit the Murray Community and address a well evidenced need, effectively contributing to building vibrant, inclusive and healthy communities”.

#### 2.1 Process

- (a) Each Association or Group is required to inform the Shire of the projects that it proposes to support or deliver and identify the associated community benefits, prior to receiving the funds and undertaking the activity, program or event.
- (b) Each Association or Group is required to provide a minimum of 25% toward the total project or event cost overall (this can be via securing other grants or its own contribution).
- (c) Acquittal documentation is required following each event, including evidence of acknowledgement, community benefit and financial statement for the project.

#### 2.2 Access to Grant Funds

The Associations or Groups remain eligible to apply for new initiatives through the Community Assistance Partnership Fund.

Policy Detail		
<b>Responsible Directorate</b>	Place, Community and Economic Development	
<b>Responsible Department</b>	Community and Library Services	
<b>Responsible Officer</b>	Manager Community and Library Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	25 July 2019 (OCM19/150)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	22 June 2023 (OCM23/069)

## Policy Intent

To confirm the critical importance of bushfire preparedness and prevention activities and appropriate planning to adequately prepare for or mitigate the spread or extension of bushfires in the district and acknowledge enforcement of the approved compliance standards or for additional notices (Special Works Orders).

## Policy Statement

To enhance community safety and assist in reducing bushfires or the impact of bushfires, the Shire of Murray is committed to:

- actively encouraging property owners and occupiers throughout the district to meet the requirements and obligations outlined in the Shire of Murray Firebreak Notice made pursuant to the provisions of the *Bush Fires Act 1954*;
- supporting the issue of Special Works Order to individual property owners and occupiers by employees appointed as Fire Control Officers to formally direct additional preventative or preparedness (bushfire hazard reduction) work, where specific hazards are identified;
- enforcing the provisions of the *Bush Fires Act 1954* generally, and where non-compliance with the Firebreak Notice or Special Work Orders occur, inclusive of completing bushfire hazard reduction work on private land, at the landowners/occupier cost; and
- supporting the rigorous application of the States Bushfire Policy Framework prepared by the Western Australian Planning Commission under Part 3 of the *Planning and Development Act 2005* with the Support of the Department of Fire and Emergency Service, inclusive of but not limited to:
  - State Planning Policy 3.7 Planning in Bushfire Prone Areas; and
  - Guidelines for Planning in Bushfire Prone Areas.

## Legislation

*Bush Fires Act 1954*

*Planning and Development Act 2005*

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Ranger and Community Safety	
<b>Responsible Officer</b>	Manager Ranger and Community Safety	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	18 December 2025 (OCM25/159)
<b>Amendment Record</b>		

## Policy Intent

To outline a commitment by the Shire of Murray (Shire) for the broad principles of Emergency Management in the district to support the community.

## Policy Statement

To achieve the policy intention the Shire will, through the Chief Executive Officer:

- (a) Ensure committees/groups are established and functioning in order to meet the Shire’s statutory emergency management responsibilities, such as:
  - Local Emergency Management Committee;
  - Local Recovery Coordinating Group; and
  - Appropriate representation on the District Emergency Management Committee.
- (b) Develop and maintain emergency management arrangements that meet the Shire’s statutory emergency management responsibilities and provide for operational effectiveness, including but not limited to:
  - Local Emergency Management Plan;
  - Local Recovery Plan;
  - Local Animal Welfare Plan;
  - Local Resource Recovery Manual;
  - Local Bushfire Management Arrangements;
  - Bushfire Risk Management Plan; and
  - Emergency Risk Management Plan.
- (c) Actively encourage arrangements being developed and maintained to:
  - enable business continuity preparedness, training and exercising to build and maintain individual and organisational confidence and capacity that promotes a smooth and rapid restoration of normal business functions following a disaster; and
  - support neighbouring local governments for the purpose of local and regional response and/or recovery.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Ranger and Community Safety	
<b>Responsible Officer</b>	Manager Ranger and Community Safety	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
<b>Amendment Record</b>	<b>Date / Resolution</b>	18 December 2025 (OCM25/159)



## Policy F1 – Regional Price Preference

### 1. Policy Intention

To promote the growth development and retention of local and regional businesses employing local people to assist in generating economic benefits by maximising the use of competitive local and regional content in the supply of goods and services or for construction (building services) sourced by way of Tender on behalf of the Shire of Murray (Shire).

### 2. Policy

**2.1** That a price preference will apply to tenders invited for procurement over \$75,000 by the Shire as detailed in clause 2.2, unless Council resolves that this policy not apply to a particular tender invited.

**2.2** The following levels of preference for the purposes of assessment will be applied under this policy:

#### Shire of Murray Businesses

- (a) 10% where the contract is for goods and services up to a maximum price assessment reduction of \$50,000; and
- (b) 5% where the contract is for construction (building services) up to a maximum price assessment reduction of \$50,000.

#### Peel Region Businesses

- (a) 5% where the contract is for goods and services up to a maximum price assessment reduction of \$50,000; and
- (b) 2.5% where the contract is for construction (building services) up to a maximum price assessment reduction of \$50,000.

The levels of preference outlined in clause 2.2, will only apply to businesses that are located within the Shire or the Peel Region for at least six (6) months prior to the closing date of tender invited.

The level of preference outlined is to be applied as either a Shire Business or Peel Region Business, not both.

The Peel Region Businesses preference can only be applied if it does not affect the overall evaluation outcomes for a business from the Shire, on the condition that the Shire Business has submitted an equally competitive bid in terms of evaluated quality i.e.: overall qualitative scores are in the same range/s.

Only the cost of those goods and services clearly identified in the tender submission as being supplied locally or from the Peel Region regionally (regardless of their origin) will be included in the calculation that forms a part of the assessment of a tender. Travel or accommodate costs are excluded.

It should be noted that price is only one factor to be considered when the Shire assesses tender submissions. Value for money principles will be used to achieve the best possible outcome for every dollar spent. This is achieved by assessing all costs and benefits rather than simply selecting the lowest purchase price.

### 3. Definitions

**'The Peel Region'** includes the Shire's of Waroona, Boddington, Serpentine Jarrahdale and the City of Mandurah.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 September 2011 (OCM11/151)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		20 December 2018 (OCM18/260)
		28 February 2019 (OCM19/016)
		23 June 2022 (OCM22/070)

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## Policy F2 – Investment of Funds

Shire of Murray

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### 1. Policy Intention

To invest the Shire of Murray surplus funds, with consideration of risk and the most favourable rate of interest available to it at the time for that investment type, while ensuring that Council's liquidity requirements are met.

### 2. Policy

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

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

### 2.2 Prudent Person

In accordance with the *Trustees' Act 1962* all surplus funds will be invested in accordance with the prudent person rule.

The main features of the prudent person rule include:

- Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
- A duty to invest funds in investments that are not speculative or hazardous.

### 2.3 Approved Investments

As per the *Local Government (Financial Management) Regulations 1996*, Regulation 19C, any investment placed shall be subject to the following restrictions:

- A deposit can only be placed with an authorised institution as defined in the *Banking Act 1959* (Commonwealth) section 5 or with the Western Australian Treasury Corporation;
- A deposit cannot be placed for a fixed term of more than 3 years;
- Any bonds must be guaranteed by a Commonwealth, State or Territory government and may not be placed with a term to maturity of more than 3 years; and
- Council may not invest in foreign currency.

## 2.4 Reporting and Review

A report on current investments under this Policy is to be included in the monthly financial report presented to Council each month.

Documented evidence must be held for each investment and details thereof maintained in an Investment Register for the period required under the *Records Act 2000*.

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

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0345)
<b>Amendment Record</b>	<b>Date / Resolution</b>	28 February 2002 (OCM02/053)
		29 April 2010 (OCM10/066)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)

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## Policy F3 – Related Party Disclosures

Shire of Murray

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### 1. Policy Intention

To ensure compliance with the Australian Accounting Standard AASB124 (AASB124) related party disclosures and the *Local Government Act 1995* (the Act) to prepare financial accountability documents, including general purpose financial statements.

### 2. Scope

This policy provides a framework for the identification of related party relationships and the disclosure of related party transactions with Council.

### 3. Definitions

To assist in interpretation the following definitions shall apply:

- **‘Close family members of a person’** shall mean those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council.
- **‘Control’** shall mean the ability to direct the business’ activities of an entity through rights or exposure to returns from its involvement with the entity.
- **‘Council Member’** shall mean the Shire President, Deputy Shire President and Councillors of the Shire of Murray.
- **‘Ordinary Citizen Transactions’** shall mean transactions with a related party that are made on terms that are considered reasonable if the parties were dealing at ‘arm’s length’.
- **‘Key Management Personnel’** shall mean those persons having authority and responsibility for planning, directing and controlling the activities of Council or Council entities, directly or indirectly. This shall include; Council Members, Chief Executive Officer and Senior Executives.
- **‘Related Party Transaction’** shall mean the transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.
- **‘Senior Executives’** shall mean an employee of the local government, (a) who reports directly to the Chief Executive Officer and (b) whose position would be considered to be a senior position in the local government’s corporate structure.

### 4. Background

Under the Act and *Local Government Financial Management Regulation 1996* all local governments in Western Australia must produce annual financial statements that comply with Australian Accounting Standards.

From 1 July 2016, the Australian Accounting Standards Board has determined that AASB124 Related Party Disclosures will apply to government entities, including local governments.

The objective of the accounting standard is to ensure that annual financial statements contain “disclosures” necessary for stakeholders to draw attention to the possibility that the financial position and financial performance may have been affected by transactions and outstanding balances with related parties.

This information will be audited as part of the annual external audit.

The related party policy seeks to reduce the risk that Council’s transactions may be influenced by the interests of parties related to the transaction. This occurs where the parties are in a position to influence the decision of whether a benefit is provided to them and the terms of the provision of that benefit.

It is therefore important that Key Management Personnel (KMP) act honestly and with reasonable care and diligence whilst avoiding improper use of their position and information. It is equally important that KMP of the Council are subject to a high level of accountability, including appropriate disclosure of their transactions with the Council in the annual financial statements.

## **5. Policy Statement**

### **5.1 Related Parties**

A related party is a person or entity that is related to the Council. The following are determined to be related parties of Council;

- KMP;
- close family members of KMP;
- any entities controlled or jointly controlled by KMP or their close family members; or
- a subsidiary, associate or joint venture of Council.

Other parties may be assessed to be related parties, from time to time, depending upon Councils structure and delegations or in accordance with the requirements of the AASB124.

KMP and other persons occupying or acting in the positions disclosed are required to complete a related party declaration to assist Council in compliance with its statutory obligations.

Declarations are required annually each financial year. Should an individual’s circumstances materially change between these periods a new declaration will be required to be completed.

Management will implement and maintain a suitable system to identify related parties.

### **5.2 Disclosure**

Transactions between Council and related parties, whether monetary or not, are required to be identified. Disclosure of these transactions within the annual financial statements will be determined in accordance with materiality by assessment against nature and size when considered individually and collectively.

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be, in compliance with, the framework of the AASB124 and other relevant standards, as required.

Related party transactions excluded from disclosure requirements on the basis of ordinary citizen transactions are:

- any valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance; and
- any service or benefit provided as part of the normal Council business operation to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance.

Transactions that may be disclosed if between related parties include:

- any infrastructure charges,
- special waivers or reduction of fees, discounts provided despite late payments, waivers of interest on debts, or any other benefit not excluded that has been provided to the party;
- include outstanding balances owed to Council by KMP and their related parties; and
- other transactions as required by the AASB124.

Council will be cognisant of privacy and right to information requirements when dealing with the identification, retention and disclosure of related party transactions.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	13 October 2016 (OCM16/227)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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# Policy F4 – Borrowing Program

## 1. Policy Intention

To ensure the total amount of loan borrowings is sustainable in terms of ability to meet future repayments whilst maintaining financial ratios at an acceptable level.

## 2. Policy

### 2.1 Borrowing Principles

Loan borrowings will only be sourced for the purpose of acquisitions, renewals or enhancements of a capital nature.

### 2.2 Borrowing Arrangements

When entering into borrowing arrangements, Council will seek to minimise loan servicing costs over the long term without introducing undue annual volatility.

The tenure of a loan will not be greater than the expected useful life of the asset funded by the loan.

All borrowings will be considered as a part of Councils long term financial planning using sound financial management principles.

### 2.3 Borrowing Ratios and Limits

Borrowings (including self-supporting loans) shall not be undertaken if the effect of such borrowings are projected to result in the debt service cover ratio falling below the advanced standard, as per the Local Government Operational Guidelines – Financial Ratios.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0414)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)



## Policy F5 – Corporate Credit Card

Shire of Murray

### 1. Policy Intention

To enable flexibility in purchasing procedures and to provide information on the use and responsibilities of Council Corporate Credit Cards by approved Council Officers.

### 2. Policy

The Shire of Murray (Shire) is committed to:

- Providing a useful resource to enable purchasing in remote and emergency situations;
- Assist with purchasing where account facilities are not readily available, reducing the need for nominated staff to carry cash; and
- Providing an effective means of auditing expenditure incurred.

It is policy:

- (a) To provide the Chief Executive Officer (CEO) with a corporate credit card with an expenditure limit of \$20,000.
- (b) For the CEO to authorise the provision of corporate credit cards to Directors and other staff as determined necessary, with an expenditure limit of up to \$5,000.

#### 2.1 Scope or Application

This policy applies in the following circumstances:

- an agreement with the Shire shall be signed by the cardholder which sets out the cardholder's responsibilities and legal obligations when using the credit card;
- credit cards should only be used for purchasing goods and services on behalf of the Shire;
- personal expenditure is prohibited; and
- a credit card is not to be used for cash withdrawals or for the payment of fines.

#### 2.2 Auditing

Sufficient and robust auditing processes are to be implemented and maintained to ensure the proper and accountable use of Shire Credit Cards.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## Policy F6 – Debt Collection

Shire of Murray

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### 1. Policy Intention

To outline clear and appropriate debt recovery procedures which will be undertaken by the Shire of Murray (Shire) to ensure effective control over all invoiced debts owed to the Shire whilst being sympathetic to those ratepayers and debtors suffering genuine financial hardship.

### 2. Policy

#### 2.1 Rates

- 2.1.1** Where rates remain outstanding fourteen days after the due date shown on the Rate Notice, and the ratepayer has not elected to pay by an approved payment option, a Final Notice shall be issued requesting full payment within seven days.
- 2.1.2** Rates remaining unpaid after the expiry date shown on the Final Notice will be examined for the purpose of issuing a Collection Letter.
- 2.1.3** Where payment still remains outstanding despite the issue of a Collection Letter and the ratepayer has not entered into a payment arrangement a Claim will be issued for recovery.
- 2.1.4** Following the issue of a Claim and the addition of legal costs, as provided in Section 6.56 of the *Local Government Act 1995* (the Act), a reasonable offer to discharge a rate account will not be refused.  
  
Any instalment arrangement will be calculated so that the minimum repaid over a full year will equal 100% of annual levies and any costs associated with debt collection charges.
- 2.1.5** Where a Claim has been issued and served but remains unsatisfied, action will be taken to pursue that Claim by whatever means, through Council's solicitors or collection agency as the case may be, to secure payment of the debt.
- 2.1.6** Legal proceedings will continue until payment of rates imposed is secured. This includes the issue of a Property Seizure and Sale Order (PSSO) against goods and land if necessary.
  - (a) If a PSSO against land is proposed to collect outstanding rates due on a property where the owner resides, approval of Council shall be obtained before the PSSO is lodged.
  - (b) PSSOs against land will be used to collect outstanding amounts in respect to investment properties without a requirement that these be referred to Council.
- 2.1.7** A caveat may be lodged on the property's Certificate of Title to protect the Shire's interest and it will not be removed until the debt is paid in full as per section 6.64 (3) of the Act.

**2.1.8** If there is an amount of Rates which has been unpaid for three or more years the Shire may utilise the provisions of section 6.64 of the act to:

- Lease the land; or
- Sell the land; or
- Transfer the land to the Crown; or
- Transfer the land to itself.

**2.1.9** In cases where the owner of a leased or rented property on which rates are outstanding cannot be located, or refuses to settle rates owed, notice will be served on the lessee under the provisions of Section 6.60 of the Act, requiring the lessee to pay to Council the rent due under the lease / tenancy agreement as it becomes due, until the amount in arrears has been fully paid.

**2.1.10** Where the owner is registered for a pensioner rebate on rates and Emergency Services Levy (where the deferment option may be available) or where the owner is registered for a senior's rebate (25% rebate and no deferment option); debt recovery may proceed for the collection of unpaid charges which are not subject to a rebate or deferment e.g. rubbish collection charges.

## 2.2 Sundry Debtors

**2.2.1** Sundry debtor accounts are overdue if not paid within seven days of the issuing of the account.

**2.2.2** The Shire may stop the provision of credit facilities to sundry debtors when an account is overdue for more than thirty days.

**2.2.3** The Shire will take recovery action of overdue sundry debtor accounts within sixty days of the account becoming overdue unless the debtor enters and complies with an overdue payment agreement. Any such agreement will not exceed 6 months unless exceptional circumstances exist.

## 2.3 Variation

The Chief Executive Officer may determine other suitable treatment options to deal with sundry debtors in the case of demonstrated hardship or other situations.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 August 2007 (OCM07/170)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

### Policy Intent

The Shire of Murray (Shire) is committed to providing a rate concession under Section 6.47 of the *Local Government Act 1995* to the agricultural sector for Bona-fide Primary Producers in recognition of the importance of rural pursuits to the district.

### Policy Statement

#### 1. Application

The following criteria are to be satisfied to be considered for a rates concession:

- (a) The property must be zoned Rural.
- (b) The primary production assessable income generated from the property and claimed in the latest tax return must be greater than \$20,000.
- (c) Adequate financial information and other documents to support the claim must be provided, including:
  - (i) Confirmation from an accountant that:
    - indicators relevant to whether a person is carrying on a business of primary production in Tax Ruling 97/11 have been fulfilled;
    - the primary production assessable income claimed in the latest tax return is greater than \$20,000; and
    - the latest tax return year that has been lodged.

Or

  - (ii) Where an applicant prepares and lodges their own taxation return:
    - a copy of the latest tax return lodged with the Australian Taxation Office (ATO);
    - a copy of the Notice of Assessment provided by the ATO; and
    - a signed statutory declaration stating the property is used in accordance with Tax Ruling 97/11.
- (d) The rural pursuit must be one of the following:
  - grazing
  - agistment
  - dairying
  - aquiculture
  - timber plantations
  - viticulture
  - horticulture
  - fruit growing
  - piggery farms
  - poultry farms
  - crop growing
- (e) The applicant ordinarily resides on the property where the rural pursuit is being conducted, or lives within the Shire boundary, or ordinarily resides within an adjoining local government.
- (f) Where the applicant ordinarily resides on the property where the rural pursuit is being conducted, or lives within the Shire boundary, or resides on a property in a neighbouring Shire that is contiguous to the property subject to an eligible concession, the amount of the concession will be 30% of the rates levied, subject to Clause 1.1(j) of this policy. Where

the applicant ordinarily resides within an adjoining local government, the amount of the concessions will be 15% of the rates levied, subject to Clause 1.1(j) of this policy.

- (g) Where the applicant is a tenant and liable to pay the Council rates on the property, a copy of the lease stating that they are required to pay the Council rates will need to be provided (Note: the applicant will only be eligible for the concession if all of the above conditions have been satisfied).
- (h) To be eligible, all rates and other charges owing to the Shire, for this property, must be paid, and no current or prior years amounts are to be outstanding. Where the current year's rates are not paid in full as at the 30 June in any financial year, the concession granted in that year will be rescinded.
- (i) Approval for a primary production rates concession can only be approved for up to a two-year period. All applications for consideration must be received by 30 April preceding the adoption of the budget.
- (j) Commencing the 2014/2015 financial year, the maximum amount of total primary producer concessions granted is limited to an annual amount of
- (k) \$120,000. Thereafter, this maximum limit is to be increased on an annual basis by the percentage average rate increase for the Shire. Where applications exceed the total amount available under this Policy, the concessions will be applied on a pro-rata basis.
- (l) In circumstances where the application of a concession would result in the rates levied falling below the minimum prescribed rate for any assessment, the minimum rate will be applied.

### Legislation

*Local Government Act 1995, Section 6.47*

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Executive Manager Corporate Services	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	28 February 2013 (OCM13/015)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 June 2013 (OCM13/096)
		27 February 2014 (OCM14/011)
		31 July 2014 (OCM14/097)
		25 June 2015 (OCM15/155)
		28 March 2019 (OCM19/034)
		19 December 2019 (OCM19/270)
		22 April 2021 (OCM21/063)
		23 June 2023 (OCM22/070)
		18 December 2025 (OCM25/159)



## Policy F8 – Asset Capitalisation

Shire of Murray

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### 1. Policy Intention

To set appropriate thresholds for the capitalisation (recognition) of assets for the Shire of Murray (Shire).

### 2. Policy

This policy is to provide staff involved in budgeting and expenditure decisions clear guidance when classifying expenditure in the accounting system. It establishes the criteria at the point of recognition of an asset. This policy applies to all physical assets of the Shire. This policy does not apply to cash or inventory.

### 3. Background

Accounting standards require a distinction to be made between expenditure that is consumed immediately in operations (or within one financial year) and expenditure on physical assets that will provide service over more than one financial year, normally many years.

The distinction is a critical component in the determination of financial sustainability as recorded through the income statement and in calculating the cost of services, and the setting of prices and taxes. For local government this process serves to ensure intergenerational equity; that is one generation of ratepayer is not subsidising another.

### 4. Definitions

#### 4.1 Definition of an Asset

An asset is a resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity. Assets include physical assets which provide future economic benefits for more than 12 months. Any item which has a life of less than 12 months is expensed under a maintenance or operational budget and cannot be classed as an asset.

An asset is recognised in the balance sheet when it is probable that the future economic benefits will flow to the entity and the asset has a cost or value that can be measured reliably.

#### 4.2 Definition of Capital and Operating Expenditure

Operating expenditure is recurrent expenditure such as power, fuel, staff, materials, cleaning, minor equipment, on-costs, overheads, maintenance and depreciation. These costs are the day to day expenses associated with providing the service during a year of operations. When compared to the income over the same period a surplus or deficit can be calculated.

- (a) Maintenance expenditure is a component of operating expenditure, specifically on an asset, which is periodically required as part of the anticipated schedule of works needed to ensure that the asset achieves its estimated useful life, and is normally relatively low cost compared to the asset value. Maintenance expenditure includes reactive maintenance and repair, (pothole patching, repairs to broken fixtures, etc), or planned maintenance (maintenance and repair to predetermined schedules).

Capital expenditure is relatively large (material) expenditure, which has benefits (service potential), expected to last for more than 12 months. In addition to new assets capital expenditure includes renewal/replacement and expansion/upgrade of existing assets.

- (a) Capital renewal is expenditure on an existing asset, which restores the service potential and extends the life of the asset beyond that which it had originally. As it extends the life of the asset any income generated from it will likewise be extended. Future operating and maintenance expenditure may be reduced if completed at the optimum time, e.g. resurfacing or re-sheeting part of a road network, replacing a section of a drainage network with pipes of the same capacity, resurfacing an oval.
- (b) Capital upgrade/expansion is expenditure, which enhances an existing asset to provide a higher level of service. Upgrade expenditure is discretionary and may not result in additional revenue unless direct user charges apply. It will increase operating and maintenance expenditure, including depreciation, in the future because of the increase in the council's asset base, e.g., widening the sealed area of an existing road, replacing drainage pipes with pipes of a greater capacity, enlarging a grandstand at a sporting facility, building extension etc.

## **5. Recognition**

### **5.1 Measurement at Recognition**

In accordance with Australian Accounting Standard AASB 116 (AASB116):

- an item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost; and
- notwithstanding this, where an asset is acquired at no cost, or for a nominal cost (as the case with developer and other contributed assets), the cost is its fair value as at the date of acquisition.

### **5.2 Recognition Cost**

*AASB116* defines the cost an item of property, plant and equipment as comprising:

- its purchase price, including import duties and non-refundable purchase taxes, after deducting trade discounts and rebates;
- any costs directly attributable to bring the assets to the location and condition necessary for it to be capable of operating in the manner intended by management; and
- the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located, the obligation for which an entity incurred either when the item is acquired or as a consequence of having used the item during a particular period for purposes other than to produce inventories during that period.

Examples of costs that are not costs of an item of property, plant and equipment are:

- costs of opening a new facility;
- costs of introducing a new product or service (including advertising); or
- administration and other general overhead costs.

## 6. Materiality

Information is material if its omission or misstatement could influence the decisions of users made on the basis of the financial statements. In the context of materiality, it is not necessary to recognise every non-current asset in the balance sheet. Expenditure may still be capitalised on items that are individually immaterial, however are significant when considered as a group of assets, such as signs or reserve furniture.

Setting the threshold levels is to provide the greatest balance between efficiency in administrative effort associated with maintaining records and the need to 'expense' items, through depreciation, against more than one financial year so that revenues and expenses are matched appropriately.

## 7. Capital Expenditure Thresholds

The Shire's capital expenditure thresholds for assets are contained in the following tables.

Asset Category	Renewal	New / Upgrade	Expenditure Threshold
Road Seal	Resurfacing at the same standard, including preparation works.	<ul style="list-style-type: none"> <li>New assets</li> <li>Road upgrade – road widening, unsealed to sealed, improved design capacity, incl. surface reconstruction</li> </ul>	\$5000
Road Pavement	Pavement replacement/ renewal of asset with same standard	<ul style="list-style-type: none"> <li>New assets</li> <li>Road upgrade – road widening, improved design capacity</li> </ul>	\$5000
Road Earthworks and Formation		<ul style="list-style-type: none"> <li>Initial formation of the land, in preparation for the construction of the pavement and seal assets above</li> </ul>	\$5000 (not depreciated)
Unsealed Roads		<ul style="list-style-type: none"> <li>Re-sheet</li> </ul>	\$5000

Street Lighting	<ul style="list-style-type: none"> <li>Replacement of whole lighting structure</li> <li>Replacement of components</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade assets</li> <li>Expansion of lighting structures.</li> </ul>	\$5000
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Footpath Assets	<ul style="list-style-type: none"> <li>Resurfacing with same standard (whole asset)</li> <li>Replacement of whole asset length of paved footpath at same standard</li> <li>Concrete to paved</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Footpath upgrade - replacement with higher standard (Widening, Gravel to Paved, Improved design capacity)</li> </ul>	\$5000
Kerb and Gutter	<ul style="list-style-type: none"> <li>Replacement of whole asset length of kerb and gutter at same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade asset</li> </ul>	\$5000

<b>Asset Category</b>	<b>Renewal</b>	<b>New / Upgrade</b>	<b>Expenditure Threshold</b>
Medians	<ul style="list-style-type: none"> <li>• Replacement of whole asset length of median at same standard</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset</li> </ul>	\$5000
Roundabouts	<ul style="list-style-type: none"> <li>• Replacement of whole roundabout at same standard</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset</li> </ul>	\$5000
Carparks	<ul style="list-style-type: none"> <li>• Pavement replacement/renewal with same standard</li> <li>• Resurfacing</li> </ul>	<ul style="list-style-type: none"> <li>• New assets (including unsealed, e.g. gravel)</li> <li>• Upgrade asset</li> </ul>	\$5000
Traffic Bridges	<ul style="list-style-type: none"> <li>• Replacement of bridge with same standard</li> <li>• Replacement of components (deck, beams, guard rails, with same standard, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset (strengthening, widening, etc)</li> </ul>	\$5000
Pedestrian Bridges	<ul style="list-style-type: none"> <li>• Replacement of foot bridge with same standard</li> <li>• Replacement of components (deck, beams, guard rails etc with same standard, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset (strengthening, widening, etc)</li> </ul>	\$5000
Boardwalks	<ul style="list-style-type: none"> <li>• Replacement of boardwalk with same standard</li> <li>• Replacement of components (deck, beams, guard rails, with same standard, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset (strengthening, widening, etc)</li> </ul>	\$5000
Stormwater Drainage Pits / Pipes / structures	<ul style="list-style-type: none"> <li>• Replacement of asset length of drainage pipeline at same standard</li> <li>• Renewal/relining of asset length of drainage pipeline at same standard</li> <li>• Replacement of complete pit/structure/ pump</li> <li>• Replacement of partial pipe length</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade asset</li> <li>• Replacement with higher standard</li> </ul>	\$5000

<b>Asset Category</b>	<b>Renewal</b>	<b>New / Upgrade</b>	<b>Expenditure Threshold</b>
Building Structure	<ul style="list-style-type: none"> <li>• Replacement of whole envelope asset with same standard</li> <li>• Component replacement (windows, walls, structural repair etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets and extensions (providing a higher level of service)</li> </ul>	\$5000
Building Roof	<ul style="list-style-type: none"> <li>• Replacement of whole roof asset with same standard</li> <li>• Component replacement (roof, gutters, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets and extensions (providing a higher level of service)</li> </ul>	\$5000
Building Mechanical	<ul style="list-style-type: none"> <li>• Replacement of whole Air conditioning asset with same standard</li> <li>• Component replacement (Air conditioning, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets and extensions (providing a higher level of service)</li> </ul>	\$5000
Building Fit-out	<ul style="list-style-type: none"> <li>• Replacement of whole fit-out asset with same standard</li> <li>• Component replacement (lights, kitchens, laundry, bathroom, etc)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Fit out</li> <li>• Upgrade assets and extensions (providing a higher level of service)</li> </ul>	\$5000

Swimming Pools	<ul style="list-style-type: none"> <li>• Relining/retiling of pool</li> <li>• Replacing pool components (pumps, filters, electrical)</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets</li> </ul>	\$5000
Shade Structures	<ul style="list-style-type: none"> <li>• Replacement of whole asset same standard</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets</li> </ul>	\$5000
Playgrounds	<ul style="list-style-type: none"> <li>• Replacement of whole playground</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets</li> </ul>	\$5000
Sports Ovals and Open Space	<ul style="list-style-type: none"> <li>• Replacement of whole pitch, court, lighting structure, irrigation system, etc</li> <li>• Replacement of components</li> <li>• Partial replacement of assets</li> </ul>	<ul style="list-style-type: none"> <li>• New assets</li> <li>• Upgrade assets</li> <li>• Extension of irrigation systems</li> <li>• Expansion of lighting structures.</li> </ul>	\$5000
Road and reserve furniture		<ul style="list-style-type: none"> <li>• New assets</li> </ul>	\$5000

<b>Asset Category</b>	<b>Renewal</b>	<b>New / Upgrade</b>	<b>Expenditure Threshold</b>
Fencing	<ul style="list-style-type: none"> <li>Replacement of fence asset length with same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade asset</li> </ul>	\$5000
Road and reserve signs		<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade asset</li> </ul>	\$5000
Other structures	<ul style="list-style-type: none"> <li>Replacement of whole asset with same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade asset</li> </ul>	\$5000
Other assets	<ul style="list-style-type: none"> <li>Replacement of asset with same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> <li>Upgrade/expand asset</li> <li>Replace with higher standard</li> </ul>	\$5000
Plant and equipment	<ul style="list-style-type: none"> <li>Replacement of asset with same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> </ul>	\$5000
Furniture and equipment	<ul style="list-style-type: none"> <li>Replacement of asset with same standard</li> </ul>	<ul style="list-style-type: none"> <li>New assets</li> </ul>	\$5000

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 August 2012 (OCM12/184)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 June 2013 (OCM13/096)
		23 June 2023 (OCM22/070)

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## Policy F10 – Rates Financial Hardship

### 1. Policy Intention

To give effect to the Shire's commitment to support those in need in our community to meet financial challenges if they arise.

This policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding during financial hardship.

### 2. Policy

This policy applies to ratepayers of the Shire experiencing financial hardship and is applicable to outstanding rates and charges as at the date of adoption of this policy and as subsequently levied.

The provisions of the *Local Government Act 1995 (Act)*, *Local Government (Financial Management) Regulations 1996* and *Rates and Charges (Rebates and Deferments) Act 1992* apply.

#### 2.1. Payment difficulties, hardship and vulnerability

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependents. The Shire recognises that people in our community may be experiencing payment difficulties, financial hardship and vulnerability.

This policy is intended to apply to all ratepayers experiencing financial hardship.

#### 2.2. Financial Hardship Criteria

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

- recent unemployment or under-employment; or
- sickness or recovery from sickness; or
- low income or loss of income; or
- unanticipated circumstances such as caring for and supporting extended family.

Ratepayers will be required to provide any information about their individual circumstances that may be relevant and support their assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment arrangement. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with our statutory responsibilities.

#### 2.3. Payment Arrangements Considerations

Payment arrangements may be made in accordance with Section 6.49 of the Act and are to include an agreed payment frequency and amount. Rates financial hardship payment plan applications will be considered in the context of:

- that a ratepayer has made genuine effort to meet rate and service charge

obligations in the past; and

- the payment arrangement will establish a known end date that is realistic and achievable; and
- the ratepayer will be responsible for informing the Shire of any change in circumstance that jeopardises the agreed payment plan.

#### **2.4. Interest Charges**

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

#### **2.5. Deferment of Rates**

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

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

#### **2.6. Debt Recovery**

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with the ratepayer.

Where a ratepayer is unable to make payments in accordance with the agreed payment plan and the ratepayer advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Rates and service charge debts that remain outstanding on default of the agreed payment arrangement, will then be subject to the rates debt recovery procedures described in Policy F6 – Debt Collection and as prescribed in the Act.

#### **2.7. Communication and Confidentially**

The Shire will always maintain confidentiality about any financial hardship matter, and we undertake to communicate with a nominated support person or other third party at your request.

We recognise that applicants for hardship consideration are experiencing additional stressors and may have complex needs. We will ensure all communication with applicants is clear and respectful.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Finance	
<b>Responsible Officer</b>	Manager Finance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 December 2024 (OCM24/159)
<b>Amendment Record</b>	<b>Date / Resolution</b>	

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### 1. Policy Intention

To ensure that the Shire's common seal is used and documents are executed in accordance with the provisions of the *Local Government Act 1995* (Act).

### 2. Application

This Policy applies to all Shire of Murray officers who have been authorised through the provisions of this policy to execute documents on behalf of Council and the Chief Executive Officer.

The following take precedent over this Policy:

1. legislation;
2. the formal requirements of a Commonwealth or State department, authority or agency (as described in a Policy or procedure); or
3. a Council decision that expressly specifies a particular way in which a document is to be executed.

### 3. Policy

Council is required to comply with sections 9.49A (Execution of Documents) and 9.49 (Documents, how authenticated) of the Act. These sections detail the requirements for documents to be duly executed by a local government.

Under the Act, for a document to be considered duly executed, the document must be executed in one of the following ways:

1. by affixing the Common Seal of the Shire in the presence of the Shire President and Chief Executive Officer [s9.49A(3) of the Act; or
2. without affixing the Common Seal, by the Chief Executive Officer, another employee or agent of the Shire who has been authorised by resolution of Council to sign documents on behalf of the Shire. [s9.49A(4) of the Act.

Three document categories have been established to assist in determining the appropriate signing authority.

#### Category 1 Documents - Common Seal

The affixing of the Common Seal is authorised for documents that are ceremonial in nature, where there is a statutory requirement or where the other party requires the use of the Common Seal.

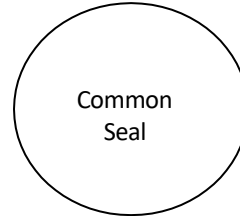
Category 1 documents require a specific resolution of Council to execute the document with the Common Seal. Category 1 documents are as follows:

1. Local Laws – new or amendments;
2. Local Planning Schemes – new or amendments;
3. Mortgages and loan documents (Outside of the WA Treasury Corporation (WATC) Master Lending Agreement);
4. Landgate Transfer of Land forms;

5. Documents required by other party to be duly executed by Common Seal; and
6. Documents of a Ceremonial Nature (e.g. Sister City Agreements)

The sealing clause shall be:

The Common Seal of the **SHIRE** )  
**OF MURRAY** was affixed on )  
 [ \_\_ Month 20 \_\_ ] by the authority )  
 of the Council in the presence of: )



\_\_\_\_\_  
 (Insert Name of Shire President)

Shire President

\_\_\_\_\_  
 (Insert Name of CEO)

Chief Executive Officer

### Category 2 Documents – No Common Seal

Under section 9.49A(4) Council authorises the officers listed in the Table below to sign documents on behalf of the Shire. Only Directors, Managers, and other officers with delegated authority from the Chief Executive Officer may sign (execute) documents relevant to matters within the scope of their Directorate and/or Business Unit.

Description	Authority to Execute	Typical documents included, but are not limited to:
Offer and Acceptance forms and associated documents required to enact a decision of Council to purchase or sell land. This does not include Mortgage and Transfer of Land documents which are Landgate forms listed as Category 1 documents.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ standard REIWA terms</li> <li>➤ Special conditions of offer;</li> <li>➤ Contracts of sale</li> </ul>
Documents required to enact a decision of Council, which are not Category 1 documents.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Responsible Director;</li> <li>• Shire Solicitors, as directed by the Chief Executive Officer.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Mortgages and loan documents under the WATC Master Lending Agreement;</li> <li>➤ Contractual documents resulting from a tender process.</li> <li>➤ Notification on title as required by a condition of approval, etc</li> </ul>

## Category 2 Documents – No Common Seal, Continued....

Description	Authority to Execute	Typical documents included, but are not limited to:
General deeds, legal and service agreements.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Shire Solicitors, as directed by the Chief Executive Officer;</li> <li>• Responsible Director.</li> </ul>	<ul style="list-style-type: none"> <li>➤ EBA's</li> <li>➤ Settlements and/or releases</li> <li>➤ Confidentiality and non- disclosure</li> <li>➤ Developer contributions</li> <li>➤ Memorandums of understanding</li> <li>➤ Other statements of intent and terms and conditions</li> <li>➤ Funding agreements</li> <li>➤ Sponsorship</li> <li>➤ Contractual documents related to procurement.</li> </ul>
Leases, licences and access agreements, management agreements and similar documents.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Responsible Director;</li> <li>• Responsible Officer.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Any notices required to be given under a lease, etc.</li> <li>➤ Leases where the entry into leases is not from a Council decision and under delegated authority (CEO only).</li> </ul>
Documents prepared for registration at Landgate excluding Mortgage and Transfer of Land forms, which are Category 1 documents.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Responsible Director;</li> <li>• Shire Solicitors, as directed by the Chief Executive Officer;</li> <li>• Manager's Planning Building or Engineering Services.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Restrictive covenants</li> <li>➤ Caveats</li> <li>➤ Memorials</li> <li>➤ Covenants</li> <li>➤ Easements</li> <li>➤ Rights of carriageway</li> </ul>
Documents required to enact a decision made under delegated authority or as a condition of approval given under delegated authority.	<ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Responsible Director;</li> <li>• The Shire officer/ responsible officer exercising delegated authority.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Planning approvals</li> <li>➤ Building approvals</li> <li>➤ Permits</li> <li>➤ Other approvals</li> </ul>
Planning or Building forms where the Shire needs to sign it as an owner of the land.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>➤ Development applications where the Shire owns the land</li> <li>➤ Building applications where the Shire owns the land.</li> </ul>

The signing clause for Category 2 documents shall be:

Signed for and on behalf of the Shire of Murray under section 9.49A(4) of the *Local Government Act 1995* by its authorised officer.

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Name of Authorised Officer  
Title of Authorised Officer

### Category 3 Documents

Category 3 documents are created in the normal course of business and are consistent with the Shire's policies and procedures. Category 3 documents are to be executed by the Chief Executive Officer, Director or Manager, or a Shire officer where the authority has been extended to that officer through an authorisation, policy, procedure, protocol or a function in a position description.

These documents include, but are not limited to the following:

1. General letters and other correspondence, documents that reflect operational or procedural actions required in the ordinary course of business;
2. Agreements for the purchase of goods and services identified within the directorates budget (other than tenders) and conforming to the requirements of the Shire's Purchasing Policy and other relevant policies;
3. Contracts for grant funding with private agencies (incoming and outgoing);
4. Regular hire agreements for Shire facilities;
5. Notices under section 3.25 of the Act;
6. Prosecution and Court Hearing Notices;

### Roles and Responsibilities

The common seal is in the custody of the Office of the Chief Executive Officer which is responsible for arranging the affixing of the common seal on documents. A record of its use is kept in the Shire's Common Seal Register (D12/39052).

The responsible officer is to ensure that they fully understand what is being executed on behalf of Council. If it is unclear what category a document is, then the higher category is to take precedence.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	24 November 2022 (OCM22/150)
<b>Amendment Record</b>	<b>Date / Resolution</b>	19 December 2024 (OCM24/159)
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	

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## Policy G2 – Senior Employees

### 1. Policy Intention

To designate Senior Employees in accordance with Section 5.37 of the *Local Government Act 1995* (the Act).

### 2. Policy

The Chief Executive Officer is the sole Senior Employee of the Shire of Murray for the purposes of Section 5.37 of the Act.

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0404)
<b>Amendment Record</b>	<b>Date / Resolution</b>	24 April 2008 (OCM08/090)
		30 April 2009 (OCM09/066)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)



## Policy G3 – Honorary Freeman of the Shire of Murray

### 1. Policy Intention

To guide the nomination, selection and award of the prestigious ceremonial title to a person designated as “Honorary Freeman of the Shire of Murray”.

### 2. Policy

Council may, subject to the eligibility and selection criteria detailed, by absolute majority decision decide to confer the title of “Honorary Freeman of the Shire of Murray” on any person who has rendered exceptional service to the Shire of Murray (Shire) community.

This prestigious honour will not be awarded regularly, but only on rare and exceptional occasions.

The award is in title only – no financial benefit is attached to the award. Recipients are however invited to significant events that are sponsored by the Shire.

### 3. Eligibility

The process for nominating and selecting a person and awarding this title is as follows:

- any person residing, or that has resided in the district, past Council Members and employees can be nominated;
- a current Council member or employee cannot be nominated for the award;
- in recognition of the standing of this award a maximum of five living persons only may hold the title of “Honorary Freeman of the Shire of Murray” at any one time; and
- the honour shall not be awarded posthumously.

### 4. Selection Criteria

Nominees will be judged on their record of service to the Murray community on the basis of the following criteria:

- nominees must have lived in, worked or served the Shire for a significant number of years (20 years or more);
- level of commitment to their field(s) of activity;
- outstanding personal leadership qualities and personal integrity;
- benefits to the community of the Shire, to the State of Western Australia or to the nation resulting from the nominee’s work; and
- special achievements of the nominee.

### 5. Nomination Process

To preserve the integrity and importance of bestowing the honour of “Honorary Freeman of the Shire of Murray” upon any individual, the following procedure shall be adopted:

- nomination for an “Honorary Freeman of the Shire” clearly outlining in chronological order the history of community service and achievements of the nominated person, must be made in writing to the Chief Executive Officer (CEO) in the strictest confidence, without the nominee’s knowledge;
- on receipt of the nomination the CEO will circulate a copy of the nomination and any supporting information to all Council Members for initial consideration;
- Council Members shall have reasonable time, being no less than two weeks, to consider the proposal;
- if a Council Member expresses an objection to the nomination, they must give their reasons for the objection in writing to the CEO within the prescribed time frame;
- a nomination must be supported in writing by at least one third of Council Members;
- Council Members who do not formally respond in writing will be presumed not to object to the proposal;
- if the nomination is sufficiently supported, the CEO will subject a confidential report to Council;
- the nominee’s name and identifying information will be maintained as “confidential” in all meeting papers;
- the recommendation to Council will include a clause requiring confidentiality of the report be maintained until the title is conferred upon the nominee at a formal Council function; and
- the decision of Council to adopt the CEO’s recommendation requires an absolute majority decision.

It is imperative that confidentiality is maintained throughout the nomination process. The standing of the Shire and the individual concerned should not be brought into disrepute or embarrassment in any way.

## **6. Awarding the Title**

Once Council has accepted the nomination, the nominee shall be contacted by the CEO on a confidential basis to determine whether the award will be accepted. Should a nominee decline to accept the award, all Council Members will be informed and the matter will lapse.

Conferral of the title shall be carried out at a formal Council function. The CEO, in consultation with the Shire President, will decide the occasion and format of the conferral ceremony. The Governor of Western Australia, the Premier and the Opposition Leader shall be included on the list of distinguished invited guests.

A certificate of “Honorary Freeman of the Shire of Murray”, signed under the Common Seal by the Shire President and CEO, will be presented to the recipient.

A suitable media statement shall be prepared for release on behalf of the Shire President.

A framed photograph of the “Honorary Freeman of the Shire of Murray” will be hung in the Shire’s Administration Building. Upon the passing of a Freeman, this photograph will be removed and offered to the next of kin.

## 7. Entitlements

The Honorary Freeman and their partner shall be invited to all formal civic functions conducted by the Shire.

## 8. Personal Conduct

An “Honorary Freeman of the Shire of Murray” shall display high standards of the personal conduct and behaviour at all times and shall not bring the Shire into disrepute.

Council reserves the right to cancel the honour in the event that the holder is convicted of a serious criminal offence or brings the Shire into disrepute. This decision shall be made by absolute majority.

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	23 November 2017 (OCM17/278)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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# Policy G4 – Civic Awards and Commendation – Shire President’s Award

## 1. Policy Intention

To recognise individuals or group of individuals who make outstanding contribution/s to the community.

## 2. Policy

For Council to recognise an outstanding event, achievement or contribution to the community by an individual or group of individuals.

The Award is a framed Certificate presented by the Shire President or delegate at a Civic function, such as a Citizenship Ceremony.

### 2.1 Eligibility and Criteria

- (a) This Award is made to individuals or group of individuals. There is no stipulation that the individuals/groups need to be residents of the Shire of Murray.

### 2.2 How to Nominate

- (a) Nominations for the Shire President’s Award are to be submitted in confidence to the Shire President and can be made by Council Members or the Chief Executive Officer.
- (b) All nominations are to be discussed under confidential cover and a decision made by Council at a relevant Ordinary Council Meeting.

### 2.3 Closing Date

- (a) This Award is continuous and nominations are accepted at any time.

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 November 1998 (OCM98/0323)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/158)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)



## Policy G5 – Complaints

Shire of Murray

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### 1. Policy Intention

The intent of this policy is to establish the Shire of Murray (Shire) position about complaints received and the approach to be taken in their resolution.

### 2. Definition

**‘Complaint’** means for the purpose of this policy, an expression of dissatisfaction about:

- A decision of the Council or Shire staff:
  - the standard or quality of a Shire service, action or lack of action; or
  - the behaviour of Shire representatives.
- A complaint is not:
  - a first request for action or a service;
  - a request for information or explanation of Shire policies, practice’s or procedures; or
  - the lodging of an appeal in accordance with procedures prescribed by statute or regulation or Shire policy.

### 3. Policy

The Shire wishes to ensure that it is easy for any person who feels aggrieved to make a complaint. The Shire wishes to treat complaints positively, to learn from complaints received and where possible to satisfy complainants about their experience in making a complaint.

The Shire will endeavour to ensure that:

- anyone who is dissatisfied about a Shire service or product can easily and simply make a complaint;
- complaints no matter how they are submitted are treated with equal importance;
- complaints are responded to quickly and in any event within prescribed timescales;
- complaints are addressed in a courteous, helpful, and open manner;
- appropriate assistance is given to any complainant in the making of a complaint including the completion of any pro forma or other paperwork; and
- complaints are properly monitored and where relevant the Shire learns from them in order that:
  - unacceptable conduct or behaviour does not re-occur; and
  - policies, practices and procedures are improved in order to accommodate the needs of our customers.

## **4. Particular Cases**

### **4.1 Anonymous Complaints**

Anonymous complaints shall only be considered to the extent that they involve safety or security issues. Otherwise anonymous complaints shall be disregarded.

### **4.2 Vexatious or Abusive Complaints**

The Chief Executive Officer (CEO) may decide (having regard to the nature, subject or number of complaints received) that a complainant is a vexatious, or abusive and further complaints received from the person concerned or about a particular subject shall not be entertained.

- 4.2.1** Where a determination is made by the CEO that a complaint is vexatious or abusive, staff may be directed not to deal with the particular matter.

### **4.3 Allegations of Serious Misconduct**

Allegations concerning criminal, corrupt or serious improper conduct will be dealt with independently of the Complaint Handling process. In the first instance they will be referred directly to the CEO for determination including whether there are reasonable grounds for notification to the Anti-Corruption Commission or referral to the Police. Reference is made to Policy G6 (Public Interest Disclosure).

### **4.4 Repetitive Complaints**

The CEO may determine a complaint to be repetitive in nature and direct staff not to deal with the particular matter.

## **5. Applying the Policy**

If not satisfied with a Shire service or action involving Shire staff, a complainant is to be encouraged through the application of relevant procedures:

- 5.1** In the first instance, to raise the matter with the person most able to resolve the complaint. This may be the person named in the complaint, or their line manager.
- 5.2** If not satisfied with the response at the first point of contact, or if the complainant feels uncomfortable about talking to that person, contact the person's line manager. This may in some cases include the relevant Executive Manager or Director.
  - 5.2.1** If still unsatisfied write to the CEO about the matter.
  - 5.2.2** If not satisfied with the CEO's response, raise the concern with either the Western Australian Ombudsman or the Department of Local Government, Sport and Cultural Industries.
- 5.3** If the complaint concerns a Council Member it shall be referred in the first instance to the CEO for appropriate directions and/or action.
- 5.4** Where considered appropriate the CEO may authorise referral of a particular complaint to an external arbitrator or mediator for consideration.

- 5.5 All staff are authorised to handle complaints on behalf of the Shire in accordance with the roles and responsibilities of their positions.
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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)

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### 1. Policy Intention

The Shire of Murray (Shire) is committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

The key objective of this policy is to ensure that sound Risk Management practice and procedures are fully integrated into the Council's strategic and operational planning processes.

This Policy will be supported by a Risk Management Strategy.

### 2. Policy

The Shire recognises that risk is the possibility of unplanned or unanticipated events having an adverse effect on the achievement of the organisation's objectives, and also recognises its moral and legal responsibility to provide a safe and healthy work environment for employees, contractors, customers and visitors.

The Shire considers risk management to be an essential management function in its operation as a progressive Local Government, and recognises risk management responsibility lies with the person who has the responsibility for the function, service or activity that gives rise to the risk.

The risk management framework proposed, aligns with the principles as outlined in the current International Standard (AS/NZS/ISO 31000:2009).

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks.

It will be applied to decision making through all levels of Council and the Shire in relation to planning or executing any function, service or activity. In particular it will be applied to:

- expenditure of large amounts of money;
- new strategies and procedures;
- managing a project;
- introducing significant change; and
- the management of sensitive issues.

#### 2.1 Risk Management Objectives

- the achievement of organisational goals and objectives;
- to ensure community and employee health and safety within the Shire's jurisdiction is not compromised;
- limited loss or damage to property and other assets;
- limited interruption to business continuity;
- to define the Shire's tolerance to risk and communicate it throughout the Shire;
- to communicate with the community about the Shire's approach to risk; and

- to protect the reputation of Council.

## 2.2 Responsibilities

- Council members are responsible for:
  - ensuring a Risk Management Policy has been developed, adopted and communicated throughout the Shire;
  - reviewing the Risk Management Policy annually;
  - providing a vision on which sound risk management practices' and procedures can be based; and
  - providing adequate budgetary provision for the maintenance of risk management plans and procedures.
- Chief Executive Officer and Executive are responsible for:
  - establishing the risk tolerance level of the Shire for adoption by Council;
  - ensuring the development and management of the risk management plan for the Shire; and
  - establishing a Risk Management Committee.
- Risk Management Committee is responsible for:
  - communicating the risk management plan for the Shire;
  - development of risk management skills through training and education; and
  - establishing and maintaining the Risk Register.
- Management are responsible for:
  - identifying and assessing all the potential risks in their area of responsibility;
  - encouraging openness and honesty in the reporting and escalation of risks; and
  - ensuring all staff manage risks within their own work area.
- Employees are responsible for:
  - actively participating in the risk management program and organisational performance review and evaluation program;
  - complying with all policies, procedures and practice's relating to risk management;
  - attending risk management training;
  - conducting risk assessments during the performance of their daily duties, as required; and
  - alerting management to the risks that exist within their area.

## 2.3 Monitor and Review

The Shire will implement a robust reporting and recording system that will be regularly monitored to ensure closeout of risks and identification of ongoing issues and trends.

Risk management key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored.

The reference to the current International risk standard in this policy will be automatically updated to reflect any changes in name or number.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/065)
<b>Amendment Record</b>	<b>Date / Resolution</b>	24 June 2010 (OCM10/128)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)

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## Policy G8 – Legal Representation – Costs Indemnification

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### 1. Policy Intention

This policy is designed to protect the interests of Council Members and employees (including past members and former employees) where they become involved in legal proceedings as a result of performing their normal duties. In most situations the Shire of Murray (Shire) may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to these proceedings.

### 2. Definitions

**'approved lawyer'** means a 'certified practitioner' (as defined in the *Legal Practice Act 2003*) who is from a law firm on the Shire's panel of legal service providers, unless the Council or **Chief Executive Officer** (CEO) considers that this is not appropriate – for example, where there is or may be a conflict of interest.

**'Shire'** means the Shire of Murray.

**'Council Member'** means the current *Shire President, Deputy Shire President and Councillors*.

**'employee'** means a current employee of the Shire.

**'improper conduct'** means a breach of the standards of conduct that a reasonable person would expect of a person knowing their duties, powers and authority.

**'legal proceedings'** may be civil or criminal.

**'legal representation'** means the provision of legal services, to or on behalf of a Council Member or employee, by an approved lawyer that is in respect of:

- a matter or matters arising from the performance of the functions of the Council Member or employee; and
- legal proceedings involving the Council Member or employee that have been, or may be, commenced.

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

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

### 3. Policy

It is policy to facilitate Council Members and employee's access to legal advice in such cases where enabled in legislation and where the matter falls within the scope and application of this policy as stated below.

The objective of this policy is to ensure that Council Members and employees of the Shire are represented in legal action relating to their roles and functions subject to considerations set out below.

Council Members and employees of the Shire performing their statutory roles and functions, may occasionally in the course of their duties, be exposed to legal action initiated by third parties. In these circumstances Council Members and employees may require legal advice and/or representation and should be able to expect their local government will provide financial assistance to meet the cost of the advice or representation. Accordingly, it is appropriate and prudent for the Shire to be in a position to assist members and employees by adopting a policy to fund or partly fund the cost of providing legal services in appropriate circumstances.

### **3.1 Legislative Framework**

Section 9.56 of the *Local Government Act 1995* (the Act) provides protection from actions of tort for anything a Council Member or employee has, in good faith, done in the performance or purported performance of a function under the Act or under any other written law.

However, the legislation does not preclude people taking action against individual Council Members or employees if they believe that the Council Member or employee has not acted in good faith.

Section 3.1 of the Act provides that the general function of a local government is to provide for the good government of persons in its district. Section 6.7(2) of the Act provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law. Under these provisions a local government can expend funds to provide legal representation for Council Members and employees as long as it believes that the expenditure falls within the scope of the local government's function.

### **3.2 Scope**

This policy is applicable to all current Council Members and employees where the following may apply:

#### **3.2.1 Criteria for determining application for legal representation**

There are four criteria for determining whether an application for the payment of the legal representation costs of a Council Member or employee will be approved:

1. The legal representation costs must relate to a matter that arises from the performance, by the Council Member or employee, of his or her functions;
2. The legal representation costs must be in respect of legal proceedings that have been, or may be, commenced;
3. In performing his or her functions, to which the legal representation relates, the Council Member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
4. The legal representation costs do not relate to a matter that is of a personal or private nature.

#### **3.2.2 Examples of legal representation costs that may be approved**

If the criteria in clause 3.2.1 are satisfied, approval may be given for the payment of legal representation costs:

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

### **3.3 Application**

**3.3.1** An application by a Council Member, or the (CEO), must be made in writing to the Council which may approve or decline the application.

**3.3.2** An application by an employee must be made in writing to the CEO who may approve or decline the application.

**3.3.3** The application must give details of:

- (a) The matter for which legal representation is sought;
- (b) How that matter relates to the functions of the Council Member or employee making the application;
- (c) The nature of the legal representation being sought (such as advice, representation in court, preparation of documents etc);
- (d) The lawyer (or law firm) who is to be requested to provide the legal representation;
- (e) An estimate of the cost of the legal representation; and
- (f) Why it is in the interests of the Shire for payment to be made.

**3.3.4** The application must contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

**3.3.5** As far as possible the application is to be made before commencement of the legal proceedings to which the application relates.

**3.3.6** The application must be accompanied by a statement signed by the applicant that he or she:

- (a) Has read and understands the terms of this Policy;
- (b) Acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 3 and any other conditions to which the approval is subject; and
- (c) Undertakes to repay to the Shire any legal representation costs in accordance with clause 3.

**3.3.7** In relation to clause 3.3.6(c), a person who receives payment of legal representation costs shall sign a document acknowledging that repayment may be required by the Shire under the terms of this Policy.

**3.3.8** An application must be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee nominated by the Shire President.

### **3.4 Limit on Legal Representation Costs**

**3.4.1** When approving an application, the Council or CEO shall set a limit on the amount of costs to be paid, based on the nature of the matter and on the estimate of costs in the application.

**3.4.2** A Council Member or employee may make a further application to the Council or CEO in respect of the same matter.

### **3.5 Assessing the Application**

**3.5.1** The Council or CEO may:

- (a) Refuse;
- (b) Grant; or
- (c) Grant subject to conditions, an application for payment of legal representation costs.

**3.5.2** Conditions under clause 3.2.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment and repayment of legal representation costs.

**3.5.3** In assessing an application, the Council or CEO may have regard to any insurance benefits that may be available to the applicant under the Shire's Council Members or employee's insurance policy or its equivalent.

**3.5.4** The Council or CEO may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

**3.5.5** The Council or CEO may determine, after an application has been approved, that a Council Member or employee:

- (a) Has not acted in good faith, has acted unlawfully or has acted in a way that constitutes improper conduct; or
- (b) Has given false or misleading information in respect of the application.

**3.5.6** A determination under clause 3.2.2 may be made by the Council or CEO on the basis of and consistent with the findings of any court of competent jurisdiction, the State Administrative Tribunal or of an inquiry conducted pursuant to Part 8 of the Act.

**3.5.7** Where a determination is made under clause 3.2.2, the legal representation costs paid by the Shire are to be repaid by the Council Member or employee in accordance with clause 3.3.

### 3.6 Repayment of Legal Representation costs

**3.6.1** A Council Member or employee whose legal representation costs have been paid by the Shire is to repay the Shire:

- (a) All or part of those costs – in accordance with a determination by the Council or CEO under clause 3.2.1; or
- (b) As much of those costs as are available to be paid by way of set-off:
  - where the Council Member or employee receives monies paid for costs: and/or
  - damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.

**3.6.2** The Shire may take-action in any court of competent jurisdiction to recover any monies due to it under this Policy.

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	
	<b>Date / Resolution</b>	

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# Policy G9 – Election Signs and Mobile Information Centres during Election Campaigns

## 1. Policy Intention

- (a) To provide broad guidance to generally manage temporary advertising material and information centres during statutory election campaigns to support the democratic process for elections under the Australian Constitution and to recognise the need to actively engage with the voting public; and
- (b) To recognise that a balance must be achieved to ensure that election signage displayed and information centres do not adversely impact public safety, cause unreasonable inconvenience or create situations where damage may be caused to local government owned or controlled property, infrastructure and/or the environment.

## 2. Policy

### 2.1 Mobile Information Centres

One mobile information centre is permitted for each candidate for a maximum period of one month prior to a State or Federal election. The only sign permitted on a mobile information centre shall only describe the name of the political party with the words “Information Centre” and the sign is to be no greater than one square metre in size. Mobile information Centres, when stationary, are required to park in accordance with the relevant Shire of Murray Local Laws.

### 2.2 Election Signage on Thoroughfares – Local Government Managed and Controlled

Election promotional signs for candidates:

- being less than 1m x 1m in size, free standing or timber picket type, (core flute or light weight timber construction) that comply with the requirements of section 187 of the *Electoral Act 1907* (the Act);

may be being displayed on Shire of Murray (Shire) managed and controlled thoroughfares within 14 days of polling day and for no more than 3 days afterwards, subject to not being:

- illuminated, moving, flashing, rotating or reflective so as to be an undue distraction to drivers;
- placed on dividing or median strips, traffic island or roundabout, footpaths, cycleway, dual use paths or within (50) metres of any pedestrian crossing;
- placed within six (6) metres of any intersection, junction or a private driveway, or in any other location that may pose a safety hazard or obstruction to pedestrians or road users;

- attached or affixed to any street name, traffic direction or parking sign or to street infrastructure, such as power poles/lights, street furniture or on any verge tree;
- within 2 metres of the constructed portion of a carriageway that is used or may be used by vehicles.

In the case of the road verge of a thoroughfare, immediately adjacent to a residential, special residential, special use, industrial or commercial property. The consent of the adjoining landowner or occupier should be obtained.

The use of star pickets to support signs is not permitted, given the potential risk of injury.

### **2.3 Local Government Property**

In the case of local government property such as, but not limited to the Shire of Murray (Shire) Administration Office, Murray Aquatic and Leisure Centre, Community Halls, Reserves (including unvested or unmanaged land), Parks, Recreation Grounds, Sporting Facilities and other property owned in fee simple. The Shire will not support the display of any election material whatsoever.

This position supports neutrality in the election process. The exception is where local government property is to be used by the Electoral Commission, as polling place. In this case political parties or candidates are permitted to erect candidate or political party signs within the property boundary, subject to the Act, on polling day only. Signs should be removed immediately after the close of polling. Signs placed on polling day should not to interfere with the public access to the facility or cause an obstruction.

### **2.4 Main Roads WA Property**

Election signs on main roads continue to be managed by Main Roads WA, under their Roadside Advertising Guidelines for temporary signs. For reference a copy of the guidelines can be obtained from [mainroads.wa.gov.au](http://mainroads.wa.gov.au), clause 4.4 deals with temporary signs.

### **2.5 Private Land**

Shire Planning consent is not required for election signs on private land in the immediate lead up to an election or within 48 hours afterwards. Candidates are encouraged to engage with landowners when proposing to place elections signs on private land and ensure the removal of signs after election.

### **2.6 Insurance and Public Liability**

Candidates and parties are reminded of the risks associated with the display of an election signs. Full responsibility remains with the owner of the sign and/or the person who placed the sign in the case of volunteers acting on behalf of candidates or parties. The Shire accepts no liability whatsoever for any claims associated with election signs.

## 2.7 Other

Election signs placed or displayed on local government property, unless at an approved polling place in accordance with clause 2.3 will be removed without prior advice. Election signs placed contrary to the guidance provided on local government managed thoroughfares will be dealt with as a contravention of Regulation 6 of the *Local Government (Local Uniform Provisions) Regulations 1996*. This may include removal and impounding and penalties.

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0344)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		23 June 2022 (OCM22.070)

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# Policy G10 – Temporary Employment or Appointment of Acting Chief Executive Officer

## 1. Policy Intention

The objective is to establish the processes for appointing an Acting CEO or Temporary CEO for periods of less than twelve months and to ensure effective management of the administration and Council is maintained at all times.

## 2. Scope

This policy applies to the statutory position of Chief Executive Officer at the Shire of Murray and has been prepared to comply with the provisions of section 5.39C of the Local Government Act 1995 in regard to the appointment of an Acting CEO or Temporary CEO.

## 3. Policy Definitions

**Act** means the Local Government Act 1995.

**Acting CEO** means a person appointed to fulfil the statutory position of CEO during a period where the CEO remains employed but is on planned or unplanned leave.

**CEO** means the Chief Executive Officer of the Shire.

**Shire** means the Shire of Murray.

**Temporary CEO** means a person appointed to fulfil the statutory position of CEO for the period of time between the end of the CEO's employment and the appointment and commencement of the newly appointed CEO.

## 4. Policy

The role of the CEO is considered to be crucial to achieving good governance and for fulfilling the functions prescribed in s.5.41 of the Act.

The opportunity to act, from time to time, in that position is useful in the development of executive leadership.

The Council recognise that the Directors employed by the Shire of Murray (Shire) under contract are suitably qualified and skilled to act in the position of CEO under this policy.

### 4.1 Details:

#### 4.1.1 Acting CEO and Temporary CEO Requirements and Qualifications

- (a) When the CEO is on planned or unplanned leave, or the CEO's employment with the Shire has ended, an Acting CEO or Temporary CEO, is to be appointed in accordance with this Policy to fulfil the functions and perform the duties of CEO under the Act or any other written law.
- (b) Any employee holding the substantive role of:
  - i. Director Planning and Sustainability;
  - ii. Director ~~Place~~, Community and Economic Development;
  - iii. Director Infrastructure Services; or
  - iv. Director Corporate Services,

is considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO for the purposes of this Policy.

- (c) An employee appointed to temporarily act in a Director's position referred to in clause 4.1.1(b) is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO for the purposes of this Policy.

#### **4.1.2 Appointment of Acting CEO – periods of up to 30 working days**

- (a) The CEO is authorised to appoint in writing one of the employees identified in clause 4.1.1(b) as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 30 working days, subject to the CEO's consideration of that employee's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.
- (b) The CEO must appoint an Acting CEO for any planned or unplanned leave periods between 7 working days and 30 working days. This includes, but is not limited to, the following circumstances:
  - i. on annual, sick or long services leave for a period exceeding one week;
  - ii. not within the State of Western Australia for a period of more than one week; or
  - iii. during other absences, as determined necessary by the CEO,

but in any case, not for a period exceeding 30 consecutive working days in any one occasion.

- (c) Nothing in clause 4.1.2(a) prevents the CEO from appointing more than one employee detailed in clause 4.1.1(b) to share the duties of Acting CEO for the planned or unplanned leave period.
- (d) Following an appointment under clause 4.1.2(a), the CEO is to advise Council Members which employee (or employees) has been appointed as Acting CEO and for what duration, as soon as possible.
- (e) If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with clause 4.1.2(a), the Shire President is authorised to appoint, in writing, a person holding a substantive position listed in clause 4.1.1(b) of this Policy as Acting CEO until the period of the CEO's absence has ended or until the Council can make a resolution under clause 4.1.3 of the Policy, whichever comes first.
- (f) Council may, by resolution, extend an Acting CEO period under clause 4.1.3 beyond 30 working days if the substantive CEO remains unavailable to unable to perform their functions and duties.

#### **4.1.3 Appointment of Acting CEO - periods greater than 30 working days but less than 12 months**

- (a) Where the CEO's extended period of leave is greater than 30 working days but less than 12 months, Council is to appoint an Acting CEO in accordance with one of the following options:
  - i. Extend any Acting CEO appointment made by the CEO under clause 4.1.2(a);
  - ii. Appoint another employee, or multiple employees listed in clause

- 4.1.1(b) for a defined period to ensure the CEO position is filled continuously for the extended period of leave; or
  - iii. Commence an external recruitment process in accordance with clause 4.1.4(b)(iii).
- (b) For the purposes of clause 4.1.3(a) extended leave may arise by way of:
- i. The CEO clearing extended planned leave which may include accumulated or combined annual leave, long service leave, or personal leave; or
  - ii. The CEO taking unplanned leave or is absent from duty which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- (c) The Shire President will liaise with the CEO, or in their unplanned absence, the Director Corporate Services to coordinate the necessary Council reports to facilitate an Acting CEO appointment.
- (d) Subject to Council's resolution, the Shire President will execute in writing the Acting CEO appointment with administrative assistance from the Director Corporate Services.

#### **4.1.4 Appointment of Temporary CEO – Substantive Vacancy**

- (a) In the event the CEO's employment with the Shire is ending, Council may appoint a Temporary CEO.
- (b) Council when determining to appoint a Temporary CEO, may either:
- i. appoint an employee identified in clause 4.1.1(b) to be Temporary CEO until such time a new substantive CEO has commenced their employment with the Shire;
  - ii. appoint multiple employees listed in clause 4.1.1(b) as the Temporary CEO for a defined period, and until such time that a new substantive CEO has commenced their employment with the Shire;
  - iii. appoint a Temporary CEO following an external recruitment process for a Temporary CEO in accordance with principles of merit and equity prescribed in section 5.40 of the Act; or
  - iv. appoint an employee identified in clause 4.1.1(b) to be an interim Temporary CEO until an external recruitment process for a Temporary CEO can be completed under clause 4.1.4(b)(iii) and their employment with the Shire as Temporary CEO has commenced.
- (c) The Shire President will liaise with the Director Corporate Services to coordinate the necessary Council reports to facilitate a Temporary CEO appointment.
- (d) The Shire President is authorised to execute in writing the appointment of a Temporary CEO in accordance with Council's resolution with administrative assistance from the Director Corporate Services.

#### **4.1.5 Remuneration of Acting CEO**

A Directors employment conditions are not varied when acting in the role of CEO, other than the appointed Director is entitled, at the CEO's discretion, no greater than the salary equivalent to that of the CEO, during the acting period.

#### 4.1.6 Remuneration and conditions of Acting CEO or Temporary CEO

- (a) Unless Council otherwise resolves, an employee as Acting CEO shall be remunerated (if the role is be undertaken for 30 working days or more), will be at 75%, of the substantive CEO cash remuneration only with other benefits already provided to the Acting CEO in their substantive role, remaining in effect.
- (b) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO that is not a current Shire employee when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- (c) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Temporary CEO appointment.

#### 4.1.7 Emergency Provisions

In the case of the unavailability of the CEO due to an emergency, the provisions of clause 4.1.2(e) are to apply.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		25 March 2021 (OCM21/033)
		23 June 2022 (OCM22/070)
		24 November 2022 (OCM22/151)
		23 May 2024 (OCM24/057)

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## Policy G11 – Purchasing

Shire of Murray

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### 1. Policy Intention/Objective

The objectives of this Policy are to ensure that all Shire of Murray (Shire) purchasing activities:

- demonstrate that best value for money is attained;
- demonstrate support to purchasing local at every opportunity within the guidelines of this Policy;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures;
- mitigate probity risk by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment;
- are conducted in a consistent and efficient manner; and
- that ethical decision making is demonstrated.

### 2. Policy

The Shire is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and that comply with the *Local Government Act 1995* (the Act) and Part 4 of the *Local Government (Functions and General) Regulations 1996* (the Regulations).

Procurement processes and practice's to be complied with are defined within this Policy.

### 3. Ethics & Integrity

#### 3.1 Code of Conduct

All purchasing officers and employees undertaking purchasing activities must have regard for the Shire of Murray Code of Conduct Local Government Employees requirements and shall observe the highest standards of ethics and integrity at all times. All officers and employees must act in an honest and professional manner at all times which supports the community standing of the Shire.

#### 3.2 Purchasing Principles

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 Acts, Regulations, and requirements consistent with the Shire of Murray policies and the Code of Conduct Local Government Employees;
- purchasing is to be undertaken on a competitive basis where 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 procedures, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and

any information provided by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

## **4. Value for Money**

### **4.1 Overview**

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved.

As such, purchasing decisions must be made with greater consideration than obtaining the lowest price, but also to incorporate qualitative and risk factors into the decision-making process.

### **4.2 Application**

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

- all relevant total costs of ownership and benefits 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, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc;
- 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);
- 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;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;

- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Shire's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

## **5. Purchasing Requirements**

### **5.1 Legislative / Regulatory Requirements**

The requirements that must be complied with, including purchasing thresholds and processes, are prescribed within the Acts, Regulations, this Policy and associated purchasing procedures in effect.

### **5.2 Purchasing Generally**

Purchasing that is \$250,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 5.5 of this Policy.

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public Tender unless it is determined that a regulatory Tender exemption in the Act or Regulations is provided, or as stated in this Policy.

### **5.3 Purchasing Value Definition**

Determining purchasing value is to be based on the following considerations:

- Exclusive of Goods and Services Tax (GST);
- The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply; and
- Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

### **5.4 Purchasing from Existing Contracts**

Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire must consult its Record Management System in the first instance before seeking to obtain quotes and tenders on its own accord.

### **5.5 Purchasing Thresholds**

The following table prescribes the purchasing process that approved purchasing officers must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000	Quotations are not required for purchases in this category. Officers are required to adhere to the overarching principles of policy objectives.
Over \$5,000 and up to \$50,000	<p>Seek at least two written quotations from suppliers following a brief outlining the specified requirements, from:</p> <ol style="list-style-type: none"> <li>1. the open market, supporting buy local, where possible and practicable;</li> <li>2. the open market using the Shire's online procurement portal;</li> <li>3. an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>4. a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA.</li> </ol>
Over \$50,000 and up to \$250,000	<p>Seek at least three written quotations (with adequate consideration supporting buy local) from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold are to be <i>sourced</i> as follows, with the order of preference being from:</p> <ol style="list-style-type: none"> <li>1. the open market generally;</li> <li>2. the open market using the Shire's online procurement portal;</li> <li>3. an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>4. a pre-qualified supplier on the WALGA Preferred Supply Program, or State Government CUA; or</li> </ol> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government (CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p>
Over \$250,000	Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangements as listed in this Policy, conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i> , this policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria (as determined by the Chief Executive Officer under Delegated Authority or by Council where a Delegation does not apply) that assesses all value for money considerations in accordance with the definition stated within this Policy.

## 5.6 Determination of Approved Purchasing Officers / Processes and Procedures

The Chief Executive Officer (CEO) is responsible for determining the employees permitted to procure goods and services under this Policy and for determining associated expenditure approval levels and the associated processes and procedures.

## 5.7 Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA);
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is from a pre-qualified supplier under a Panel established; in accordance with the Act and Regulations; and
- any of the other exclusions under Regulation 11 of the Regulations apply.

## 5.8 Inviting Tenders under the Tender Threshold (\$250,000 or Less)

Where considered appropriate and beneficial, the CEO may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$250,000 or less in value, the Shire's tendering procedures must be followed in full.

## 5.9 Sole Source of Supply

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire is satisfied and can show evidence that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be endorsed by the relevant Director, prior to a contract being entered into.

From time to time, expression of interest may be publicly invited to effectively determine that one sole source of supply still genuinely exists.

## 5.10 Anti-Avoidance

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

## 5.11 Emergency Purchases

**"Emergency Purchase"** is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the Act.

In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken and purchases in these circumstances are to be facilitated by the CEO or the appointed Local Recovery Coordinator.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

## **6. Records Management**

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000 (WA)*, the Shire of Murray Records Management Policy and associated procedures and procurement practices.

For each procurement activity, such documents may include:

- the procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- procurement planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- Request for Quotation/Tender documentation;
- copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- copies of quotes/tenders received;
- evaluation documentation, including individual evaluators note and clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- All correspondence to respondents notifying of the outcome to award a contract;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of contract(s) with supplier(s) formed from the procurement process.

## **7. Sustainable Procurement and Corporate Social Responsibility**

The Shire is committed to supporting suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR). Where appropriate and practicable purchasing officers shall endeavour to consider suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. CSR considerations must be balanced against this policy's intentions and objectives.

## **8. Buy Local Policy (Excluding Tenders)**

As much as practicable, the Shire must:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement planning addresses local business capability and local content;

- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders. All Requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to potential suppliers.

To this extent and for the purposes of supporting buying local, as a demonstrated benefit or contribution to the local economy, suppliers based within the boundaries of the Shire, for at least six (6) months prior to a Request for Quotation being sought are afforded the following a buy local price preference, for the purposes of assessment:

- 15% for purchases up to \$100,000 (ex GST).
- a flat \$15,000 for all purchases between \$100,000 and \$150,000 (ex GST) during a State of Emergency declaration as defined in the *Emergency Management Act 2005*, section 3.
- a flat \$20,000 for all purchases between \$150,001 and \$250,000, (ex GST) during a State of Emergency declaration as defined in the *Emergency Management Act 2005*, section 3.

A regional price preference in accordance with Policy F1 is afforded for procurement by way of Tender.

#### **9. Purchasing from Disability Enterprises**

Pursuant to Part 4 of the Regulations, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value for money.

Where possible and practicable, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting for assessment purposes, as outlined in clause 8 of this policy, is to be afforded for the purposes of quotes and tenders to provide advantages to Australian Disability Enterprises.

#### **10. Purchasing from Aboriginal Businesses**

Pursuant to Part 4 of the Regulations, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on [www.abdwa.com.au](http://www.abdwa.com.au), where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible and practicable, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting for assessment purposes, as outlined in Clause 8 of this policy, is to be afforded for the purposes of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

#### **11. Pre-Qualified Suppliers**

To further support effective procurement in accordance with this Policy, Council or the CEO may under Delegated Authority approve the creation of a Panel of Pre-qualified Suppliers (Panel) under Regulation 24AC of the Regulations.

The following factors are to apply if a Panel is to be created:

- a determination is to be made that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- a capability and capacity exist to establish, manage the risks and achieve the benefits expected of the proposed Panel.

### **11.1 Establishing a Panel**

Should it be determined that a Panel would be beneficial to be created, it must be created in accordance with Part 4, Division 3 of the Regulations.

- (a) Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.
- (b) Panels may be established for a minimum of two (2) years and for a maximum length of time formally determined.
- (c) Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.
- (d) Where a Panel is to be established at least three (3) suppliers to each category will endeavoured to be appointed, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, a category is not to be established.
- (e) In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), a clear statement is to be provided to indicate the expected number of suppliers to put on the panel.
- (f) Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) of the Regulations when establishing the Panel.

### **11.2 Distributing Work amongst Panel Members**

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether it is intended to:

- Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 11.3 of this policy; or
- Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 11.2(b) of this policy.

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

- each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) of the Regulations when establishing the Panel.

An invitation is to be sent to the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, an invitation to suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy.

When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

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

### **11.3 Purchasing from the Panel**

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

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be made through eQuotes, or any other electronic quotation facility.

### **11.4 Recordkeeping**

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- the Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- request for Applications documentation;
- copy of public advertisement inviting applications;
- copies of applications received;
- evaluation documentation, including clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;

- all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- Contract Management Plans which describes how the contract will be managed; and
- copies of framework agreements entered into with pre-qualified suppliers.

Itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members must be kept. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under any subsequent contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		25 June 2015 (OCM15/155)
		22 October 2015 (OCM15/294)
		22 February 2018 (OCM18/008)
		20 December 2018 (OCM18/259)
		9 April 2020 (SCM20/050)
		22 July 2021 (OCM21/114)
		28 October 2021 (OCM21/168)
		23 June 2022 (OCM22.070)

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## Policy G12 – Disposal of Property

### 1. Policy Intention

To improve the process and time frame involved to:

- (a) Dispose of Shire of Murray (Shire) property where the market value of the property to be disposed of (which does not include land) is less than \$20,000 or where the property that is disposed of as part of the consideration for other property that the local government is acquiring for a consideration where the total value of which is not more, or worth more, than \$75,000.
- (b) Dispose of abandoned vehicles.

### 2. Policy

#### 2.1 Shire Property

The disposal of Council owned property with a market value of less than \$20,000 or where the property that is disposed of as part of the consideration for other property that the local government is acquiring for a consideration where the total value of which is not more, or worth more, than \$75,000 shall be carried out in accordance with the following schedule:

Current Market Value of Property	Method of Disposal
\$501 - \$75,000 or less, per item	<ul style="list-style-type: none"><li>• to the highest bidder at public auction; or</li><li>• to the most acceptable tender, whether or not it is the highest tender through the public tender process; or</li><li>• to an external party at market value.</li></ul>
\$1 – \$500 per item	<ul style="list-style-type: none"><li>• to the highest bidder through an internal bidding process for staff and Council Members whereby bids are sealed and placed in the Shire tender box.</li><li>• any property not purchased by staff or Council Members may be donated to a local service organisation for distribution to community groups through Expressions of Interest.</li></ul>
Nil Value	<ul style="list-style-type: none"><li>• at the direction of the Chief Executive Officer</li></ul>

**2.1.1** Part 2.1 of this policy prescribes the method of disposal of Shire property with a market value of less than \$20,000 or where the property that is disposed of as part of the consideration for other property that the local government is acquiring for a consideration where the total value of which is not more, or worth more, than \$75,000 and the disposition of which shall be an exempt disposition pursuant to Regulation 30(3).

**2.1.2** A written register is to be kept of all bids received and purchases made including a register of any property that is donated to local service organisations.

**2.1.3** The disposal of property exceeding the value prescribed shall be in accordance with requirements of the *Local Government Act 1995* (the Act).

## 2.2 Abandoned Vehicles

Value of Abandoned Vehicle	Method of Disposal
Greater than \$501	At the expiry of sixty days from impounding, if not claimed – <ul style="list-style-type: none"> <li>to the highest bidder via formal offer and acceptance advertised locally;</li> <li>by public auction by a licenced auctioneer;</li> <li>by tender in accordance with the Act; or</li> <li>if unsold, by the most cost-effective means.</li> </ul>
\$1 – \$500 per item	After seven days from impounding, if the owner is unknown or after seven days from the giving a notice of impounding – <ul style="list-style-type: none"> <li>by offering the vehicle to local emergency service groups for training, or</li> <li>by offering the vehicle to local vehicle dismantlers at best value; or</li> <li>if unwanted by the most cost-effective means.</li> </ul>

## 3. References

Where this policy relates to the disposal of property reference must be made to Policy A17.

*Monetary amounts referenced in this Policy are Goods and Services Tax (GST) exclusive.*

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 September 1999 (OCM99/350)
<b>Amendment Record</b>	<b>Date / Resolution</b>	25 May 2006 (OCM06/071)
		31 May 2007 (OCM07/099)
		30 June 2011 (OCM11/099)
		23 February 2012 (OCM12/014)
		26 July 2012 (OCM12/149)
		22 October 2015 (OCM15/294)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)



## Policy G14 – Fraud and Corruption Control

### 1. Policy Intention

The Shire of Murray (Shire) is committed to the prevention, detection, investigation, response and monitoring of fraud and corruption related activities.

The objective of this Policy is to ensure that the Shire actively seeks to identify and limit its exposure to fraud and corruption, and provide an avenue for the reporting of fraud and corruption related activities.

This Policy is consistent with, and supported by Council's legislative and policy obligations, and the Fraud and Corruption Control Strategy.

### 2. Policy

As Council is the custodian of significant public funds and assets, it is important that the community has assurance that these are adequately protected from fraud and corruption. Council has developed a structured framework and approach to the implementation and review of fraud and corruption prevention, detection, monitoring and reporting, and aims to ensure that strategies to control fraud and corruption related risks are integrated into existing and new work practices.

This Policy applies to all employees, Council Members, Committee Members, Contractors, Consultants, and other persons who perform functions on behalf of the Shire, such as Volunteers.

### 3. Definitions

#### 3.1 Fraud

**'Fraud'** is defined by Australian Standard AS8001-2021 as:

Dishonest activity causing actual or potential financial loss to any person or agency including theft of monies or other property by employees or persons external to Council and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Examples of fraud include but are not limited to:

- evasion of payments owing to the Shire;
- false invoicing;
- obtaining by deceit, benefits to which the recipient is not entitled such as improper reimbursement of expenses or travel allowances;
- charging for goods or services not delivered or only part delivered;
- false timesheet claims or misrepresenting time and work commitments;
- theft of Council property, resources, inventory or cash;
- theft, misuse or wrongful use of information for financial or other gain;

- abuse of position or discretion such as accepting gifts or bribes to facilitate an outcome or gain some form of financial advantage;
- false accounting;
- credit card fraud;
- abuse of local government facilities or assets for personal use;
- disclosing confidential information for personal gain;
- making false statements or altering signatures or other information and materials so as to mislead or misrepresent a position or hide wrongdoing; and
- destroying or removing records without approval for personal gain or to conceal fraudulent activity.

### 3.2 Corruption

Corruption is defined by Australian Standard AS8001 – 2021 as:

Dishonest activity in which an employee or contractor of the entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or organisation. The concept of 'corruption' can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity.

Corruption is any deliberate or intentional wrongdoing that is improper, dishonest or fraudulent and may include:

- conflict of interest;
- failure to disclose acceptance of gifts or hospitality;
- acceptance of a bribe;
- payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver and may relate to a specific decision or action by the receiver or generally;
- release of confidential information in exchange for some form of non-financial benefit or advantage to the employee releasing the information;
- collusive tendering;
- payment or solicitation of donations for an improper political purpose;
- serious conflict of interest involving any local government employee, Council Members, Committee Member, Contractor, Consultant and other persons who perform functions on behalf of the Shire, such as Volunteers, acting in his or her own self-interest rather than the interests of the Shire;
- serious nepotism or cronyism where the appointee is inadequately qualified to perform the role to which appointed;
- manipulation of the procurement process by favouring one tenderer over others or selectively providing information to some tenderers;

- gifts or entertainment intended to achieve a specific or generic commercial outcome in the short to long-term – an essential element rendering conduct of this type corrupt would be that it is in breach of the entity's values, behavioural code or gifts policy or that it was done without the appropriate transparency;
- bribing officials in order to secure a contract for the supply of goods or services; and
- facilitation' payments – small one-off payments in cash or in kind intended to secure prompt delivery of goods or services.

#### 4. Responsibilities

##### 4.1 Council Members are responsible for:

- Effective fraud governance;
- Setting the strategic direction and monitoring management actions for fraud and corruption risk; and
- Adopting and adhering to the Fraud and Corruption Control Policy.

##### 4.2 Chief Executive Officer and Executive are responsible for:

- Maintaining a corporate governance framework, which includes policies and procedures, such as the Fraud and Corruption Control Policy and applicable Codes of Conduct to minimise Council's vulnerability to fraud and corruption;
- Ensuring protection of Shire staff who report suspected fraud and corruption;
- Providing leadership, guidance and support to employees in preventing fraud and corruption;
- Identify high fraud risk areas; and,
- Participating in fraud and corruption risk reviews.

The Chief Executive Officer, under the *Corruption, Crime and Misconduct Act 2003* must also notify the Corruption and Crime Commission or the Public Sector Commission if misconduct is suspected.

##### 4.3 Corporate Risk Team is responsible for:

- Reviewing risk management framework and associated procedures for the effective identification and management of fraud risks;
- Overseeing development and implementation of the Fraud and Corruption Control Strategy, to provide assurance that the Shire has appropriate processes and systems in place to prevent, detect and effectively respond to fraud-related information; and
- Providing leadership in preventing fraud and corruption.

##### 4.4 Management are responsible for:

- Ensuring that all employees adhere to the Shire of Murray Code of Conduct Local Government Employees and Fraud and Corruption Control Policy;
- Establishing, maintaining and reviewing control systems to ensure the Shires resources are protected and the risk of fraud or corruption occurring is minimised;

- (c) Setting up effective internal controls to detect fraudulent and corrupt activities, and regularly reviewing these controls;
- (d) Establishing adequate segregation of duties for all functions where the potential for fraud or corruption risk has been assessed as high;
- (e) Reinforcing the requirement for all staff to not engage in corrupt conduct, fraudulent activities or maladministration; and
- (f) Encouraging the reporting of any suspected fraud, corrupt conduct or maladministration.

#### **4.5 Employees are responsible for:**

- (a) Contributing to preventing fraud and corruption by following the Shire of Murray Code of Conduct Local Government Employees, complying with controls, policies, processes and resisting opportunities to engage in fraudulent or corrupt behaviour;
- (b) Acting appropriately when using official resources and handling and using public funds, whether they are involved with cash or payment systems, receipts or dealing with suppliers;
- (c) Being alert to the possibility that unusual events or transactions could be indicators of fraud or corruption;
- (d) Reporting details immediately if they suspect that a fraudulent or corrupt act has been committed or see any suspicious acts or events; and
- (e) Co-operating fully with whoever is conducting internal checks, reviews or investigations into possible acts of fraud or corruption.

#### **4.6 Contractors, Consultants, Volunteers and any other persons who perform public official functions on behalf of Council are responsible for:**

- (a) Supporting the Shires commitment to preventing fraud and corruption through reporting suspicious behavior; and
- (b) Complying with Council policies and refraining from engaging in fraudulent and corrupt conduct.

### **5. Detecting, Reporting and Responding to Fraud and Corruption**

Strategies used to detect fraud and corruption include audits, internal reviews, and reports of suspected breaches. Any person who has reason to believe that a Council Member, Committee Member or an employee of the Shire has committed a breach of any adopted Code of Conduct (including engaging in fraud or corruption), may complain about the breach to the Shire's designated complaints officer.

Disclosures being made about fraud, corruption or other improper conduct can be done so in accordance with Policy G6 – Public Interest Disclosure.

Alternatively, reports of fraud or corruption can be made directly to external parties, such as the Office of the Auditor General, Corruption and Crime Commission, Public Sector Commission and Western Australian Police Force.

Any instances of detected or reported fraud or corruption will be investigated.

## 6. Fraud and Corruption Control Strategy

The Fraud and Corruption Control Strategy has been developed to assist the Shire to meet the objectives of this Policy, and aims to:

- reduce the potential for fraud and corruption within and against the Shire;
- create a culture which seeks to prevent fraud and corruption;
- dedicate resources to the prevention of fraud and corruption;
- implement processes to manage fraud and corruption through risk management practices; and
- provide guidance regarding how to manage suspected instances of fraud or corruption.

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance and Strategy	
<b>Responsible Officer</b>	Manager Governance and Strategy	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 December 2019 (OCM19/270)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)

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## Policy G15 – Community Engagement

### 1. Policy Intention

To ensure that Shire of Murray (Shire) community engagement is meaningful, consistent across the entire organisation and undertaken in accordance with industry best practice.

This Policy outlines minimum standards and requirements to ensure that:

- (a) Community members and other stakeholders are influential and involved in decision-making that affects their lives and/or business operations;
- (b) Community engagement is inclusive; and
- (c) Community members and other stakeholders feel their input has been considered and appropriately reflected in the decisions made and actions taken.

The Shire is committed to establishing a co-working relationship whereby the community, other stakeholders and the Shire collaborate to build resilient communities and places. The Shire is committed to achieving transparency and accountability in our engagement endeavours in order to improve community trust especially in the perception that the Shire - its Council Members and staff, always act in the best interest of the community.

### 2. Policy Scope

The policy applies to Shire Council Members, staff and all consultants and contractors acting on the Shire's behalf.

### 3. Policy Definitions

<b>Community engagement</b>	Any undertaking by the Shire, its contractors and consultants, to work across organisations, stakeholders and communities to shape decisions or actions in relation to a problem, opportunity or outcome. (Adapted definition of the International Association for Public Participation).
<b>Community</b>	An individual or business, group, association, committee representative or otherwise, residing, working or operating in the Shire of Murray local government district.
<b>Stakeholder</b>	An individual, business, group, association, committee, not-for-profit organisation, government entity or otherwise, with an interest, concern or association with, or that may be affected by a decision, action, project or service within the Shire of Murray local government district or wider Peel region. Community is a sub-set of "Stakeholder".

### 4. Policy Statement

This Policy is separated into the following categories:

- (a) Introduction;
- (b) When the Shire of Murray Will Engage;
- (c) Who the Shire of Murray Will Engage and Level of Influence; and
- (d) Roles of Council Members, Staff and Stakeholders.

## 4.1 Introduction

The Shire is committed to ensuring:

- community engagement is a strategic consideration that guides Shire decision-making;
- community engagement is undertaken in accordance with the International Association for Public Participation (IAP2) standards and framework;
- community engagement is built into work practices and remains an integral part of operations;
- staff are equipped with the skills and knowledge to undertake engagement in line with best practice and work to ensure continual improvement;
- consultants and contractors undertaking community engagement on the Shire's behalf are adequately qualified and experienced; and
- appropriate funds and capacity are availed for community engagement and that a Community Engagement Plan is prepared for each engagement undertaking.

The Shire, its consultants or contractors, will ensure:

- community engagement is a cornerstone of all Shire undertakings and commences as early in the life of the undertaking as practicable;
- all stakeholders with an interest, association or concern in the topic of engagement are fairly and equally informed about and provided with an opportunity to influence the matters that affect/are of importance to them;
- the purpose and aim of the engagement are well communicated;
- the Shire's role and that of other participants in the engagement process is explained;
- the limitations or parameters within which the decision is being made and the level of influence that the stakeholder has in the decision-making process, are communicated;
- stakeholders are provided with sufficient information to enable them to provide informed input;
- communication materials are easy to understand, written in plain English i.e. using simpler and more direct language;
- due consideration is given to commercially sensitive or personal information, and that the provision of information complies with privacy legislation and record keeping requirements;
- community engagement is inclusive, accessible and it is easy for stakeholders to provide comment;
- sufficient time is allowed for stakeholder responses;
- all comments received are duly considered by decision-makers and appropriately reflected in decisions made or actions taken;

- all respondents are informed of the outcome of the engagement and how their input affected the decisions made or actions taken;
- decision-makers are receptive and responsive to alternative or opposing views and ideas;
- all reasonable attempts are made to resolve conflicts and reach acceptable solutions; and
- sufficient time is allowed to debate and investigate unanticipated and consequential issues.

All community engagement will be communicated on the Shire website, in addition to other communication channels appropriate to the requirements of the undertaking.

#### **4.2 When the Shire of Murray Will Engage**

The Shire will engage with stakeholders when new plans, strategies, projects and/or services are initiated or existing plans, strategies, projects and/or services are revised, where appropriate and especially where the decision being made or action being taken impacts stakeholders.

The Shire will also engage when required under legislative requirements, in particular the *Local Government Act 1995* (the Act) as it pertains to participation, consultation and engagement.

This commitment affects relationship building, community development, planning and building obligations, capacity building, community action, project management, behaviour change, research and furthering the achievements of partnerships.

There are instances where community engagement may not occur. These include but are not limited to:

- a final decision having already been made by Council or another agency – however every effort will be made to engage prior to decision-making;
- Council not having the jurisdiction to influence a decision being made by another agency/organisation/party etc.;
- insufficient time due to legislative or legal constraints;
- Ministerial exemptions; and
- health, safety and wellbeing concerns in which the Shire may need to respond quickly i.e. emergency situations.

The Shire will endeavor to avoid conducting any community engagement after the last Ordinary Council Meeting of the year (December) until at least mid-January the following year, recognising that in some instances this may be unavoidable such as where required by legislation. In these circumstances and where appropriate, the Shire will endeavor to extend the response period.

### 4.3 Who the Shire of Murray Will Engage and Level of Influence

This will be determined through the development of a Project Plan prepared for each engagement undertaking. This will also depend on the nature, sensitivity and complexity of the engagement topic as well as community impact or interest.

### 4.4 Roles of Council Members, Staff and Stakeholders

#### **Council Members:**

- have the responsibility to encourage active community member participation in community engagement activities;
- listen to, understand and consider stakeholder input, allowing the input to influence the decisions made or actions taken; and
- be advocates of the community based on sound engagement outcomes.

#### **Chief Executive Officer:**

- drive Shire officers to embrace best practice community engagement as a core element of Shire culture; and
- ensure Council adequately resources the commitment to best practice community engagement.

#### **Executive Leadership Team:**

- lead directorates to adopt best practice community engagement by ensuring:
  - the Shire's commitment to meaningful community engagement remains at the forefront of all officers' frame of reference;
  - Officers adopt and adhere to the IAP2 Core Values and Code of Ethics; and
  - Officers adopt and maintain a positive attitude toward meaningful community engagement.
- be supportive and encourage sufficient allocation of resources to community engagement processes.

#### **Shire Officers:**

- adopt and adhere to the IAP2 Core Values and Code of Ethics;
- must appropriately allocate funds and capacity to undertake effective community engagement including the development of Community Engagement Plans for each undertaking;
- apply the IAP2 Quality Assurance Standard to all engagement processes;
- ensure that engagement processes result in outcomes influencing decision or action;
- empower (see IAP2 spectrum) stakeholders wherever possible in engagement processes, so as not to disempower community energy or activation;

- provide feedback to participants; and
- commit to continually improve the Shire’s community engagement efforts.

**Stakeholders:**

- ensure contact details are kept up to date with the Shire;
- participate actively, openly and positively in engagement processes; and
- collaborate with the Shire to ensure continual improvement of engagement practices.

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Communications and Marketing	
<b>Responsible Officer</b>	Manager Communications	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	25 June 2020 (OCM20/111)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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# Policy G16 - Livestream and Recording of Council Meetings

## 1. Policy Intention

The purpose of this policy is to support transparency and accountability through improved engagement with the Shire of Murray (**Shire**) community and accessibility to Council decision-making through live streaming and recording of Ordinary and Special Council Meetings held in the Shire Council Chamber.

This policy establishes how audio and video recordings will be used and made available.

## 2. Policy Scope

This Policy applies to Council and Special Council (**Council Meetings**), and any other meetings as determined by Council, that are held in Council Chambers. It does not apply to Committee Meetings or Annual and Special Electors Meetings.

## 3. Policy Statement

The visual and audio of all Council Meetings will be publicly broadcasted live (i.e., live streamed) and recorded in accordance with the *Local Government Act 1995 (Act)* and the *Local Government (Administration) Regulations 1996 (Regulations)*.

### 3.1 Access to the Live Stream and Recordings

The live stream will be publicly accessible via the Shire's website and its media platform at the commencement of the Council meeting.

The recording of the live streamed Council Meeting will be available within 14 days of the meeting taking place on the Shire website and its media platform.

### 3.2 Council Meetings or Items of Business Closed to the Public

In accordance with the Regulations, meetings, or part of meetings, closed for consideration of confidential matters, are not permitted to be live streamed. In this circumstance, live streaming will be suspended at the time the Council resolve the meeting is to be closed to the public and will recommence when the Council resolve to reopen the meeting to the public.

The Shire will not publish a recording of the closed proceedings of a Council meeting where confidential matters are deliberated by Council.

### 3.3 Public attending Council Meetings

To ensure that the public, Council members and staff are aware of the recording and live stream, clear signage will be placed prominently at the Council Chamber advising that the meeting is being recorded and live streamed. Additionally, at the commencement of the meeting, the Presiding Member will publicly announce that the meeting will be audio and video recorded, and live streamed.

Any member of the public who attends a Council Meeting accepts that their video and audio may be captured during the Council Meeting.

Those members of the public who are participating in the Council meeting through public questions or making a deputation will be captured in the live stream and recording of the meeting when speaking to the Council.

Members of the public seated in the public gallery and do not participate in the Council Meeting through public question or deputations are not intended to be captured in the camera positioning in the Council Chamber, however it is acknowledged that if the person is entering or departing the room during the meeting it may occur.

### **3.4 Council Meetings not held in the Shire Council Chambers**

If a Council Meeting is held outside of the Council Chambers (1915 Pinjarra Road, Pinjarra) the meeting will be audio recorded at the minimum, as required under the Regulations and the recording will be made available within 14 days of the meeting taking place.

### **3.5 Technical Issues or Failure**

The Shire will make every reasonable effort to ensure that a live stream and recording is accessible, however should technical difficulties arise in relation to live streaming or access to the Shire's website or appropriate social media platform, live streaming may be stopped and the availability of recordings may be delayed.

If technology failure prevents a council meeting (or part of a meeting) from being recorded, the meeting may still proceed and the Shire will, so far as reasonably practicable, make an improvised recording of the meeting.

Following the meeting where a technological failure occurred the Shire will publish a notice advising what occurred in accordance with the Regulations.

### **3.6 Recordkeeping**

The official record of the Council meeting will be the adopted minutes of the meeting kept in accordance with the Act and the Regulations.

The recording must be made available on the Shire website or appropriate social media channel for 5 years and the recording must be retained for 5 years in accordance with regulation 14I of the Regulations.

All recordings will be retained in accordance with the *State Records Act 2000* and the Shire of Murray Recordkeeping Plan.

### **3.7 Liability and Defamation**

In accordance with section 9.57A of the Act the Shire is not liable for an action for defamation in relation to matters published on its official website as part of a live stream, audio or video recording of Council proceedings.

Opinions expressed or statements made by persons during the course of a meeting and contained within a live stream, video and/or audio recording, are the opinions or statements of those individual persons and not necessarily the opinions or statements of the Shire or endorsed by the Shire.

The onus is on those in attendance at the meeting to ensure that their conduct, content and language are appropriate for the audience. The Presiding Member is responsible for maintaining the orderly proceedings of the meeting.

Shire Officers and Elected Members are not liable in defamation for any statements made in good faith in the performance of their statutory functions. Whilst defence under the *Defamation Act 2005* may also be applicable, this is a matter that can only be determined by the Court.

### 3.8 Copyright

Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the Shire. Copyright remains with the Shire.

### 3.9 Disclaimer

The Council minutes provide the definitive record of Council’s resolutions. Opinions and statements made during a live streamed or recorded Council meeting should not be relied upon or acted upon until notified by the Shire.

### 3.10 Electronic Attendance by Elected Members

Where an Elected Member attends a Council Meeting remotely by electronic means, the minimum requirement is for an audio broadcast of that Elected Member will be captured in the livestream and recording.

Audio participation is the acceptable minimum standard for council members attending meetings remotely. This minimum requirement acknowledges that there are certain circumstances where video participation may not be necessary or practical due to available technology or internet connectivity.

## 4. Related Legislation

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *State Records Act 2000*

## 5. Related Documents

- *Shire of Murray Recordkeeping Plan*

Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	27 February 2025 (OCM25/007)
<b>Amendment Record</b>	<b>Date / Resolution</b>	

## Policy Intent

To strengthen the structure of the Chief Executive Officer (**CEO**) Performance Review process and give Council options in which to undertake a statutorily compliant performance review.

## Policy Statement

Council acknowledges its obligations under the *Local Government Act 1995 (Act)*, as follows:

- Statutory requirement: the Act requires an annual performance review for the CEO.
- Performance criteria: A written performance agreement outlining criteria is negotiated and agreed upon by the council and the CEO.
- Evidence-based assessment: The review must be based on thorough and comprehensive evidence, not subjective opinion.
- Impartial and transparent: The process must be conducted in an impartial and transparent manner.
- Council endorsement: The final review must be endorsed by an absolute majority of the Council (*Local Government (Administration) Regulations 1996 (Regulations)*, clause 18).
- Written notification: The CEO must be informed in writing of the review results (clause 19(a)) of the Regulations.
- Addressing issues: If the review identifies performance issues, the local government must inform the CEO in writing of how these issues will be addressed (clause 19(b)) of the Regulations.
- Interim review: If the council has concerns, an interim review can be requested, with a minimum one-week notice period for the CEO.

### 1. Additional considerations

- Remuneration: The annual review is also used to review the CEO's remuneration package.
- Strategic alignment: The review period is aligned with the local government's strategic planning and financial year (July to June).
- External facilitation: Council may use an external consultant to assist with the review process, who are also bound by the evidence-based requirements.

### 2. Process requirements that must be met under the Regulations

A council must ensure that the:

- process by which the CEO's performance will be reviewed has been agreed to between the council and the CEO in writing (clause 16(3)).
- performance criteria to be assessed is part of the CEO's contract and any additional criteria agreed to in writing (clause 16(1)(b) and 16(3)).
- review is carried out in an impartial and transparent manner (for example by using an

independent consultant and/or a panel with an independent observer) (clause 17(1)).

- evidence of the CEO's performance being collected in a thorough and comprehensive manner (clause 17(2)(a)).
- CEO's performance reviewed based on the evidence collected (clause 17(2)(b)), based on
  - Successful completion or progress of Key Performance Indicators (KPI's) set by the Council;
  - Achievements outside the KPI's that provide significant benefit to the Shire; and
  - The performance criteria agreed in the Chief Executive Officer Employment Contract, including;
    - Provide accurate and timely advice to Council;
    - Work in collaboration with Council;
    - Provide innovative and visionary leadership;
    - Maintains a work environment that facilitates the development of people and encourages them to perform at a high level.

### 3. Form of Performance Review

There are 2 methods of undertaking a performance review

3.1. By way of external consultant; or

3.2. By mutual written agreement between the Shire President and CEO, the review to be undertaken internally and co-ordinated by the Manager People Development (Human Resources).

### Legislation

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996*

### Related Documents

Nil

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	People Development	
<b>Responsible Officer</b>	Manager People Development	
<b>Next Policy Review / Schedule</b>	2028 - (3-yearly)	
<b>Council Adoption</b>	Date / Resolution	27 November 2025 (OCM25/143)
<b>Amendment Record</b>	Date / Resolution	



# Policy M1 – Council Members Access to Information

## 1. Policy Intention

To provide guidance for Council Members to access Council information.

## 2. Policy

### 2.1 It is Policy that-

- Council Members have access to certain documents over and above the rights of ratepayers. Such additional access is granted in order to enable a Council Member to discharge adequately the function of his or her elected office;
- a Council Member may only seek such information from Council records and files in the pursuit of Council business; and
- it is not open to a Council Member to obtain special information and then use it for his or her own or another's ends unconnected with Council activities.

**2.2** All Staff are answerable to the Chief Executive Officer (CEO) who is answerable to Council. Council Members channels for communications with the administration will be through the CEO.

**2.3** At the CEO's discretion, Council Members may deal directly with Directors and Executive Managers.

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0398)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)



# Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses

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## 1. Policy Intent

The purpose of this policy is to establish the parameters for the payment of Council Members fees, allowances, superannuation and reimbursement of expenses within the provisions of the annual determination by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B and the *Local Government Act 1995* Part 5 Administration, Division 8 Local Government payments and gifts to its members.

## 2. Policy Statement

### 2.1 Annual Attendance Fee

- (a) That Council Members are to be paid an Annual Attendance Fee in lieu of fees for attending meetings, the amount to be determined in the annual budget.
- (b) Annual Attendance Fees are to be paid to Council Members monthly, in arrears.

### 2.2 Shire President's/Deputy Shire President's Allowance

- (a) The allowance for the Shire President and Deputy Shire President is to be determined in the annual budget and is to be paid monthly, in arrears.

### 2.3 Information and Communications Technology Allowance

- (a) That Council Members are to be paid an Information and Communication Technology Allowance in lieu of a reimbursement of expenses, the amount to be determined in the annual budget.
- (b) The Information and Communications Technology Allowance is to be paid to Council Members monthly, in arrears.

### 2.4 Travel Allowance

- (a) That Council Members are to be paid a Travel Allowance in lieu of a reimbursement of expenses, the amount to be determined in the annual budget.
- (b) The Travel Allowance is to be paid to Council Members annually, on adoption of the annual budget.
- (c) Council Members are also encouraged to use, at no cost, a Shire pool vehicle to attend meetings, conferences and functions that are held subject to the availability of the vehicle.

### 2.5 Reimbursement of Expenses

- (a) That Council Members are to be reimbursed for childcare costs incurred because of attendance at a council meeting or a meeting of a committee of which they are also a member.
- (b) The maximum amount of reimbursement that may be claimed for childcare costs is to be pursuant to Part 8 of the Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members.
- (c) Claims under this clause are to be submitted at least quarterly and within 7 days of the end of each quarter, that is, by 7 October, 7 January, 7 April and 7 July.



## Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses

### 2.6 Review of Fees and Allowances

Council will review all fees and allowances, at least once annually as part of the annual budget process.

### 2.7 Superannuation

Mandatory superannuation contribution payments for Council Members will be payable with, and at the same time as any remuneration of the Council Member paid by the Shire, unless the Council Member has provided the Chief Executive Officer with written notice to opt out or has not provided a nominated superannuation fund to receive the superannuation contribution payment.

A Council member who revokes the opt out notice or provides a nominated superannuation fund after the date of any superannuation contribution payment being made is not eligible to receive back payment of any superannuation contributions in accordance with the *Local Government Act 1995*.

### 2.8 Application of this Policy

Any request for reimbursement in accordance with the relevant clauses of this policy, must be accompanied with sufficient documentation to substantiate the claim. Approval for any claim made by a Council Member, in accordance with this policy, shall be obtained from the Chief Executive Officer or Director Corporate Services.

Note: *That the Council Members Fees, Allowances and Reimbursement of Expenses Policy does not provide for clothing as an automatic expense.*

### Legislation

*Local Government Act 1995*, Part 5 Administration, Division 8 Local Government payments and gifts to its members

*Salaries and Allowances Act 1975* section 7B.

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0398)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 November 2003 (OCM03/211)
		29 April 2004 (OCM04/075)
		30 September 2004 (OCM04/191)
		27 April 2006 (OCM06/062)
		28 August 2008 (OCM08/149)
		30 April 2009 (OCM09/066)
		29 April 2010 (OCM10/066)
		30 June 2011 (OCM11/099)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/08)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)



## Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses

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	19 December 2024 (OCM24/159)
	18 December 2025 (OCM25/159)



## Policy M3 – Council Members and CEO Public Statements Policy

### 1. Policy Intention

The *Local Government Act 1995* (the Act) (as amended), Section 2.8 provides that the Shire President speaks on behalf of the Local Government. Section 5.41(f) provides for the Chief Executive Officer (CEO) to speak on day-to-day matters and/or when the Shire President authorises.

Council Members, outside their official capacity as members of the Council, have the right to speak in public within the limits of the law. The performance of a role as a Council Member overlaps with a role of the public, and imposes limitations on what would otherwise be a normal right to speak in public on local government affairs.

The principal limitation is that a Council Member, who is not Shire President, cannot speak on behalf of the Council, as per the Act, Section 2.8.

### 2. Policy

#### 2.1 The Shire President

- (a) When speaking to the media, or otherwise in public, the Shire President is the only Council Member who may speak on behalf of the Council.
- (b) When the Shire President is speaking to the media, or otherwise in public, but not officially speaking on behalf of the Council, the Shire President must make it clear that they are not speaking as Shire President or in any other Council capacity.

#### 2.2 The Deputy Shire President

- (a) The Deputy Shire President may only speak to the media, or otherwise in public, on behalf of the Council in the circumstances set out in s.5.34 of the Act being:
  - if the Shire President role is vacant; or
  - the Shire President is not available, or is unable or unwilling to perform the functions of Shire President.
- (b) The Deputy Shire President must otherwise comply with the limits on the role of a Councillor when speaking to the media or otherwise in public.

#### 2.3 Councillor

- (a) A Councillor may not speak to the media or otherwise in public on behalf of the Council or the operations of the Shire of Murray.
- (b) When a Councillor is speaking to the media or otherwise in public, they must make it clear that they are not speaking on behalf of the Council, but rather in the role of a Council Member.
- (c) A Councillor speaking on Council matters to the media, or otherwise in public, may identify himself/herself as a Council Member, but must avoid any suggestion or appearance of speaking on behalf of the Council.

## 2.4 Chief Executive Officer

- (a) It is part of the function of the CEO to speak on behalf of the Council if the Shire President agrees.
- (b) The Shire President may give agreement to the CEO speaking on behalf of the Council:
- on a specific occasion;
  - on a specific subject matter; or
  - on a specified category of occasions or a specified category of subjects, when they arise.
- (c) Further to the above, the CEO may speak to the media, or otherwise in public, as to the Shire's affairs in performance of the CEO's functions under s.5.41 of the Act, including that of managing the day-to-day operations of the Shire. The CEO only requires the agreement of the Shire President when making statements of the kind which would ordinarily fall within the role of the Shire President as spokesperson of the Council.
- (d) Where appropriate, the CEO can further delegate the role to speak on a specific issue to an officer if it is related to their area of expertise and is deemed to add value, provided that:
- the CEO has already been given the authority to speak by the Shire President; or
  - it is within the day-to-day affairs of the Shire, for example a Library promotion.

## 2.5 Written, oral and electronic statements

This Policy applies equally to statements in public whether they are communicated orally, in writing, electronically, or by any other means.

## 2.6 Media Releases

All written media releases must be approved by the CEO in consultation with the Shire President prior to release. Where one or the other is unavailable, responsibility is passed through to the next in line (i.e.; Acting Chief Executive Officer and Deputy Shire President).

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Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	24 August 2017 (OCM17/165)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## Policy M4 – Council Member Communication with Shire Staff

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### 1. Policy Intention

To provide clear guidelines for Council Members when liaising with Council staff.

### 2. Policy

Regarding communications between the CEO, Directors, Council Members and Staff:

- (a) Should a Council Member need to communicate with Shire Officers, they are to direct their enquiry to the Office of the CEO who will forward their query to either the CEO or a relevant Director for advice or a response to the enquiry.
- (b) The CEO is to be copied in on any written communications that may occur between Council Members and Staff.
- (c) If staff have a concern, of any kind, with any communication from a Council Member, they are to raise it with the CEO.
- (d) If a Council Member has any problem with communications with any Director, they are to raise the matter with the CEO.
- (e) Where a question from a Council Member relates to business before the Council, any subsequent response must be copied to all Council Members.
- (f) In accordance with the Code of Conduct for Council Members, Committee Members and Candidates, Council Members are not to direct a staff member to undertake any project or task.
- (g) The following exceptions apply to the general policy expectation around communicating requests through the Office of the CEO:
  - Where an enquiry relates to annual budget considerations, Council Members may contact the Director Corporate Services directly.
  - Where an enquiry relates to the process to lodge, or assistance in lodging, a gift declaration or annual or primary return, Council Members may contact either the Director Corporate Services or the Manager Governance directly.
  - Where an enquiry relates to the process to lodge a Related Party Disclosure under the Australian Accounting Standards, Council Members may contact either the Director Corporate Services or Manager Finance directly.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/066)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## Policy Intent

To ensure Council Members meet and comply with the prescribed professional development requirements, under *Local Government Act 1995 (Act)* and to further encourage participation in other conferences or training specifically designed to enhance skills and knowledge relating to roles and responsibilities as a Council Member of the Shire of Murray (**Shire**).

## Policy Statement

### 1. Council Member Essentials Training

In accordance with the Act, Council Members are to undertake and successfully complete the following prescribed professional development training modules titled “*Council Member Essentials*” within the period of 12 months from the day the Council Member was elected, unless a prescribed exemption applies:

- Understanding Local Government;
- Serving on Council;
- Meeting Procedures;
- Conflicts of Interest; and
- Understanding Financial Reports and Budgets.

### 2. Professional Development

Council Members are encouraged to nominate to attend other conferences or training opportunities, to enhance and broaden their knowledge of local government issues to support the community.

The following are examples of other conferences or training opportunities, (the usual number of delegates is shown in parentheses, if applicable):

- National General Assembly of Local Government (the Shire President and the Chief Executive Officer (CEO));
- Annual WALGA Local Government Convention;
- One off conferences sponsored by WALGA or the Department of Local Government on important local government issues;
- Annual conferences of major professions of Local Government;
- Annual Road Congress;
- Conferences which advance the development of Council Elected Members in their role as a Council Member; and
- Conferences of organisations on which a Council Member has been elected or appointed as a delegate.

Council may authorise attendance at other conferences or training opportunities, by more than the number of specified delegates, if a particular purpose or need arises.

Council Members are limited to attending three other conferences or training opportunities, each financial year, unless authorised by Council. No more than two Council Members may attend the same conference other than WALGA Local Government Convention.

Requests to attend other conferences or training opportunities, are to be initiated by the Council Member and are to be forwarded to the CEO, prior to enrolment or registration.

The Chief Executive Officer (**CEO**) is authorised to approve requests from Council Members for attendance at other conferences, or training opportunities, providing that:

- the cost does not exceed \$3,000 for any single instance, and up to a total of
- \$4,000 in any 12-month period (financial year); and
- the other conference or training, is organised by an identified industry-recognised training provider.

The CEO is authorised to expend funds on prescribed professional development training for Council Members to meet statutory obligations.

### 1.2 Travel Arrangements

All booking arrangements for other conferences or training for Council Members are coordinated through the CEO's Office. Council Members should note the Act precludes a Council Member to pre-spend Shire funds.

Any airline travel for a Council Member is to be booked at economy level and booking arrangements are to be reviewed upon any improved discount offer being identified. Any upgrade to Business Class is permissible provided the Council Member funds the difference in cost.

Other than to amend departure times, tickets provided to Council Members shall not be exchanged, downgraded or rebated. Tickets or bookings may not be altered to include personal travel that is not part of the scheduled conference itinerary.

The proposed duration of the other conference or training attendance together with travel time and planned supplementary pre or post conference activities relevant to the Shire will be notified to Council or the CEO for confirmation and/or amendment prior to the delegate's departure for the other conference or training.

### 1.3 Expenses

Expenses relating to other conferences or training, as approved, will be paid direct by the Shire. Expenses may include the following items:

- air fare;
- travel insurance;
- conference registration;
- copy of conference proceedings;
- room accommodation;
- reasonable phone utilisation;

- reasonable laundry expenses; and
- meals in the hotel where registered, if these are not provided during the course of the conference.

Incidental expenses include:

- phone calls made outside the accommodation premises and for the purposes of the conference and/or Council business;
- travel to and from the conference venue; and
- travel to and from all airport destinations.

In circumstances where entertainment on behalf of the Shire is expected or otherwise appropriate, the entertainment will be in accordance with guidelines established, from time to time, by the CEO and as determined by the judgement of the delegate, paid by the delegate, and presented to the CEO for subsequent authorisation for reimbursement upon return.

For other conferences or training that are one day or less duration, the previous night's accommodation is available subject to approval by the CEO. No advance is payable and any expenses incurred may be reimbursed on production of sufficient documentation.

All costs associated for prescribed professional development training, including travel, accommodation, meals and incidentals will be fully funded by the Shire.

Payment or reimbursement of professional development costs cannot be made within three (3) months of a Council Members term ending; or following notification of a Council Members resignation; or during a period of suspension under Part 8 of the Act.

### **1.4 Cash Advances**

An advance of \$200 may be made available upon request to the CEO to cover meals not included at other conferences or training, or at prescribed professional development training. Alternatively, delegates at other conferences or training, or attendees at prescribed training may elect to pay other expenses themselves and claim reimbursement from the Shire on presentation of the receipts.

Advances for expenses will be made no earlier than two weeks prior to the date of the commencement day of the other conferences or training or prescribed professional development training. Expenditure reconciliation statements will be required within 14 days of return from the Conference.

### **1.5 Council Member/Delegate Accompanying Person**

Where a Council Member or Shire officer is accompanied to other conferences or training, all costs for/or incurred by the accompanying person are to be borne by the Council Member, or Shire officer, or accompanying person and not by the Shire.

The exception to the above being the cost of attending any official event dinner where partners would normally attend. An example of an official event is the WALGA Local Government Convention Gala dinner or 'sundowner' drinks at the event opening.

### **1.6 Reporting and Publishing**

- (a) All Council Members attending any other conference or training are expected to report to Council on the benefits achieved by attending and should make the conference papers available to other Council Members.

If a report is not received within 30 days, the Council Member may be ineligible for attendance at further conferences or training until the report is received.

A record of conferences or other training attended by Council Members will be maintained by the CEO.

- (b) In accordance with the Act, the CEO is to prepare and publish a report each financial year on all professional development training completed by Council Members in the financial year. This report is published on the Shire's website and updated on a monthly basis or as training has been completed..

*Note: All monetary amounts where specified are Good and Service Tax (GST) exclusive.*

### Legislation

*Local Government Act 1995, Section 5.126-5.129*

Policy Detail		
<b>Responsible Directorate</b>	Office of the CEO	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 – (2-yearly following election)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/099)
<b>Amendment Record</b>	<b>Date / Resolution</b>	28 February 2013 (OCM13/019)
		26 September 2013 (OCM13/163)
		25 June 2015 (OCM15/155)
		22 February 2018 (OCM18/008)
		19 December 2019 (OCM19/269)
		25 November 2021 (OCM21/187)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)
18 December 2025 (OCM25/159)		



## Policy M6 – Council Members Recognition of Continuous Service

### 1. Policy Intention

To provide guidelines for the recognition of Council Members who achieve a significant milestone with continuous service.

### 2. Policy

It is policy to recognise and show appreciation to long serving Council Members. Eligibility is based upon years of continuous service with the Shire of Murray (Shire). The Shire provides recognition in appreciation of ongoing loyalty and commitment to the Murray community.

#### 2.1 Council Members Continuous Service

Council Members with five, ten, fifteen, twenty and twenty-five plus years continuous service, from the date of their commencement with Council are eligible for service recognition, as follows:

- (a) Each Council Member who achieves five, ten, fifteen, twenty and twenty-five plus years continuous service from the date of their commencement with Council, will be recognised by the presentation of a certificate, commemorative pewter tankard, pewter champagne flute, or an engraved glass, whichever the Council Member prefers.

#### 2.2 Retiring Council Members

- (a) A retiring Council Member that has completed at least one four-year term or more than one four-year term continuously shall, subject to the approval of the Shire President, be eligible to receive a gift of their choice from Council up to the value of \$100 for each year of service as a Council Member, up to a maximum amount of \$1000. Where the Shire President is the retiring Council Member the (CEO) shall determine the matter. Cash is not deemed to be an appropriate gift.
- (b) Where a retiring Council Member has been allocated office furniture or information and communication equipment to carry out their functions as a Council Member during their term, the Council Member may seek the approval of the CEO to retain the equipment issued.
- (c) The equipment approved to be retained will form part of the gift to the retiring Council Member and the value of the equipment upon retirement will be assessed as follows:
  - original purchase price less 25% depreciation for each year the equipment is used.
- (d) The balance of the applicable entitlement may be put towards a retirement gift.

Example: A Council Member retiring after a four-year term would be entitled, under the Regulations, to receive a retirement gift up to the value of \$400. If after one year of service a new facsimile valued at \$400 was purchased, the residual value at retirement would be \$100. In this case any additional gift could not exceed \$300.

## 2.3 General Information

The following are not deemed to be gifts to Council Member.

**“Implicit entitlements”** a benefit to which a Council Member is entitled because it is implicit in the performance of the duties/functions of the Council Member. An example of this type of entitlement includes meals provided at meetings and official functions and the provision of office and electronic equipment.

**“Express entitlements”** a benefit to which a Council Member is entitled, pursuant to the local government legislation, or as a result of the exercise by the local government of a ‘discretionary authority’ which is itself something authorised (expressly or implicitly) by the legislation.

This category would include necessary travel and accommodation, and the use of council vehicles.

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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	22 December 2004 (OCM04/260)
<b>Amendment Record</b>	<b>Date / Resolution</b>	31 March 2005 (OCM05/049)
		24 April 2008 (OCM08/090)
		25 August 2011 (OCM11/138)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## 1. Introduction

Section 5.90A of the *Local Government Act 1995* (the Act) provides that a local government must prepare and adopt an Attendance at Events policy. This policy is made in accordance with those provisions.

## 2. Policy Intention

This policy provides a framework for Council Members and the Chief Executive Officer (CEO) attendance at any events, including concerts, conferences, functions or sporting events or other prescribed occasions, whether free of charge, part of a sponsorship agreement, or are paid by the local government.

An effective framework provides transparency about the attendance at events by Council Members and the CEO.

## 3. Policy

This policy applies to Council Members and the CEO of the Shire of Murray (Shire).

## 4. Policy Statement

In accordance with Section 5.90A of the Act an event is defined as:

- a concert;
- a conference;
- a function;
- a sporting event; or
- an occasion prescribed by the *Local Government (Administration) Regulations 1996* (the Regulations).

### 4.1 Pre-Approved Events

In order to meet the policy requirements, tickets and/or invitations to events must still be received by the Shire as outlined in clause 4.2(a)(i) in the case of any external groups or organisations, notwithstanding that attendance at the following by Council Members and the CEO is pre-approved:

- any public free event held within the Shire district;
- events hosted by Clubs or Not for Profit Organisations within the Shire district;
- Shire hosted or run ceremonies, functions, tournaments or events;
- Shire sponsored ceremonies, functions, tournaments or events;
- Peel CCI Small Business Awards or similar awards for local businesses held within or outside the Shire district;

- Community cultural events/festivals within the Shire district;
- opening or launch of an event or facility within the Shire district; and
- other events where the Shire representation has been formally requested by invitation, including events from:
  - Western Australian Local Government Association;
  - Australian Local Government Association Limited (ABN 31 008 613 876);
  - Local Government Professionals Australia WA (ABN 91 208 607 072);
  - LG Professionals Australia (ABN 85 004 221 818);
  - a department of the Public Service;
  - a government department of another State, a Territory or the Commonwealth; or
  - a local government or regional local government.

All Council Members and the CEO are entitled to attend pre-approved events. If there are more Council Members than tickets or invitations provided, then the CEO, after consultation with the Shire President, shall determine attendance at their discretion.

If there is a fee or any other cost associated with a pre-approved event, the fee or other cost will be paid for by the Shire out of the annual budget (either beforehand or by way of reimbursement).

Any costs relating to accompanying partners to any pre-approved event will be the responsibility of the relevant Council Member or the CEO.

## **4.2 Non-Pre-Approved Events**

### **(a) Provision of Tickets (Invitations)**

- (I) All invitations or offers of tickets for Council Members or the CEO to attend an event must be in writing, (no later than five business days prior to the event or the RSVP date, whichever occurs first), addressed to the Shire, using formal position titles and sent by mail to PO Box 21, Pinjarra WA or by e-mail to [mailbag@murray.wa.gov.au](mailto:mailbag@murray.wa.gov.au)
- (II) Any invitation or offer of tickets not addressed to the Shire is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act and the associated Regulations.

### **(b) Approval of Attendance**

- (I) Events addressed to Council Members will be assessed and authorised by the CEO.
- (II) Events for the CEO will be assessed and authorised by the Shire President.

### **(c) Considerations for Approval for a Non-Approved Event**

Retrospective approval will not be given. In making-a-decision on attendance at an event, consideration will be given to:

- (I) who is providing the invitation or ticket to the event;
  - (II) any justification provided by the applicant when the event is submitted for consideration;
  - (III) the location of the event in relation to the Shire (within the district or outside of the district);
  - (IV) the role of the Council Member or CEO attending the event (participant, observer, presenter) and the value of their contribution;
  - (V) the number of invitations/tickets received;
  - (VI) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation;
  - (VII) the direct benefit of attendance to the Shire;
  - (VIII) alignment to the Shire's Strategic Objectives; and
  - (IX) the number of Shire representatives already approved to attend.
- (d) Payments in Respect of Attendance
- (I) For any non-approved event, where a member of the public is required to pay, unless a pre-approved event under clause 4.1, the CEO and/or the Shire President will determine whether it is in the best interests of the Shire for a Council Member or the CEO to attend using the considerations provided in this subclause.
  - (II) If the CEO and/or the Shire President determines that a Council Member or CEO should attend a non-approved event, the Shire will pay the cost of attendance and reasonable expenses, such as travel and accommodation from the Shire's budget (either beforehand or by way of later reimbursement).
  - (III) Any costs relating to accompanying partners to any event will be the responsibility of the relevant Council Member or the CEO, unless otherwise approved by a specific resolution of Council.
  - (IV) Where an invitation or ticket to an event is provided free of charge, the CEO may decide that the Shire contributes to appropriate expenses for attendance, such as travel and accommodation, including events outside the district, after applying the considerations provided in this subclause and making-a-determination.

*Note: Any event that is not pre-approved, is not submitted through an approval process, or is received personally is considered a non-approved event.*

## **5. Other Matters - Excluded**

- (a) Where a Council Member is appointed by Council to be directly involved with a local community/sporting group or not for profit organisation in an official capacity, this policy does not apply to the groups or organisations normal business activities.

- (b) The attendance by Shire employees at pre-approved, non-approved events is determined by the CEO and this policy is not applicable. However, the gift and travel reporting requirements under the Act and the associated Regulations remain applicable, as are any legislative provisions relating to conflict of interests.
- (c) The attendance by Shire employees at training or conferences at pre-approved, non-approved events is determined by the appropriate Director or the CEO and this policy is not applicable. However, the gift and travel reporting requirements under the Act and the associated Regulations remain applicable, as are any legislative provisions relating to conflict of interests.
- (d) Council Member ongoing professional development and mandatory training paid for the Shire.
- (e) CEO attendance at conferences or training paid for by the Shire to assist in achieving the organisations goals and objectives.

## **6. Disclosure of Interests**

Any gift received over \$300 is specifically excluded from the conflict of interest provisions if:

- the gift relates to attendance at an event where attendance has been approved under this policy; or
- the gift is from the pre-approved specified entities.

Regulation 20B of the Regulations prescribes the specified entities as WALGA (but not LGIS), ALGA, LG Professionals, a State public service department, a Commonwealth, State or Territory government department or another local government or regional local government.

Excluded gifts are still a gift that must be disclosed and published on the gifts register if over the value of \$300 and received in the capacity of Council Member or CEO.

## **7. Gifts Generally**

The policy provides guidance to Council Members and the CEO when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered.

Any contribution to travel or the provision of tickets, subject to the exceptions in section 5.83 of the Act, must still be disclosed in writing to the CEO within 10 days of receipt, if over the value of \$300.

## **8. Legislative and Strategic Context**

The Act and the associated subsidiary legalisation provides' the broad framework within which this policy operates.

## **9. Review**

This policy is to be reviewed biennially.

## 10. Associated Documents

Other documents that have an association to this policy and that may be useful reference material are:

- Department of Local Government, Sport and Cultural Industries - Operational guideline - Attendance at Events Policy
  - Department of Local Government, Sport and Cultural Industries - Disclosure of gifts and disclosure of interests relating to gifts
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Policy Detail		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Department</b>	Governance	
<b>Responsible Officer</b>	Manager Governance	
<b>Next Policy Review / Schedule</b>	2027 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 December 2019 (OCM19/269)
<b>Amendment Record</b>	<b>Date / Resolution</b>	22 April 2021 (OCM21/062)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)

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## Policy PS1 – Applications for Review with State Administrative Tribunal

### 1. Policy Intention

To provide guidelines for the conduct of matters before the State Administrative Tribunal.

### 2. Policy

- 2.1** Council supports the role of the State Administrative Tribunal (the Tribunal) as an independent appeal body and does not seek to discourage review of Council decisions in accordance with statutory rights.
- 2.2** Council supports the independence and flexibility of the Tribunal provided by the current legislation. Council does not seek to criticise or challenge decisions of the Tribunal unless it is of the opinion that the Tribunal has erred at law.
- 2.3** Council will endeavour to achieve a negotiated or mediated settlement of matters before the Tribunal, consistent with the Shire of Murray's (Shire) planning and development framework, in order to achieve timely and cost-effective resolution of matters.
- 2.4** Council will take all reasonable steps to ensure that appropriate delegations and procedures are in place to reduce time delays and costs in dealing with matters before the Tribunal.
- 2.5** Where the matter before the Tribunal arises from a decision made under delegated authority or where the Council decision is the same or the same in substance to the officer recommendation, then the responsible officer or any other officer nominated by the Director Planning and Sustainability is to represent the Shire during the conduct of the proceedings.
- 2.6** Where the matter before the Tribunal arises from a Council decision which differs in substance from the officer recommendation, then to ensure the professional integrity of officers and the independence of advice provided to the Tribunal, Council will engage suitable external parties to represent the Shire at the Tribunal. In this regard Council accepts and supports the ethical responsibility of its officers to state professional opinions.
- 2.7** Subject to no objection being raised by the Tribunal, Council may nominate a Council Members representative and, if considered desirable, a member or members of the community to participate in the mediation or to provide evidence to the Tribunal.
- 2.8** In the event of Shire officers being subpoenaed to provide evidence before the Tribunal, Council acknowledges that its officers will be required to give evidence in support of the officer's recommendation and professional opinion, acknowledging that evidence given may be contrary to the Council decision, the subject of the matter before the Tribunal.
- 2.9** In circumstances set out in paragraphs (2.6) and (2.7) above, and subject to avoidance of any conflict of interest, officers will continue to guide progress of the response to the Tribunal, to provide assistance to representatives engaged and

maintain administrative support but will not involve themselves in the giving or formulation of evidence.

- 2.10** Council will seek to be represented by a legal practitioner or other suitable specialist to assist in the review where suitable technical skills are not available internally and in circumstances where the application for review is likely to be determined by legal or other specialist interpretation or argument.
- 2.11** Council will accede to any lawful request by the Tribunal to provide information to the Tribunal or other parties in relation to a matter before the Tribunal.
- 2.12** Council will seek costs against any party where, in its opinion, Council's costs have been unreasonably increased by the actions of that party.

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Policy Detail		
<b>Responsible Directorate</b>	Planning and Sustainability	
<b>Responsible Department</b>	Planning and Environment Services	
<b>Responsible Officer</b>	Manager Planning and Environment Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	24 February 2011 (OCM11/012)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		26 June 2014 (OCM14/077)
		25 June 2015 (OCM15/155)
		23 June 2022 (OCM22/070)



## Policy PS2 – Applications for Determination by the Joint Development Assessment Panel

### 1. Policy Intention

To provide guidelines for the processing and consideration of development applications for decision by the Joint Development Assessment Panel (JDAP).

### 2. Policy

- (a) Council accepts the intent of JDAP is to streamline the decision-making process for significant development applications, rather than duplicate the decision-making process, and therefore only requires development applications to be referred to it for consideration of a recommendation to the JDAP, which are outside current delegations.
- (b) Council acknowledges that in instances where the officer recommendation is different to a Council recommendation on a particular application, then the report that is to be forwarded to JDAP to set out both the officer and Council recommendations.
- (c) To ensure Council Members are properly informed of JDAP applications Council Members are to be notified of the lodgement of a JDAP application and of key milestones in the assessment process.
- (d) In view of the tighter statutory timeframes for the processing of JDAP applications, applicants should meet with Council officers and where appropriate relevant State agencies prior to the submission of the application to ensure specific issues are properly addressed and all supporting information is submitted with the application. Applications are to be complete on submission, including all plans, supporting technical studies and fees, to enable the application process to commence immediately. Council acknowledges that it may be necessary to convene a Special Council Meeting in some instances in order to meet tight statutory timeframes.

Policy Detail		
<b>Responsible Directorate</b>	Planning and Sustainability	
<b>Responsible Department</b>	Planning and Environment Services	
<b>Responsible Officer</b>	Manager Planning and Environment Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	24 November 2011 (OCM11/219)
		26 July 2012 (OCM12/149)
		22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)
<b>Amendment Record</b>	<b>Date / Resolution</b>	

### Policy Intention

- To develop a vibrant commercial and cultural environment for residents and visitors
- To encourage the use of parks and reserves by commercial operators as a means of activating public spaces;
- To ensure approved trading activities do not significantly conflict with or prejudice the Shire of Murray (Shire) permanent retail and service base; and
- To ensure that the operation of trading activities, are appropriate in particular areas and they do not result detrimentally impact on safety, amenity, convenience or cause a nuisance.

### Policy Statement

#### 1. Applications

Applications for trading in public places will be considered on their individual merit having due regard for balancing the policy intentions and the following matters:

- (a) the existing provision of similar services within a town or otherwise within proximity of the proposed trading and the potential for the loss of a community service or benefit;
- (b) whether the proposal would add to the range or extent of services, or the hours or days a service would be available to the community;
- (c) whether the proposal would be predominantly focused toward a key activity node that is not otherwise directly serviced by the goods or services to be offered by the proposed trading;
- (d) the proximity of a shop or other place of business that sells the same goods or services proposed to be offered by the trading;
- (e) the compatibility of the proposed trading within its setting, including but not limited to the positioning, height, bulk, scale, orientation and appearance of any vehicle or other item associated with the proposed trading;
- (f) the likely effect of the proposed trading on the character and amenity of the locality, including the level of noise, disturbance or other nuisance likely to result;
- (g) the amount of traffic likely to be generated by the proposed trading, the adequacy of pedestrian and vehicular access, and the effect on pedestrian and traffic flow and safety;
- (h) the availability and adequacy of parking to service the needs of the proposed trading;
- (i) the proposed means of servicing, and the storage, management and collection of any waste associated with the proposed trading; and
- (j) the extent, scale and design of any site signage proposed.

#### 2. When trading in public places will not be permitted

Trading will not be permitted in public places in the following circumstances:

- (a) within the road reserve of or land adjacent to the Kwinana Freeway, Forrest
- (b) Highway, Pinjarra Road, South Western Highway, Pinjarra Williams Road and Old Bunbury Road, unless supported by the relevant road management authority;

- (c) within 200 metres of any shop or permanent place of business that sells the same goods or services proposed to be offered by the trading;
- (d) within 300 metres of a school, between the hours of 8:00am to 9:00am and
- (e) 2.45pm to 3:45pm, except during school holidays, weekends and public holidays; or
- (f) in the case of itinerant vendors on roads with a speed limit greater than 60 km/hr.

### 3. Consultation

- (a) The Shire may advertise an application for a trading permit to nearby businesses and/or the community and may refer the application to any State agency for its comments where it considers this necessary or desirable.
- (b) Where an application is advertised or otherwise referred to any State agency then any submission received will be considered in determining the application.

### 4. General Notes

- (a) Any trading on privately owned or public land also requires permission of the land- owner, or where the land is leased, from the lease-holder.
- (b) There is a general presumption against trading in road reserves unless the site has a formal parking area (such as rest areas).
- (c) There is a general presumption against trading in the townsite of Pinjarra.
- (d) Any trading within a Shire approved event requires approval of the event manager.
- (e) Nothing in this Policy implies that Council will approve the use of public land under the care and control of the Shire for use for commercial trading activities.
- (f) Trading permits will be valid for a period up to 12 months, concluding on 30 June each year. Approval of a trading permit does not guarantee or infer the permit will be renewed, or renewed for the same location in the future, particularly for pre-eminent sites.

Policy Detail		
Responsible Directorate	Planning and Sustainability	
Responsible Department	Environmental Health	
Responsible Officer	Manager Environmental Health	
Next Policy Review / Schedule	2028 (3-yearly)	
Council Adoption	Date / Resolution	26 November 2015 (OCM15/315)
Amendment Record	Date / Resolution	22 February 2018 (OCM18/008)
		27 August 2020 (OCM20/153)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

## 1. Policy Intent

To ensure that, where the acquisition of land is required for road realignment or road reconstruction, the affected landowners will be dealt with fairly and efficiently and in accordance with all relevant Acts and Regulations.

## 2. Policy Statement

**2.1** Where it is necessary and funds are allocated in the Shire of Murray (Shire) annual budget to undertake road works that require the acquisition of private land, officers will:

- formally advise the relevant landowners and seek written agreement for the proposed acquisition;
- ensure the key principle for the valuation given is a percentage of the value of the entire portion of land exempt of any major property improvements;
- seek the best possible value for money and/or undertake a process of cost/benefit analysis on the proposed purchase;
- ensure the land acquisition is to be benchmarked by an independent valuer, unless the size of the land or the agreed value is negligible; and
- ensure the acquisition of any portion of land shall be undertaken as expeditiously as possible to reduce red tape associated with statutory processes; reduce direct and indirect costs associated with purchase and facilitate project delivery.
- Should approval not be able to be negotiated then compulsory acquisition will be considered with approval from Council.

**2.2** That upon receipt of written agreement and subject to budgeted funding commence the process to affect the transfer of land ownership to the Shire up to the value determined under clause 2.1 and agreed and reasonable injurious affection matters in accordance with law.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	15 December 1998 (SCM98/0394)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		19 December 2013 (OCM13/253)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

### 1. Policy Intent

To offer the residents or ratepayers of the Shire of Murray a subsidy for the construction of appropriate crossovers and driveways to Council standard.

### 2. Policy Statement

- 2.1** Council subsidy payment for new crossovers constructed and/or approved by Council shall be half the cost of the crossover up to a maximum fee which will be set in each Council budget.
- 2.2** Prior to the commencement of the construction of any crossover, the developer shall have the location and construction method approved by Infrastructure Services.
- 2.3** Privately-constructed crossovers shall be deemed for Council subsidy only where they have been inspected and judged to have complied with Council's specifications.
- 2.4** The subsidy shall apply to one standard crossover to:
- each single lot; or
  - in the case of a group dwelling, each crossover constructed in accordance with the Planning Approval for that development.
- 2.5** Where a request is received to form a kerb-opening for the purpose of access to a vacant lot, such request shall be refused unless the lot is the subject of a current building licence or, in the opinion of Infrastructure Services, a special need exists.
- 2.6** Where the crossover traverses an existing open drain along the street or road verge, then the constructed crossover is to include a pipe culvert with headwalls in accordance with Council's specification.
- 2.7 Public Utility and/or Council Plant Located in a Proposed Crossover**
- Where public utilities and/or Council (e.g., manholes) are located in a proposed crossover, the cost of relocating and/or modifying such plant to the satisfaction of the particular authority shall be deemed to be part of the cost of that crossover construction.
- 2.8** The costs of ongoing maintenance and repairs to the crossover shall be the sole responsibility of the property owner.
- 2.9 Redundant Crossovers**
- A redundant crossover for the purpose of this policy shall be one that does not connect to any existing or proposed internal parking and/or garage facility. All such redundant crossovers are to be removed at the time of development of a lot. The cost of removal of redundant crossovers, and the cost of kerbing-off the openings shall be borne entirely by the development applicant. Where a crossover is deemed redundant but no development has been proposed, wherever practical arrangement should be made for removal at the earliest possible date.

- 2.10** Where application is received from the owners of a property to construct the crossover themselves and the proposed crossover would leave either a redundant opening or redundant crossover, approval for the proposed new crossover shall incorporate the reinstatement of the redundant opening/crossover as part of the crossover approval with the need to complete all works prior to any payment of the crossover subsidy.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0362)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

## 1. Policy Intent

To provide guidance on the standards and locations of shared use paths within the Shire of Murray.

## 2. Policy Statement

- (a) As a general rule all footpaths and/or shared use paths servicing non-commercial areas shall be constructed of in situ concrete or asphalt to associated standards.
- (b) Subject to Council's discretion, other materials may be approved for footpaths or shared use paths providing they:
  - meet the necessary standard;
  - do not contravene the uniformity of surrounding footpaths;
  - are completed to a high level of workmanship; and
  - meet Council's requirements.
- (c) Footpaths shall be constructed to a minimum of 1.5 metre-wide in access streets with a 2-metre-wide path on higher order roads. Where a footpath is placed adjacent to a kerb an additional width of 0.5 m is to be added.
- (d) Shared Use Paths for use of both pedestrians and cyclists shall be constructed in accordance with Austroads Standards and the requirements of Regional Bicycle Network Funding Scheme.
- (e) All footpaths or shared use paths shall be placed adjacent to the kerb wherever practical and where safety is not an issue and the placement does not conflict with any local law.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 October 2006 (OCM06/159)
<b>Amendment Record</b>	<b>Date / Resolution</b>	29 April 2010 (OCM10/077)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

## 1. Policy Intent

To provide a guide to assist the Shire of Murray and the development industry in managing the assessment and approval processes relating to the installation of roads, drainage, pathways, earthworks, streetscapes and public open space in new subdivisions to a consistent standard.

## 2. Policy Statement

### 2.1 Guidelines

The Council will use the latest version of the “Local Government Guidelines for Subdivisional Development” (Guidelines) document produced by the Institute of Public Works Engineering Australia (WA Division Inc.) (IPWEA) as the basis for assessing and approving the installation of infrastructure relevant to the Shire.

These Guidelines are intended to underlie and support subdivisional conditions applied by the Western Australian Planning Commission (WAPC) pursuant to the *Planning and Development Act 2005*. The Guidelines encompass current legislation and best practice minimum engineering standards.

They are intended to guide local government and the development industry through engineering specification, construction and post construction subdivisional approval. IPWEA has committed to update the guidelines on a biannual basis.

### 2.2 Road Standards for Areas other than Urban Development

It needs to be noted that the road standards included in the Guidelines are taken from the “Liveable Neighbourhoods” document produced by the WAPC which was produced as an operational policy for the design and assessment of urban subdivisions.

All references dealing with rural, industrial and commercial road standards in the Guidelines and needs more clarification, this has been completed taking into account Council’s current road construction standards, the “Road Asset Management Plan” and the Level of Service standards included in the MRWA “Roads 2025 Regional Road Development Strategy” document.

Roads in these categories are to be constructed in accordance with the information detailed in Management Practice for Road Standards for areas other than Urban Development.

### 2.3 Bonding Outstanding Works

On occasions developers apply to lodge bonds in the form of cash payment or bank guarantees for outstanding works so that they can commence the process of progressing subdivision clearance to obtain titles for newly developed lots.

Section 1.20 of the Guidelines sets out the processes regarding applications, agreements, calculations and administration of these bonds. The fee and charges to administer bonds are set through the Annual Budget.

Policy Detail	
<b>Responsible Directorate</b>	Infrastructure Services
<b>Responsible Department</b>	Engineering
<b>Responsible Officer</b>	Manager Engineering
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)



## Policy W6 – Guidelines for Subdivisional Development

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<b>Council Adoption</b>	<b>Date / Resolution</b>	27 August 2009 (OCM09/152)
<b>Amendment Record</b>	<b>Date / Resolution</b>	29 April 2010 (OCM10/077)
		26 July 2012 (OCM12/149)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

## Policy Intent

To indicate support for the replacement/procurement of the Shire of Murray light vehicle fleet based on specific vehicle configurations for the different positions, organisational roles and functions.

## Policy Statement

### 1. Selection Criteria

The following criteria will be considered when purchasing a vehicle:

- value for money (price);
- Safety Standards including Ancap Star Rating
- fuel efficiency resale value warranty periods; and
- servicing costs and intervals.

### 2. Vehicle Type and Configuration

The Executive Leadership Team determines the appropriate configuration of light vehicles for the organisation as outlined in the Light Vehicle Replacement Management Practice.

### 3. Definitions

**'Light vehicle'** means a conventional passenger and/or a special use vehicle with no more than 5 seats, and a 4x2 or 4x4 utility with a carrying capacity of less than 2 tonnes.

### 4. Fleet Replacement

The full changeover cost of the light fleet is to be incorporated into the Plant Replacement Reserve fund to ensure maximum safety and economic benefits for the light vehicle fleet.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Infrastructure Services	
<b>Responsible Officer</b>	Director Infrastructure Services	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 October 2009 (OCM09/243)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 June 2011 (OCM11/090)
		26 July 2012 (OCM12/149)
		29 August 2013 (OCM13/147)
		26 June 2014 (OCM14/044)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		18 December 2025 (OCM25/159)

### 1. Policy Intent

To standardise the street signs throughout the Shire of Murray (Shire).

### 2. Policy Statement

That street name signs meet the following specifications:

- all signs shall be blue on yellow, reflective;
- shall have the Shire logo displayed;
- shall have a 150mm blade width;
- shall have 100mm lettering; and
- shall have rural street number indicators where applicable.

All signs which are damaged and require replacement shall be progressively converted to the above design standard.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2028 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0439)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)
	<b>Date / Resolution</b>	18 December 2025 (OCM25/159)



## Policy W9 – Non-Standard (Decorative) Street Lighting

### 1. Policy Intention

To provide guidance to developers regarding the requirements expected by the Shire of Murray when applying non-standard (decorative) street lighting in new subdivisions.

### 2. Policy

Non-Standard (Decorative) Street Lighting within Subdivisions will only be approved under the following conditions:

- must be part of Western Powers' Street Vision contract (i.e. must use Western Powers' decorative Street Lights);
- all electrical connections to be installed in accordance with current Western Power guidelines;
- layout and design of street lighting to comply with current Australian Standards;
- the developer is responsible for providing all work and associated costs for the design, supply, installation, connection, commissioning, insurance and maintenance of the entire installation; and
- the developer is responsible for ensuring compliance with all relevant authorities and obtaining the necessary approvals.

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Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	19 November 1998 (SCM98/0443)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 April 2006 (OCM06/060)



# Policy W10 – Road Verge Directional Signs

Shire of Murray

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## 1. Policy Intention

To standardise the road verge directional signs throughout of the Shire of Murray (Shire).

## 2. Policy

The Director Infrastructure Services is authorised to determine applications for directional signage in accordance with this policy. Applications which do not conform to the policy are to be referred to the Council for consideration.

The policy attempts to balance the need to keep to a minimum, unnecessary signs which create aesthetic problems, particularly in town sites, while still allowing for the necessary directions to be given to the travelling public. It should be noted that these signs are for direction to a business only and are not to be regarded as advertising signs.

It is acknowledged that a number of directional signs can greatly increase the viability of local businesses. It must also be recognised that large numbers of signs at any town site and rural intersections can reduce road safety, clutter up the landscape and greatly reduce the high-quality aesthetic and natural beauty of this region.

Businesses and tourist attractions are encouraged to make maximum use of Visitor Centres and similar outlets for advertising and giving directions.

For this policy, single businesses shall be those having a separate business registration.

### 2.1 General

This policy provides information to the public on Council's requirements for the provision of directional signs on Council controlled road verges for businesses, public facilities, such as sports grounds; government offices and institutions. Community signage is to include police, hospital, churches, community facilities, recreation facilities and emergency services.

### 2.2 Conditions for Signage

**2.2.1** Attractions and businesses on land zoned Commercial, Service Industry and Industry in the Town Planning Scheme are not permitted directional signs due to multiple similar services.

**2.2.2** In town sites, directional signage for petrol stations, caravan parks and camping grounds will be permitted and are to feature only symbols as per the Australian Standard.

**2.2.3** Attractions and businesses not zoned Commercial, Service Industry and Industry in the Town Planning Scheme may have directional signs in accordance with Clause 4.1.1 providing the following criteria are met:

- be a registered business and located within the Shire boundaries;
- open at least one day on weekends and one other day of the week;
- be a member of the local recognised tourist organisation;
- must be a business approved by Council;
- be clean and presentable to attract visitors; and
- keep a record of visitor's numbers.

The attractions and businesses may include, but not be limited to:

- Arts and craft;
- Pottery;
- Galleries;
- Café;
- Restaurant;
- Accommodation;
- Wineries;
- Breweries;
- Attractions of public interest; and
- All other businesses permitted or approved by Council.

## **2.3 Approvals and Erecting Procedure**

**2.3.1** The Shire is to be the signage approval authority for Shire roads and jointly with the Main Roads of WA for signs on state roads or highways.

**2.3.2** The Shire is to be responsible for the progressive replacement of non-conforming existing signs with new signs.

**2.3.3** Each business will be responsible for the cost of any new signs, including installation, ongoing maintenance and standard Shire fees.

**2.3.4** The location of the directional signs will be at the discretion and responsibility of the Shire.

**2.3.5** The sign remains the property of the business with ongoing maintenance and replacement through theft, vandalism or accident being at their cost.

## **2.4 Numbers of Signs Allowed Per Business**

**2.4.1** A maximum of three signs may be allowed for a single business on Council controlled road verges. Signs on Main Roads WA controlled road verges will be included in this number. The Director Infrastructure Services may approve additional signage if considered necessary to assist the travelling public.

**2.4.2** Directional signs will only be allowed for signposting from the nearest major roads. Directional signs may not be approved to direct more than 10km along a road if the business is not on that road as per the Tourism Commission Guidelines for Tourism Signs.

**2.4.3** Signage stacks can be installed at either end of a loop road; however, businesses on loop roads may only have directional signage on one end of the loop road that is nearest to their business.

**2.4.4** Individual businesses may have one advanced warning sign (symbol only plus distance in metres) installed at either approach to their business and at their cost (e.g. bunch of grapes, bed or fork and spoon for symbol). Businesses will need to select one symbol if more than one business type operates from any one location.

## **2.5 Sign Specifications**

**2.5.1** All Business Directional Signs shall conform to the following requirements:

- length – 1.8m maximum;
- be single sided on a 200mm high full colour plate and 120CN lettering;

- include a distance to the facility, in whole numbers greater than 1km;
- the name can have a maximum of eighteen characters including spaces and is to include a reference to the business type (ie: Warren Wines, Brendan's B & B, Henries Restaurant, etc). If the sign is to be placed less than 1 kilometre from the business with no distance indicated, a maximum of nineteen characters including spaces is allowed; and
- include an arrow.

No business logo's or symbols to be included on directional sign. See the Shire Record Management System at D17/71860 for sign dimensions and layout.

**2.5.2** All directional signs are to have Class 1 white reflectorized lettering and numbers on either a blue, brown or green background.

**2.5.3** Service and community directional signs, recreation facilities plus Council controlled parkland directional signs are to have a blue background.

To qualify for a brown background sign, attractions and businesses must be approved by the Tourism Commission in accordance with their guidelines with proof of this approval required upon application.

All destination signs (signs directing to other town sites) are to have a green background.

**2.5.4** All signs are to be erected on 76.1mmOD x 4.5mm powder coated galvanised poles of colours as detailed in Shire Record Management System at D17/71858.

**2.5.5** Wherever possible Information Bays referred to in clause 2.8.2 below shall be constructed to:

- angle signage towards approaching vehicles for better visibility;
- allow for a turn-around for vehicles for travellers not wishing to continue along that road; and
- include provision for a map.

## **2.6 Wood Routed Signs**

**2.6.1** No wood routed signs will be allowed on Council's road verges, unless approved by Council.

**2.6.2** Wood routed signs for Department of Biodiversity, Conservation and Attractions facilities may be approved.

## **2.7 Symbolic Signs**

**2.7.1** Council will provide a dedicated symbol sign directly under the road name on a sign stack with a maximum of six relevant symbols. No symbols will be allowed on individual directional signs. A business can nominate a maximum of two symbols with either one or both included on the symbol sign. No symbol to be repeated.

**2.7.2** Symbol signs on Shire roads are to be 1800mm long and 300mm high flat plate with 200 high, Class 1 white reflectorised symbols on a blue background. Symbol signs on Main Road WA controlled roads are to be 1800 long and 400 high flat plate with 300 high, Class 1 white reflectorised symbols on a blue background. Provide a 10mm white border set in 10mm all round.

## 2.8 Vertical 'Banks' of Directional Signs (Sign Stacks)

- 2.8.1** Where a number of directional signs pointing in the same direction are to be erected at the one intersection, then these signs, up to a maximum of seven for town sites and five for rural areas (excluding the road name and symbol sign) will be installed as a vertical stack with the street or road name sign on top followed by the symbol sign.
- 2.8.2** If more than the number of directional signs allowed in clause 2.8.1 is required at any intersection, the directional signs may be relocated to an information pull off bay in an appropriate position as determined by council officers. Symbol sign and community service signs will still be located at the intersection below the road name. A plate saying "INFO BAY 100M" will be installed on the Sign Stack.
- 2.8.3** Separate businesses (e.g. café, winery, cidery) on the one location may have separate signage on a sign stack until the limits in 2.8.1 above are reached. A limit of one sign per location will then apply with additional signs for that location being removed. This should extend the life of each sign stack before signs are then relocated to an information bay.
- 2.8.4** An advanced warning sign will be installed for existing and future Information Bays.
- 2.8.5** Generally information pull-off bays will only be constructed in town sites at Council's discretion.

## 2.9 Height and Installation Requirements

### 2.9.1 Sign stack heights:

The minimum clearance to the bottom sign on a sign stack is to be 1.5 metres, if there are no issues with sight lines, pedestrian movements or vehicle parking. At this height, the area under the sign is to be blocked, thus preventing any form of passage.

If there are concerns with sight lines, pedestrian access or vehicle parking, the minimum clearance to the bottom sign is to be 2.1metres. Minimum heights are to be calculated on a full sign stack as per clause 2.8.1.

### 2.9.2 Single signs in town sites:

The lowest point on any single sign installed shall not be lower than 2.6m above ground level.

### 2.9.3 "Mid-block" directional signs will be allowed in rural areas only.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 May 2008 (OCM08/112)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		30 May 2013 (OCM13/068)
		22 February 2018 (OCM18/008)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)



# Policy W11 – Internally Illuminated Directional Signs

## 1. Policy Intention

The purpose of this policy is to provide an adequate and effective standard for internally illuminated signs to direct people to various business and community facilities within the Shire of Murray (Shire) district. It is also to provide for the orderly and regulated erection of internally illuminated signs and to ensure that illuminated directional signs do not cause any loss of amenity or adversely affect the natural or built environment or the efficiency, safe use or appearance of any road.

## 2. Policy

The Director Infrastructure Services is authorised to determine applications for internally illuminated directional signage in accordance with this policy. Applications which do not conform to the policy are to be referred to the Council for consideration.

### 2.1 General

This policy provides information to the public on Council's requirements for the provision of internally illuminated directional signs on Council controlled road verges for businesses, public facilities, such as sports grounds; government offices and institutions. Community signage is to include police, hospital, churches, community facilities, recreation facilities and emergency services.

### 2.2 Approval Process

Before the erection of any internally illuminated directional sign in a road reserve within the district a proponent will be required to address the following matters:

#### 2.2.1 Compliance with Guidelines

All proposals for the erection of internally illuminated directional signs shall comply with these guidelines, although compliance with the guidelines alone shall not ensure approval.

#### 2.2.2 Agreement

The proponent will be required to enter into a deed of agreement with the Shire of Murray covering the specifications and conditions under which the proponent may operate within the Shire.

#### 2.2.3 Applications

Applications shall be in duplicate and shall be made individually for each and every sign. Applications shall include the following information:

- site plan;
- details including a drawing of the sign message/s;
- certified engineering drawings; and
- Main Roads Western Australia (MRWA) approval if the proposed sign is situated on a declared main road and Council does not have delegated approval authority or within a traffic signal control area.

Signs proposed to be located within the boundaries of highways and main roads (under the control of MRWA) shall be subject to assessment in accordance with the

*Main Roads (Control of Advertising) Regulations 1996* Guide to the Management of Roadside Advertising, as amended, from time to time.

#### **2.2.4 Submission**

All applications for illuminated street signs are to be submitted to Council for determination.

#### **2.2.5 Approval**

Should the proposed sign be approved, one copy of the stamped approved drawings shall be returned to the proponent and one copy shall be retained by the Shire of Murray for record keeping purposes.

### **2.3. General Requirements**

#### **2.3.1 Messages**

- (a) All commercial messages are to be related to businesses or business facilities situated within the Shire.
- (b) The Shire will not support general/generic advertising messages for products or services not provided by local businesses within reasonable proximity to the sign.
- (c) Council will not support messages that it considers to be advertising facilities or services that could cause offence or are illegal or immoral.

Guidelines for the use of electronic messages are as follows and the electronic message system shall not be used for the display of matters of the following nature:

- messages of a political nature;
- messages that advertise businesses outside the district;
- messages likely to encourage or inflame racial hatred;
- messages which do not conform to accepted standards of decency and morality;
- messages contrived to mislead; and/or
- messages pertaining to illicit products or substances.

All of the above cases shall be subject to the absolute determination of the Shire and the sign proponent shall agree to extinguish any message so determined immediately upon demand of the Chief Executive Officer or his duly authorised agent.

Electronic messages shall be of a static display with minimum 100mm high illuminated lettering in 60km/h zones and minimum 120mm in 70km/h and 80km/h zones.

#### **2.3.2 Locations**

- (a) Internally illuminated directional signs shall generally be restricted to commercial and industrial areas of the district and would not normally be supported in a residential area.
- (b) Generally, signs shall be located at or as close as possible to the principal road junctions.
- (c) Devices are generally not permitted within or in the vicinity of intersections where traffic speed and movements are such that the driver needs to

concentrate fully on the task of driving (e.g. at channelised intersections where high-speed arterial traffic does not proceed straight ahead).

Signs shall be limited as follows:

- T junction - no more than one sign;
- cross intersection - no more than two signs;
- signs are not to be located on traffic islands or in the centre of roundabouts;
- signs shall be located such that the nearest point to a notional line drawn vertically from the face of the kerb shall be not less than 600mm. In areas where the edge of the carriageway is not kerbed, no portion of the device shall be closer than three metres to the edge of the carriageway;
- signs shall not be located in positions which detract from the aesthetics, amenity or streetscape of the locality in which it is situated; and/or
- in all cases the final location of signs shall be subject to the discretion of the Shire.

### **2.3.3 Description of Signs**

- (a) Each sign shall bear a street name or direction to a civic amenity or other Council approved message below the advertisement.
- (b) The street name is to be readily visible (contrasted/highlighted) where included in the same box as the service/community message:
  - (I) The advertising panel will comprise two faces only. Each face shall not be greater than 2.75 square metres in size (excluding the street name portion of the sign) and shall include the local government name and crest or symbol and the community message. The total area of the sign is the actual surface area of the sign (excluding the street name portion of the sign) but including any borders;
  - (II) The maximum height of the device including all attachments shall be 6.2 metres; and
  - (III) The size of the street name box shall not exceed 1200mm x 450mm.
- (c) Sign faces shall be manufactured from damage resistant materials (glass or acrylic is not permitted).
- (d) The main sign shall have a minimum clearance of three metres between the lowest illuminated portion of the sign and ground level.
- (e) Street name boxes will be provided on each sign and located below the main sign, the minimum clearance to the street name box shall be 2.2 metres.
- (f) All street names and civic messages shall comply with the Australian Standard AS1742.5 2009 for street and community signs.
- (g) All signs shall be erected in accordance with the proper electrical standards and the power supply to the sign units shall be underground.
- (h) All signs, poles and associated fittings are to be constructed in accordance with current Australian Standards. Each sign unit is to have a frangible level above the base plate and the structural adequacy of the sign and its frangible support is to be certified by a suitably qualified practicing structural engineer.

- (i) All sign units are to be non-flammable.

## **2.4 Basis for the Deed of Agreement**

### **2.4.1 Rental**

- (a) The proponent shall pay the Council an annual rental or licence fee for any sign located in the road reserve or other reserve in the care, control and management of the Council.
- (b) The initial fee for the first year of the agreement is to be as set out in the Shire's Schedule of Fees and Charges adopted as part of its annual budget. The fee will be subject to upward change in accordance with the Perth (All Groups) Consumer Price Index (CPI) annually for the term of the agreement.
- (c) Where signs incorporate an electronic message system, The Shire may require 50% of the advertising space in the electronic message system to be offered, free of cost, to the Shire in lieu of site rental, subject to the Council's acceptance and if not required by the Council the full fee applies.

### **2.4.2 Duration of Approval**

- (a) The approval shall have an initial duration of five years which shall commence from the date of the Council approval with the option to extend the approval for a further period not exceeding three years at the discretion of the Council.
- (b) If the proponent is in breach of the policy then the Council may revoke its approval and if there are any outstanding debts, these may be recovered in a court of competent jurisdiction.

### **2.4.3 Ownership and Maintenance**

The proponent shall retain ownership of the sign and shall implement a maintenance programme as indicated below as a minimum:

- clean and safe condition at all times at no cost to the Shire;
- in the case of emergency, should it be necessary for the Shire to remove, repair or otherwise modify the sign for any reason, the whole cost of such work shall be borne by the proponent; and
- the proponent shall meet the full cost of any electrical connection and electricity supply.

### **2.4.4 Relocation or Removal**

- (a) The Shire shall advise the proponent in advance of any road or other works that may require the removal or relocation of the sign and the proponent shall remove or relocate the sign at the proponent's cost.
- (b) The Shire reserves the right to have the illuminated sign repositioned or removed at any time either permanently or temporarily, without cost to the Shire.
- (c) The removal of signs by the Shire will only be exercised in any or all of the following circumstances:
- where the sign has not been maintained to the satisfaction of the Shire;

- where the sign is damaged or the legend has become illegible;
- where roadworks and/or the installation of public utility services necessitates the removal of the sign;
- where there is a substantial change in the nature of traffic or the alignment of the road in the vicinity of the sign;
- where the road is reclassified to accommodate a higher speed;
- where the message conveyed on the sign in the opinion of the Council is no longer current, appropriate or acceptable;
- where the proponent has not complied with the terms of the approval for the sign issued by the Shire; and/or
- at the termination of the approval period the proponent shall completely remove the sign (including footings and cabling) and reinstate the roadway at the proponent's cost.

#### 2.4.5 Legal Costs

The proponent shall pay all costs incurred by both parties of and incidental to the preparation, execution and stamping of any agreement that may be prepared between the proponent and the Shire.

### 2.5 Indemnity

**2.5.1** The proponent shall indemnify the Shire against any claim or action and shall procure and maintain a Public Liability Insurance Policy to twenty million dollars in the names of the proponent and the Shire.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	26 February 2009 (OCM09/012)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
		30 May 2013 (OCM13/068)
		22 February 2018 (OCM18/008)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)



## Policy W12 – Private Works

### 1. Policy Intention

To confirm support for private works requests from residents, organisations or others located in the Shire of Murray.

### 2. Policy

Where private works are undertaken full cost recovery, inclusive of labour, material, plant and on costs), plus 30% will be applied to limit direct impact on local contractors.

Before proceeding with any private works with a project value of \$100,000 or more, Council approval shall be obtained.

Appropriated procedures are to be maintained for quotes and other matters relating to private works.

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Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Infrastructure Services	
<b>Responsible Officer</b>	Director Infrastructure Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0352)
<b>Amendment Record</b>	<b>Date / Resolution</b>	24 April 2008 (OCM08/088)
	<b>Date / Resolution</b>	30 April 2009 (OCM09/060)
	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)



## Policy W13 – Naming of Localities, Roads, Parks, Reserves and Buildings

### 1. Policy Intention

To establish a process for dealing with the naming of Localities, Parks, Reserves, Shire Buildings and Roads.

### 2. Policy

The Shire will undertake any naming actions generally in accordance with the below requirements.

Where there is an inconsistency between this Policy and Landgate's Policies and Standards for Geographical Naming in Western Australia, and Landgate's Aboriginal and Dual Naming Guidelines, the Landgate Policies, Standards and Guidelines shall prevail.

Names of living persons are by their nature subject to partisan perception and change in community judgement and acceptance. For this reason, names that commemorate or may be construed to commemorate living persons will not be considered.

Aboriginal place names may be adopted where these names are appropriate to the locality, provided that consultation occurs with the relevant Aboriginal groups and there is an agreement on the use of the proposed name.

All requests for naming will be assessed against this Policy and Landgate's Policies and Standards and Guidelines.

#### 2.1 Localities

- (a) Locality names shall not be duplicated locally, within the State or Nationally.
- (b) A locality name should be non-controversial, have broad based local community support and be acceptable to the wider community and not divisive.
- (c) A locality name shall not be abbreviated or contain an abbreviation or acronym. e.g. "Mount" shall not be abbreviated; however, "St" may be used as an abbreviation for "Saint".
- (d) A locality name shall not contain diacritical marks, full stops or numerals.
- (e) A locality name shall not include possessive apostrophes (e.g. "Bethels Green" not "Bethel's Green").
- (f) Apostrophes forming part of an eponymous name (e.g. O'Neill) may be included.
- (g) A locality name shall avoid the inclusion of qualifying terminology, cardinal indicators or similar prefixes or suffixes (e.g. Upper, New, North, South). Where such is unavoidable, it should only be used as a suffix in order to minimise ambiguity and confusion.
- (h) Locality names shall have uniformity of spelling with associated feature names, in that names derived from same source should have same spelling (e.g. McDonnell, Mount McDonnell, not McDonnell, Mount MacDonnell).
- (i) A locality name should preferably be a single word.
- (j) Locality names shall not be similar in spelling or sound (e.g. Wytmont, Whitmont) to any other locality, within the state and preferably not within the country.
- (k) Traditional indigenous names should be recognised.
- (l) Where locality names may be derived from indigenous sources, the local indigenous community shall be consulted for input and endorsement.
- (m) Where a name is derived from an indigenous language it shall comply with the

written form, should one exist and be supported by evidence to satisfy the Naming Authority.

- (n) Locality boundaries should not separate areas of community interest.
- (o) Locality boundaries shall follow definite and distinguishable community or physical features or barriers (e.g. creeks, rivers, breaks in residential developments, large open spaces, centrelines of major roads, railways or pipelines etc).
- (p) Locality boundaries shall not extend across local government boundaries.
- (q) Promotional “Estate Names” used for marketing purposes are not acceptable as a substitution for a Locality Name.

## 2.2 Road Names

The allocation of road names for new roads, shall be based upon all such names being taken from an approved Shire of Murray Register of Road Names adopted by the Council, from time to time, and endorsed for use by Landgate’s Geographic Names Committee.

Developers of all subdivisions and/or developments that create new roads which do not have a name allocated to them are required to:

- choose road names from the approved Register of Road Names and submit that information to the Shire and Landgate; or
- submit a list of alternate road names, together with origins for the names and the reasons for the new road names, to the Shire for consideration.
  - (a) All public roads shall be named uniquely and unambiguously.
  - (b) All roads that can be used as part of an address for an address site shall be named.
  - (c) All private roads that are accessible to the public shall be named. This includes, but not limited to, roads within complexes such as universities, hospitals, retirement villages, and roads in forests, parks, or other public reserves etc.
  - (d) The name of a road shall be unique and unambiguous within the local government area and within the locality. To avoid all risk of confusion of location, it should preferably be unique across neighbouring local governments.
  - (e) All road names shall include a road type. Road types shall be selected from the specified lists that convey their function.
  - (f) Road name extensions (suffixes) after the type shall not be used. (e.g. Smith Street South).
  - (g) Irrespective of the road “type” assigned, a road name shall be unique. Road names with the same name but different in type are not considered unique (e.g. “Smith Lane” and “Smith Street” are not acceptable).
  - (h) A single name may be assigned to a road that passes through more than one local government area. In such cases the name and extent of the road should be determined through liaison with the relevant naming authorities.
  - (i) The start and end points of a road/road name shall be clearly identifiable.
  - (j) Other than a median strip, the extent of a road name shall not include more than one length of physically contiguous road, i.e., not have two or more separately drivable sections.
  - (k) A length of road shall have only one name.
  - (l) Road name prefixes shall not be used.
  - (m) A directional or similar device shall not be used as a prefix or a suffix to

uniquely define road extremities, i.e. names such as White Road “East” / White Road “West” are not acceptable road naming practice. Such extremities shall be separately and uniquely named.

- (n) The naming of a road using “origin-destination” shall not be permitted. A road name shall consist only of letters and spaces and, where necessary, a hyphen, apostrophe or macron. Excepting an anglicising apostrophe in a surname (e.g. “O’Connor” Road), road names shall not include possessive apostrophes (e.g. “Burkes Road” not “Burke’s Road”), numerals, full stops or other diacritical marks.
- (o) Road names shall not be abbreviated or contain an abbreviation or acronym. e.g. “Mount” shall not be abbreviated; however, “St” may be used as an abbreviation for “Saint”.
- (p) A road name shall have the same spelling as any associated or source name (i.e. McDonnell and McDonnell Road, not McDonnell and MacDonnell Road).
- (q) Names should generally be simple, easily pronounced, and easily understood.
- (r) The road name and type should be relatively short and shall not exceed 40 characters in total.
- (s) “Unique” and “unambiguous” as it applies to a road name also means that it shall not sound similar or be spelt similar to another name.

Where existing roads are extended into new sub divisional estates, the existing road name shall apply, so as to avoid confusion for road users.

### **2.3 Naming of Parks, Reserves and Buildings**

The naming of Parks, Reserves and Shire Buildings will be assessed against this Policy, to meet Landgate’s requirements, and to apply the following criteria:

- (a) Priority will be given to the naming after an adjacent street or feature to maximise the identification of that park, reserve or building within an area. The ‘road type’ is not to be included as part of the name. (e.g. Humphrey Park after Humphrey Street; Pelican Park which is located on Pelican Road; Murray House which is located on Murray Street).
- (b) ‘Reserve’ is only to be used as part of the name if the whole of the area to be named is reserved under the Land Administration Act 1997 and therefore has a reserve number.

The term ‘Reserve’ generally applies to conservation reserves and public open space (POS) classified as District level, which are often sports related. (e.g. Recreation Reserve / Sports Reserve).

- (c) Proposals to name parks, reserves and buildings, other than as above, should include evidence of strong written community support for the name proposed.
- (d) For names that commemorate or may be construed to commemorate a person, the person being honoured, should be:
  - 1. Deceased; and
  - 2. Have either had a direct long-term association with the area, or have made a significant contribution to the park, reserve or building, in the form of one or more of the following:
    - (I) two or more terms of office on local government council (Shire of Murray);
    - (II) thirty or more years’ voluntary association with a local community group or service club, based in the Shire. Service to the local community group or service club must have been voluntary;

- (III) action by an individual to protect, restore, enhance or maintain the asset being named, that produced substantial long-term improvements for the community; and
3. Of good repute and not likely to be the subject of controversy.
- (e) Names commemorating a person may either be their given name and surname combined, or given name or surname only. (e.g. George Brook Reserve, named after George Bouglas; Don Spark Reserve, after Don Spark; Cantwell Park after Albert Richard Cantwell).
- (f) Death and former ownership of land are not acceptable reasons for proposing a name, unless previous criteria apply.
- (g) Components of POS, such as 'Oval' or 'Playground' are generally not to be used in the main name. (e.g. Dwellingup Trails Precinct, rather than merely 'Dwellingup Oval', which is only one component of the place).
- (h) The term 'Park' usually denotes POS of Local or Neighbourhood classification. (e.g. Sandy Cove Park, York Park).
- (i) The term 'Precinct', as used by the Shire, denotes those reserves with a hall or other use included within the reserve/POS. (e.g. North Dandalup Community Precinct).
- (j) The term 'Foreshore' describes POS whether or not in a reserve (as with the Shire's designated Road Reserve foreshore areas) along a river or estuary foreshore. (e.g. Furnissdale Bridge Foreshore, Wellya Foreshore).
- (k) 'Launch Facility' denotes boat ramp areas as per Department of Transport protocols. (e.g. Batavia Quays Launch Facility).
- (l) For reserves classified as 'Restricted Reserves', being reserves that serve a particular function or functions that restricts their use to that function, and/or restricts public use or access, that function may form part of their name in combination with naming conventions as outlined above. (e.g. Coolup Emergency Services Precinct).
- (m) Dual naming of parks, reserves and buildings is encouraged, to recognise traditional indigenous names, and to provide dual naming and explanation/story on signage etc. (e.g. North Pinjarra / Carcoola Hall).
- (n) Generic naming, such as 'Centenary Park', 'Memorial Park' are generally not encouraged, although historic instances exist. Parks and reserves are to have more descriptive names that more accurately and easily identify their location and specific attributes.

## 2.5 Renaming of Parks, Reserves and Buildings

- (a) Names chosen for parks, reserves and buildings are expected to be permanent, and renaming is discouraged. Circumstances for considering new names are:
- the person/body/entity after which the facility was named has been discredited or dishonoured;
  - the name is duplicated elsewhere in the Shire;
  - it has been found that the information submitted regarding the naming of the facility is factually incorrect;
  - the name is no longer appropriate in historical or geographical terms;
  - the name is no longer appropriate because it is likely to cause distress to members of the community;
  - Landgate direction;
  - any other reason deemed appropriate at Council's discretion.
- (b) Evidence of substantial community support for a change of name must be provided.

## 2.6 Application to Name or Rename a Park, Reserve or Building

- (a) Anyone seeking to propose a name or rename must submit their proposal in writing. The applicant will be required to provide the following:
- ensure the name meets the requirements outlined in this Policy;
  - detailed reasons for the naming;
  - supporting evidence and research material.
- (b) If the proposal is to name after a person, the applicant must demonstrate that the person was of good repute and not likely to be the subject of controversy. If the applicant is not an immediate relative, written permission of the family is to be included in the submission.
- (c) The applicant must ensure that all material supplied to the Shire is accurate, objective and not a distortion of actual facts. The proponent may be required to provide additional evidence or research material to further substantiate the proposal.

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Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Infrastructure Services	
<b>Responsible Officer</b>	Director Infrastructure Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	17 September 1998 (SCM98/0310)
<b>Amendment Record</b>	<b>Date / Resolution</b>	26 May 2005 (OCM05/085)
		30 April 2009 (OCM09/060)
		26 August 2010 (OCM10/184)
		26 July 2012 (OCM12/149)
		22 July 2021 (OCM21/114)
		23 June 2022 (OCM22/070)
		23 March 2023 (OCM23/025)

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Shire of Murray

## Policy W14 – Construction of Private Launching Ramps – Yunderup Canals – Stage One

### 1. Policy Intention

To specify guidelines for the construction of launching ramps within the Yunderup Canals.

### 2. Policy

- (a) That in the canal estate known as Yunderup Canals Stage 1, launching ramps be generally required to terminate at the boundary of the applicant's property and not project into the water, allowing freedom of movement for mechanical maintenance plant. However, where the ramp is part of a fixed structure specifically used for the removal of a vessel the ramp may protrude no more than 1.8 metres from the boundary. The height of the ramp lip on the property boundary should be 0.5 metres below the mean summer tide level.
- (b) That applicants be directed to the Department of Transport as the licensing authority who will, by arrangements, consult with Council's Infrastructure Services.
- (c) That where ramps protrude into the canal beyond the property boundary, applicants shall indemnify Council against all costs associated with the application, design, construction, ongoing maintenance of the structure or any other costs.
- (d) Applicants shall complete an application for approval to commence development and pay the appropriate fee prior to any works commencing.

Policy Detail		
<b>Responsible Directorate</b>	Planning and Sustainability	
<b>Responsible Department</b>	Planning and Environment Services	
<b>Responsible Officer</b>	Manager Planning and Environment Services	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0372)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 August 2001 (OCM01/280)
	<b>Date / Resolution</b>	26 July 2012 (OCM12/149)
	<b>Date / Resolution</b>	19 December 2019 (OCM19/270)



# Policy W15 – Street Verges and Streetscaping

## 1. Policy Intention

To establish a guideline to encourage residents and ratepayers to maintain and rehabilitate road and street verges throughout the Shire of Murray (Shire).

## 2. Policy

- (a) Verge sand will be made available from the Corio Road Waster Transfer Station to Shire ratepayers for the specific use of topdressing road verges.
- (b) Where the Shire plant street trees, the residents of the area be encouraged to water and maintain them.
- (c) In an effort to enhance the townscape amenity of all communities throughout the Shire, a budget allocation will be set aside each year to enhance the verge areas which shall include a provision for planting street trees.
- (d) The Shire encourages residents to enhance verges in urban areas to enhance the streetscape and amenity of the area. All verge treatments to be in accordance with Shire of Murray Council local laws and works can only be undertaken after the approval by the Director Infrastructure Services, or his representative.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	1 December 1998 (SCM98/0369)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 May 2004 (OCM04/114)
		26 July 2012 (OCM12/149)
		26 June 2014 (OCM14/077)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)



## Policy W16 – Street Tree Removal

Shire of Murray

### 1. Policy Intention

Trees are an asset which contributes to the wellbeing of the community and the natural environment. This policy focuses on the protection of trees and provide guidelines to provide a process to be followed when evaluating the need for street verge tree removals in the urban areas, within the Shire of Murray (Shire).

### 2. Policy

- (a) Street trees are a valuable asset of the Shire, that should only ever be removed as a last resort.
- (b) Before trees are removed, an evaluation will be undertaken on the road condition or its location in the road reserve. Only trees that present a safety hazard or are causing significant deterioration to the road pavement shall be removed, and only after all avenues have been explored to contain and direct root growth.
- (c) Wherever possible, where roots encroach into the road pavement, roots shall be root ground or root pruned using sound arboricultural practices’.
- (d) Trees will not be removed unless authority has been given by the Chief Executive Officer or the Director Infrastructure Services.
- (e) Where tree removal is necessary, properties within twenty metres of the tree shall be informed via a letterbox drop.
- (f) Where it becomes necessary to remove the tree, a replacement tree may be planted and where practical the adjoining landowner shall be asked to care for it until it is established.

If a replacement cannot be planted in the immediate vicinity the replacement tree will be planted as close to that location as practically possible.

- (g) Where development occurs, it is expected that all necessary measures will be undertaken to preserve street trees when designing access ways to lots. In instances where the design does not permit retention of the street tree, and all retention attempts have been exhausted developers will bear the full removal and replacement cost.
  - Options such as transplanting and replacements with advanced trees will be considered by the shire at the cost of the developer.
- (h) Requests for removal of street trees from the public will only be considered when submitted in writing to the Director Infrastructure Services. Trees will not be removed for the following reasons:
  - leaf, flower, nut, twig and generally naturally occurring litter;
  - to establish or enhance views;
  - personal species preferences; or
  - to enable additional sunlight for Solar Panels.
- (i) Tree pruning of street trees from power lines is undertaken to meet statutory

requirements.

- (j) Tree pruning carried out as required to remove branches overhanging private property.
  - (k) Trees will not be pruned to prevent shading of Solar Panels.
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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	29 April 1999 (OCM99/129)
<b>Amendment Record</b>	<b>Date / Resolution</b>	27 March 2003 (OCM03/058)
		22 February 2007 (OCM07/023)
		29 April 2010 (OCM10/077)
		26 July 2012 (OCM12/149)
		26 June 2014 (OCM14/077)
		19 December 2019 (OCM19/270)
		23 June 2022 (OCM22/070)



## Policy W17 – Weed Control Works within Road Reserves

### 1. Policy Intention

- (a) To outline the standard operating procedures for Shire of Murray (Shire) staff and approved contractors responsible for the application of herbicides within the Shire's road reserves.
- (b) To ensure existing roadside vegetation is not adversely impacted whilst undertaking weed control works.
- (c) To ensure the Shire meets its legal responsibilities under the following legislation:
  - *Agriculture and Related Resources Protection (Spraying Restrictions) Regulations 1979*, made under provisions of the *Agriculture and Related Resources Protection Act 1976*;
  - *Local Government (Miscellaneous Provisions) Act 1960*;
  - *Land Administration Act 1997*;
  - Pesticide Regulations - made under provisions of the *Health Act 1911*;
  - Poisons Act Regulations - made under provisions of the *Poisons Act 1964*; and
  - Section 23(b) of the *Wildlife Conservation Act 1950*.

### 2. Policy

#### General Provisions-

- (a) The Shire's weed control works shall at all times be dictated by the following:
  - Road Design - which includes road geometry and soil type;
  - Road Reserve Width;
  - Road Classification and Traffic Volume;
  - Climate and Topography;
  - Vegetation Characteristics; and
  - Environmental Considerations.
- (b) Where circumstances such as the presence of declared species, a weed monoculture, or an existing or proposed roadside revegetation site exist, and there is clear benefit by undertaking weed control works in such an area. The Shire's weed control programme may extend beyond the maintenance area defined within this policy.
- (c) The Shire's operational staff shall undertake stakeholder consultation prior to undertaking major weed control works outside of the defined maintenance area.
- (e) The Shire acknowledges the need to undertake a survey of conservation value. This will enable the identification of priority weed infestations to be future targets of the control programme. It is proposed to achieve this through liaison with current and past weed control contractors, community groups, Land Conservation District Committee

(LCDC) groups and implementation of the pre-spray procedure detailed below.

- (f) Herbicide applications are to be limited within the “maintenance zone” which comprises the running surface, shoulder, table drain and batter; or distance of 1.5m from the road shoulder (whichever is the lesser). This is the area identified by the Shire as requiring regular, effective weed control to maintain stormwater drainage efficiency and roadside visibility and safety.
- (g) The frequency of herbicide application is to be kept to the minimum required for maintenance purposes. Generally, this comprises of a summer application targeting woody weeds, and a winter/spring application for annual grasses.
- (h) Weed control for living stream verges to be in accordance with adopted work procedure.
- (i) Weed control in close proximity to remnant vegetation, revegetation and regrowth to be in accordance with adopted work procedure.
- (j) Extreme care to be taken when incidence of Declared Rare Flora is located wiping of weeds with herbicide only.

Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	27 March 2002 (OCM02/072)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/060)
		26 June 2014 (OCM14/077)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)



# Policy W18 – Unkept Verge Management

Shire of Murray

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## 1. Policy Intention

Street verges have traditionally been described as that area of land situated between Council's road kerb and the adjoining private property.

To ensure that unkept street verges within the Shire of Murray are maintained to a minimum standard.

## 2. Definitions

In this Policy, the following definitions apply:

**'Unkept Verge'** for the purposes of this policy, unkept street verges are defined as any verge that:

- has not had irrigation installed between the road kerb and the adjoining property boundary;
- has not been improved by way of landscaping (excluding the street tree), garden beds, paving, gravel, mulch or other similar materials; and/or
- is covered with grass that has attained a height to an average uniformity coefficient greater than two hundred millimetres in every direction across the area, at the time a service is due.

## 3. Policy

### 3.1 Residential Zoning

(a) Unkept verges adjacent to land zoned "Residential" and unkept land within road reserves located in areas zoned residential may be mown:

- at a maximum of four times per annum;
- only upon receipt of a request or complaint from the public; and
- only upon receipt of a separate additional request or complaint for each and every occasion a cut is desired.

(b) The Standard of service shall be in accordance with the Shire of Murray's Levels of Service for the Mowing of Unkept Verges adjacent to land zoned Residential.

### 3.2 Development, Commercial and Rural Zoning

(a) Unkept verges adjacent to land zoned 'Development, Commercial, Industrial and Rural', shall be mown at a maximum of twice per annum, once during spring or summer and once during autumn or winter, depending on seasonal requirements.

(b) The standard service shall be in accordance with the Shire of Murray's Levels of Service for the Mowing of Unkept Verges adjacent to land zoned Development, Commercial, Industrial and Rural.

### 3.3 Arterial Roads

(a) Unkept verges of selected arterial roads shall be mown a minimum of two and

a maximum of six services per year, depending on the priority in which they have been categorised.

- (b) The standard of service shall be in accordance with the Shire of Murray’s Levels of Service for the Mowing of Arterial Road Reserves Priority One and Shire of Murray’s Technical Specification for the Mowing of Arterial Road Reserves Priority Two.

**3.4 Land under the Care and Control of Other Authorities.**

- (a) Unkept verges adjacent to land under the care and control of other authorities shall be assessed on an individual basis. The frequency and standard of mowing shall be determined on site by site basis.

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Policy Detail		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Operations	
<b>Responsible Officer</b>	Manager Operations	
<b>Next Policy Review / Schedule</b>	2025 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	27 March 2002 (OCM02/072)
<b>Amendment Record</b>	<b>Date / Resolution</b>	30 April 2009 (OCM09/060)
	<b>Date / Resolution</b>	26 June 2014 (OCM14/077)



# Policy W19 – Heavy Vehicle Cost Recovery – Guidelines for Sealed Roads

## 1. Policy Intention

The intention of this policy is to present a methodology and framework for heavy vehicle charging for a defined task on a sealed Local Government road. This includes the calculation of heavy vehicle charges, qualifying scenarios, funding administration and development of agreements.

## 2. Definitions

In this Policy, the following definitions apply:

**‘Agreement’** An agreement between the Local Government or Shire of Murray and a proponent defining the conditions of access including charges for a defined transport task.

**‘Proponent’** The party that is requesting to use a Local Government road for a defined freight task.

**‘Equivalent Standard Axle (ESA)’** The number of standard axle-loads which are equivalent in damaging effect on a pavement to a given vehicle or axle loading. Every vehicle combination can be expressed as a number of ESA.

**‘Annual Design ESA (ADESA)’** The predicted annual ESA that was used to design a road pavement structure. If this is unknown it may be estimated based on the average annual ESA from historic traffic counts or the annual ESA that would reasonably be expected for a particular Category of road under normal circumstances.

**‘Extraordinary Load’** An Extraordinary Load is defined as a freight task that will result in a significant increase in the ADESA resulting in damage to the road pavement and reduction in the structural design life of the road giving rise to extraordinary expenses as a result of increased routine and planned maintenance and premature failure necessitating rehabilitation or reconstruction of the road.

**‘Routine Maintenance’** Unplanned activities that maintain the serviceability of the road e.g. repairing potholes, cleaning drainage structures, repairing edge breaks and sweeping pavements.

**‘Preservation’** Planned maintenance and rehabilitation that are designed to preserve or extend the serviceable design life of the road e.g. crack sealing, resealing with a bituminous sprayed seal, rehabilitation of gravel shoulders and replacing culverts and kerbs.

## 3. Policy

### 3.1 Application

This policy applies to any party that plans to run a defined vehicle freight task on a Local Government Road(s). The task must be deemed to be of such a volume (extraordinary load) that it is likely to cause damage resulting in “extraordinary expenses”, which is damage that is well beyond what would normally be anticipated for the category of road(s) concerned.

If the Local Government considers that the defined freight task is likely to also effect roads in adjacent Shire(s) it will notify them accordingly.

### 3.2 Extraordinary Load

An Extraordinary Load is defined as a task that will result in a significant increase in the Annual Design ESA (ADESA) and will result in damage to the pavement and reduction in the structural design life of the road leading to extraordinary expenses.

An Extraordinary Load is assigned a nominal value of an annual ESA that is greater than 50% of the ADESA for the category of road concerned. The Local Government may decide that a different percentage is more appropriate depending on the individual circumstances. A lower percentage or a sliding scale may be deemed appropriate in circumstances where it is clear that the task is likely to cause damage resulting in extraordinary expenses.

The ADESA shall be determined using one of the following methods:

- (a) Historical pavement design information;
- (b) Engineering assessment based on traffic counts, pavement structure and condition performance; or
- (c) From figures provided in Table 1.

Table 1: Nominal 50% ADESA for sprayed sealed Local Government roads<sup>1</sup>

Road Category	50% ADESA
Access road	400
Local distributor	2000
Regional distributor	12000
District distributor	40000

<sup>1</sup>WALGA & ARRB 2015, adapted from Table C.1

### 3.3 Cost Calculation

The relevant charge shall be calculated using the User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks (WALGA & ARRB 2015). The Proponent shall provide the following information to the Local Government:

- the type and axle configuration of the vehicles to be used for the task;
- the annual freight tonnage for the task and the vehicle payload;
- the number daily vehicle passes;
- the duration of the task; and
- the task routing and distance.

The total annual ESA used to calculate the charge shall be the proposed annual ESA minus the applicable 50% ADESA or other appropriate percentage.

*Note: that this method was designed for sprayed sealed roads. Asphalt roads will require a modified or different approach.*

### 3.4 Negotiation

The following conditions may necessitate negotiation with the Proponent to adjust the calculated charge or to use an alternative methodology:

- (a) If the Category of road has been purposely constructed to a level that is

markedly different to the ADESA in Table 1, then an appropriate ADESA shall be determined using available engineering data and judgement. The road category shall also be appropriately adjusted for the determination of cost from the User Guide.

- (b) If the road is in a very poor or failed condition then the Local Government shall negotiate with the proponent on a strategy and cost to bring the road to a serviceable condition before calculating an annual charge.
- (c) If the magnitude of the freight task is of such a volume that the road is likely to experience structural failure in a short period, then the Local Government shall negotiate an appropriate strategy and charge to upgrade the structural capacity of the road in advance. This will result in an increased ADESA which will then be used to calculate the ongoing charges.
- (d) The rates in the User Guide are current for 2015 and the Local Government and the proponent shall agree on a suitable method to calculate escalation.
- (e) If the proposed ESA are excessively above the limits in the User Guide or if for any other reason this method is deemed inappropriate then the Local Government may elect to calculate the charge using an alternative method.

### **3.5 Funding and Service**

Funds collected from the Proponent shall be placed into a dedicated fund and shall only be used for routine maintenance, preservation and structural strengthening activities on the section of road concerned. The Local Government shall keep records of all works and costs. The Local Government will contribute a portion of the cost of works out of its own funds according to what they would have reasonably allocated to the road if the proponents activities were not present. After termination or expiry of an agreement, any remaining funds shall be kept for a period of 12 months (or other agreed time period) after which the road will be inspected and the remaining funds shall be used to repair any defects so that the road is in a similar condition to when the agreement began. Any remaining funds shall then be returned to the Proponent.

### **3.6 Agreement**

The Local Government and the proponent shall enter into an Agreement that includes the following:

- the type and axle configuration of the vehicles to be used for the task;
- the annual quantity of vehicle passes and the payload tonnage. If seasonal then this must be described;
- the routing including return journeys;
- the duration of the task;
- the annual and unit rate charge and method of calculation;
- payment terms and conditions;
- the obligations of the parties including works records, expenditure, evidence and audit requirements in relation to the determination of actual payload tonnages and notifications of changes to vehicles, payload or routing;
- conditions on expiry of the agreement;

- hours and conditions of operation;
- breaches and terms of remedy for the Local Government and Proponent; and
- duties of Local Government and the Proponent.

### **3.7 Duties of Local Government**

The Local Government will take all reasonable steps to keep the road in a serviceable condition for the duration of the agreement. The Local Government will keep proper records to ensure transparency of expenditure of all collected charges.

### **3.8 Duties of the proponent**

The proponent will provide timely (to be determined by the Local Government in Agreement) notification to the Local Government if there are any changes to the type of vehicles and axle configurations, annual payload and routing.

### **3.9 Authority**

The Chief Executive Officer has the authority to enter into an agreement with a Proponent under this policy.

### **3.10 Review**

This policy shall be reviewed in accordance with Policy A2.

### **3.11 References**

- WALGA & ARRB 2015, User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, WALGA, Perth, Western Australia.
- ARRB Group 2015, Technical Basis for Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, ARRB Group Project 009335 for WALGA, Perth, Western Australia.

### **3.12 Statutory Power**

*Road Traffic (Administration) Act 2008* Part 7, s.132 & s.136; Road authority may recover expenses of damage caused by heavy traffic.

In particular; s.132(2) states: *“Where it appears to the road authority that has functions in relation to the repair of road infrastructure that, having regard to the average expense of repairing road infrastructure in the vicinity, extraordinary expenses have been incurred by the road authority in repairing the road infrastructure because of damage caused by heavy traffic, the road authority may recover the amount of the expenses as may be proved to the satisfaction of the court to have been incurred by the road authority because of damage caused by heavy traffic.”*

s.132(4) states: *“A person against whom expenses are or may be recoverable under this section may enter into an agreement with the road authority for payment to it in respect of heavy traffic, and on making the payment as agreed the person is not to be subject to any proceedings under this section.”*

Revised State Planning Policy 3.6 – Development Contributions for Infrastructure, developed under the authority of *Planning and Development Act 2005*, Section 26.

*Local Government Act 1995* Part 6 – Financial Management, Div 5 – Financing Local Government Activities, Subdivision 2 – Fees and charges, 6.16 – Imposition of fees and charges.

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<b>Policy Detail</b>		
<b>Responsible Directorate</b>	Infrastructure Services	
<b>Responsible Department</b>	Engineering	
<b>Responsible Officer</b>	Manager Engineering	
<b>Next Policy Review / Schedule</b>	2026 (3-yearly)	
<b>Council Adoption</b>	<b>Date / Resolution</b>	22 February 2018 (OCM18/008)
<b>Amendment Record</b>	<b>Date / Resolution</b>	23 June 2022 (OCM22/070)



## Policy W20 – Memorial Seats and Plaques in Reserves and Public Open Space

### 1. Policy Intention

To establish the criteria to be taken into consideration in relation to the assessment of applications, approval and placement of memorial seats and plaques within Shire of Murray (Shire) reserves and/or on Public Open Space.

### 2. Definitions

In this Policy, the following definitions apply:

**‘Reserve & Public Open Space’** means a reserve or public open space under the care, control and management of the Shire or land held in freehold by the Shire. This does not include any road reserve land.

### 3. Policy

- (a) The Shire will consider on its own merits any application for a memorial seat with a plaque on a reserve or in public open space under the Shire’s care, control and management.
- (b). Each application must be in writing
  - detailing the proposed location;
  - detailing the design, style and construction material of any memorial seat with or without a plaque; and
  - acknowledging the cost of installation will be borne by the applicant and that the Shire reserves the right to vary, relocate or remove any memorial seat at its absolute discretion at any time. Where a memorial is to be removed it will be offered to the applicant to collect.
- (c) Considerations prior to approval:
  - the existing or proposed infrastructure, vegetation and landscape treatments in the location proposed:
  - the cost of maintenance or repair;
  - the public use of the reserve or public open space:
  - the number of memorial seats or memorial plaques which may already be located within the reserve or public open space.
- (d) Officers may refer to Council for its consideration any special or significant memorial which does not conform with this policy.

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Policy Detail		
Responsible Directorate	Infrastructure Services	
Responsible Department	Engineering	
Responsible Officer	Manager Engineering	
Next Policy Review / Schedule	2026 (3-yearly)	
Council Adoption	Date / Resolution	23 March 2023 (OCM23/025)
Amendment Record	Date / Resolution	Nil