

Norseman Woodlands to Eucla Coast

Ordinary Council Meeting

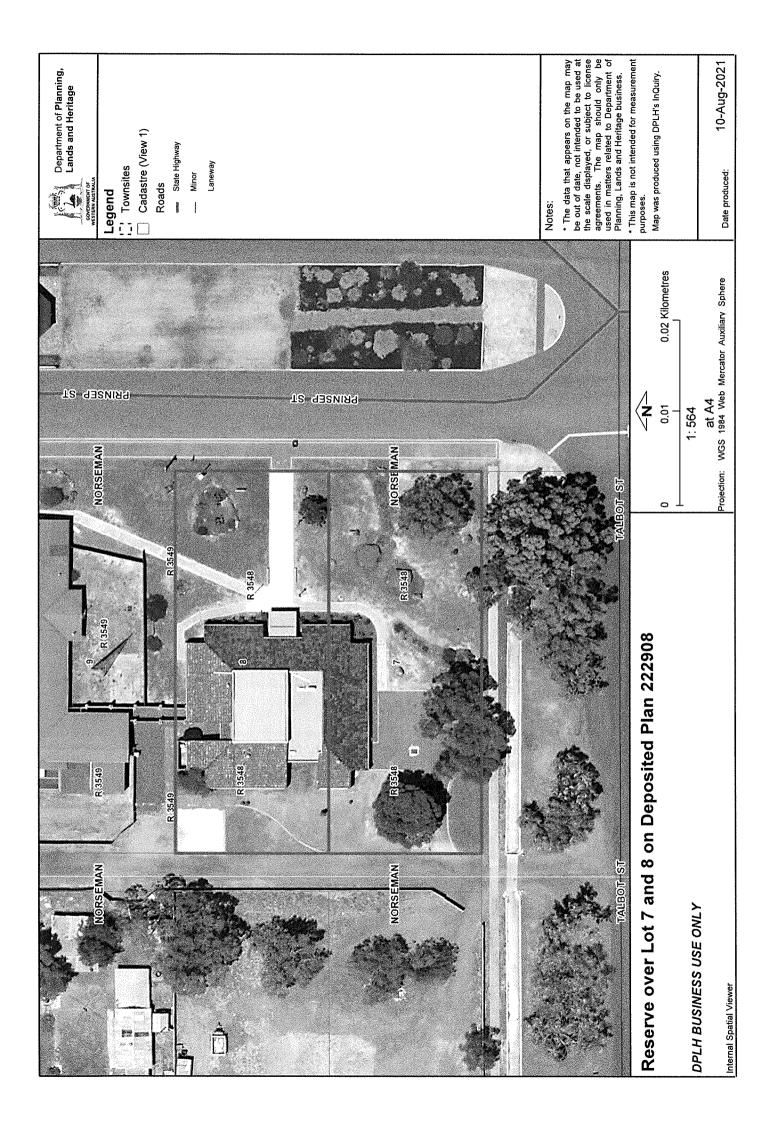
23rd November 2021

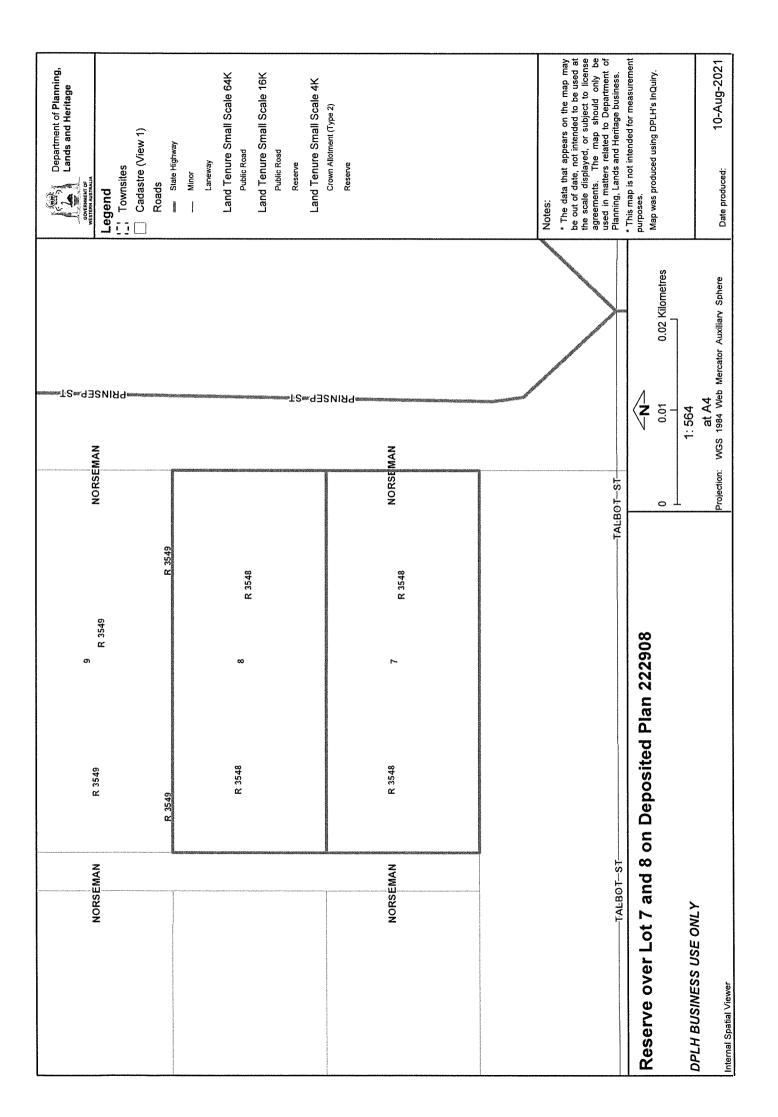


Papers Relating



10.1.1- Purchase Request for consideration, Reserve 3548 Shire of Dundas — Case 2101897 Dept Mines Industry Regulation & Safety (DMIRS) Norseman Outstation





Dundas Shire

From: Peter Fitchat

Sent: Sunday, 14 November 2021 3:23 PM

To: Peter Fitchat

Subject: Fw: Application to Hire Venue

Attachments: 22 February 2021.pdf; 24 May 2021.pdf; 23 August 2021.pdf; 22 November

2021.pdf; certificate-of-currency-DOJ-General-Liability.pdf

Kind regards
Peter Fitchat

Chief Executive Officer



Heart of the Great Western Woodlands

Shire of Dundas

PO Box 163

Norseman WA 6443

T 08 9039 1205 | M 0429 391 291

F 08 9039 1359 | E ceo@dundas.wa.gov.au

X The state of the

From: Delaney, Lisa <Lisa.Delaney@justice.wa.gov.au>

Sent: Tuesday, December 8, 2020 4:28 PM
To: Dundas Shire <shire@dundas.wa.gov.au>
Cc: Peter Fitchat <ceo@dundas.wa.gov.au>

Subject: Application to Hire Venue

Good afternoon,

Please find attached applications to hire the Council Chambers and adjoining Conference Room to facilitate

Kalgoorlie Magistrate Court sittings for the following dates:

Monday 22 February 2021

Monday 24 May 2021

Monday 23 August 2021

Monday 22 November 2021

Also attached is a Certificate of Currency for public liability insurance.

Please confirm if the bookings are approved.

Invoices for the hire charges can be emailed to kalgoorliecourt@justice.wa.gov.au and made out to:

Department of Justice - Kalgoorlie Court

PO Box 10064

KALGOORLIE WA 6433

Kind regards,

Lisa Delaney | Regional Manager - Goldfields | Kalgoorlie Magistrates Court

Department of Justice | 208 Hannan Street, KALGOORLIE WA 6430

t: (08) 9093 5320 | f: (08) 9021 2005 | w: www.justice.wa.gov.au



APPLICATION TO HIRE COMMUNITY FACILITY/VENUE Applicant's Name:

Applicant's Name:	DEPARTMENT	of Jus-	TICE -	KALGOORLI	E GURT
Applicant's Address & Phor					
208 HANNAN STREET,	KALKOORCIE .	909353	oo /	LISA NEL	avey \
Associated Club/ Organisati President or relevant senior auth	ion Name: If applying	on behalf	of an orga	nisation pleas	se have the
VENUE: COUNCIL CHAM	BERS L ADJUM	ING CO	VFEREN	E ROOM	
DATES REQUIRED: From 2 HOURS REQUIRED: From	2/2/2021	to 2	2/2/	202-)	n - Main and Charles (the State Annual A
HOURS REQUIRED: From	9.00 Am	to	4,000	f~	en e
Declaration: 1. I am responsible for the taggree to indemnify (rein may arise from, or cause negligence or improper taggree accident there to whereb Dundas or to any person of this application.	mburse) the Shire of to or suffered by the use by any person us by damage or loss mand or goods.	Dundas for shire of last of the sing the fact and the occasion.	or any lose Dundas e cility, or b asioned to	s or damage either by y reason of a o the Shire o	which any f
Signature of Hirer or their Ag LISA DELAWEY Position REGIONAL MANAGE	/D. L.	Y	Dat	te: 8/12/20	240
Report any structural issues		nages:			
	China Mar	0.1.			
Have all details been complete	Shire Use	Only		Yes	No
Facility/Venue hire approved?	7 u !			Yes	No No
Total Hire Charges		*************			
Receipt Number	•••••••••••	• • • • • • • • • • • • • • • • • • • •	•		
Signature		Date		*************	••••
Print Name	•••••••••••••••••••••••••••••••••••••••	***********	**********	•••••	



APPLICATION TO HIRE COMMUNITY FACILITY/VENUE

DEPARTMENT OF JUSTICE - KALGOSRUE GOURT			
Applicant's Address & Phone:			
208 HANNAN STREET KALLOOKLIE - 90935300 (LISA DELANEY)			
Associated Club/ Organisation Name: If applying on behalf of an organisation please have the			
President or relevant senior authority sign below on the application.			
VENUE: COUNCIL CHAMBERS & ADJOINING CONFERENCE ROOM			
DATES REQUIRED: From 24 5 2021 to 24 5 202)			
HOURS REQUIRED: From 9-20 Am to 4-20 PM			
Declaration:			
1. I am responsible for the use of the community facility as stated in this application.			
 I agree to indemnify (reimburse) the Shire of Dundas for any loss or damage which may arise from, or cause to or suffered by the Shire of Dundas either by 			
negligence or improper use by any person using the facility, or by reason of any			
accident there to whereby damage or loss may be occasioned to the Shire of Dundas or to any person or goods.			
 I have read, and I agree to abide by the Conditions of Hire as shown on the reverse 			
of this application.			
Signature of Hirer or their Agent:			
Position/Role:			
REGIONAL MANAGER, LOLGRIELDS			
Report any structural issues, breakages or damages:			
Shire Use Only			
Have all details been completed? Yes No			
Facility/Venue hire approved? Yes No			
Total Hire Charges			
Receipt Number			
Signature Date			
Print Name			



APPLICATION TO HIRE COMMUNITY FACILITY/VENUE

DEPARAMENT OF JUSTICE - KALLOORLIE COURT
Applicant's Address & Phone:
208 HANNAN STREET, KALLOORLIE - 90955300- (LISA DELANET)
Associated Club/ Organisation Name: If applying on behalf of an organisation please have the President or relevant senior authority sign below on the application.
and the application.
VENUE: LOUNCIL CHAMBERS 4 ADTOINING CONFERENCE ROOM
DATES REQUIRED: From 22 11 2021 to 22 11 2021
HOURS REQUIRED: From 9.00 Am to 4.00 Am
Declaration:
1. I am responsible for the use of the community facility as stated in this application.
2. I agree to indemnify (reimburse) the Shire of Dundas for any loss or damage which
may arise from, or cause to or suffered by the Shire of Dundas either by negligence or improper use by any person using the facility, or by reason of any
accident there to whereby damage or loss may be occasioned to the Shire of
Dundas or to any person or goods.
3. I have read, and I agree to abide by the Conditions of Hire as shown on the reverse
of this application.
Signature of Hirer or their Agent: May Date: 8/2/2020
Position/Role: REGIONAL MANAGER. GOLDFIELDS
Report any structural issues, breakages or damages:
Shire Use Only Have all details been completed? Yes No
Have all details been completed? Facility/Venue hire approved? Yes No
Tes 100
Total Hire Charges
Receipt Number
Signature Date
Print Name



APPLICATION TO HIRE COMMUNITY FACILITY/VENUE

Applicant's Name: DEPARTMENT OF JUSTICE - KALCOORLIE COURT
Applicant's Address & Phone:
208 HANNAN STREET, KALGORKIE - 90935300 (LISA BELANEY)
Associated Club/ Organisation Name: If applying on behalf of an organisation please have the President or relevant senior authority sign below on the application.
VENUE: COUNCIL CHAMBERS & ADJOINING CONFERENCE ROOM
VENUE: COUNCIL CHAMBERS & ADJOINING CONFERENCE ROOM DATES REQUIRED: From 23/8/2021 to 23/8/2021 HOURS REQUIRED: From 9.00 m to 4.00 pm
HOURS REQUIRED: From 9.00 pm to 4.00 pm
Declaration: 1. I am responsible for the use of the community facility as stated in this application. 2. I agree to indemnify (reimburse) the Shire of Dundas for any loss or damage which may arise from, or cause to or suffered by the Shire of Dundas either by negligence or improper use by any person using the facility, or by reason of any accident there to whereby damage or loss may be occasioned to the Shire of Dundas or to any person or goods. 3. I have read, and I agree to abide by the Conditions of Hire as shown on the reverse of this application. Signature of Hirer or their Agent: Position/Role: Regume Manger houses Report any structural issues, breakages or damages:
Shire Use Only
Have all details been completed? Facility/Venue hire approved? Yes No No
Total Hire Charges
Receipt Number
Signature Date
Print Name

CERTIFICATE OF CURRENCY



This Certificate is issued for information purposes only and does not confer any rights upon the Certificate holder and does not amend, extend or alter the coverage provided by the Cover detailed below.

Public Authority: Department of Justice

Cover Number: R/207342

Cover: General Liability (including Products Liability).

Situation of Risk: Worldwide

Covering: The legal liability of the Public Authority in respect of claims for

compensation resulting from an occurrence.

Limit of Liability: \$800 million any one occurrence.

Excess: Nil

Expiry Date: 30 June 2021

Conditions: Subject to the RiskCover Certificate of Cover, Cover Document and Fund

Guidelines.

This Cover has been effected with RiskCover (managed by the Insurance Commission of Western Australia).

Date Issued: 12 June 2020





10.1.2 - Fishing and Squatter Sites along the Eucla coastline (UCL PIN 993221) — Shire of Dundas (Case 2100759 File 00093-2021)

2.1 Date	Fishing and Squatter Sites along the Eucla coastline (UCL PIN 993221) - Shire of Dundas (Case 2100759 File 00093-2021) October 2021
Fish	Fishing and Squatter Sites Land means:
(a)	the land comprising Lots 310, 311, 312 and 313 on Deposited Plan 67595 and, for reference purposes only, being those areas of land outlined and hachured in purple on map 1 in Schedule 1 and located in the area known as "Red Rocks";
()	the land comprising Lot 314 on Deposited Plan 67596 and Lot 520 on Deposited Plan 69778 and, for reference purposes only, being those areas of land marked "Lot 314 on DP67596" and "Lot 520 on DP69778" outlined on map 2 in Schedule 1 and located in the area known as "Wanteen"; and
	the land comprising Lots 316, 317, 318 and 319 on Deposited Plan 67597 and Lot 521 on Deposited Plan 69936 and, for reference purposes only, being those areas of land outlined and hachured in purple on map 3 in Schedule 1 and located in the area known as "3 and 12 Mile".

Fishing and Squatter Sites Land Transaction means:

- Fishing Leases and the Letting of Squatter Cottages thereon on 19 March 2005"; the creation, pursuant to section 41 of the LA Act, over the whole of the Fishing and Squatter Sites Land, of a reserve for the purposes of "Access, Professional (a)
- and management of the reserve referred to in paragraph (a) with the Shire, including the power to lease or licence for periods of up to 6 years, and subject to such other conditions as the Minister for Lands specifies, including (without the placing, by order pursuant to section 46(1) of the LA Act of the care, control limitation) the following conditions:

<u>@</u>

- Occupation of Crown Land (Squatters)" in the grant and administration of that the Shire comply with Department's policy 12.05.01.01 "Illegal squatter cottage leases on the Fishing and Squatter Sites Land; \odot
- that the Shire comply with Department's policy 12.08.01 "Professional Fisher Shacks" in the grant and administration of leases of areas for professional fishers on the Fishing and Squatter Sites Land; (ii)
- government laws in relation to the use and development of any part of the that the Shire comply with all applicable State, Commonwealth and local (iii)

Mirning People Indigenous Land Use Agreement | page 6



Act and any Environmental Law, and ensure compliance with the Heritage Fishing and Squatter Sites Land, including without limitation the Heritage Protection Protocol in Schedule 4 in relation to all Aboriginal heritage matters; that the Shire use its best endeavours to notify the Claimants in writing at least two months prior deciding whether to transfer or renew a professional fishing lease granted in respect of the Fishing and Squatter Siles Land; and

(ix)

- (v) that the squatter cottage leases are not transferable; or
- to in paragraph (a) of this definition by the Minister for Lands as an unmanaged reserve in accordance with and subject to the rights, powers and duties of the in the event that the Shire does not consent to the grant of the management order referred to in clause (b) of this definition, the management of the reserve referred Minister for Lands pursuant to, the LA Act.

<u>ම</u>

Hi Peter ... any further comments?

the conversion of reserve land into freehold! However, a lease over or within the reserve comprising a fisher shack can be created for 21 years, and may be renewed (subject to applying within 24 months of the date the current lease expiring). As I mentioned before, the Shire can charge a lease fee for a lease With reference to the State's Professional Fisher Shack Tenure Along the Central Coast of Western Australia policy, the State apparently will not provide for

Additionally, any Fisher Shack lease needs to be included in a node (where close proximity to a townsite is not available or is remote) adjacent or nearby the waters being fished by the Professional Fisher. Such a node may only be occupied by up to 3 shacks, and neither the State nor the Shire is obliged to provide

I guess if the Shire is prepared to consider accepting the vesting of these reserves and allow occupancy of the reserves by Professional Fishers, the Shire first needs to establish if the existing Fisher Shacks are associated with a Professional Fishing licence, whether the shacks are adjacent to professional fishing grounds fished by the professional fisher, and whether the Professional Fisher intends to continue to fish the adjacent waters.



Given the State policy restrictions in regard to the above, and that most of these sites only comprise 1 – 2 shacks, it is difficult to see how these reserves could be redeveloped and used for any other purpose, eg. for tourism and recreational purposes. What Council ought to do if it wishes to identify and develop nodes along its coast for tourism and recreation purposes of a reasonable magnitude it needs to undertake a comprehensive process to identify such nodes and set in place a framework for the development and management of these. Fortunately, LPS 2 foundation for such a task. And as I mentioned just recently there are funding opportunities available for the Shire to apply for assistance in preparing the requires the Shire to prepare and adopt detailed policy statements for each of its three special coastal planning areas. This requirement can provide a required detailed planning policy statements and consequential node masterplans. I'm still to further investigate these and report back to you.

I look forward to your further thoughts on this.

Thanks

Tony

Anthony (Tony) Dowling Principal Planner

Good morning Jihan,

Regarding the following matter

reserve land into freehold! However, a lease over or within the reserve comprising a fisher shack can be created for 21 years and maybe renewed (subject to The State's Professional Fisher Shack Tenure Along the Central Coast of Western Australia policy, the State apparently will not provide for converting applying within 24 months of the date the current lease expiring).

It is understood that the Shire can charge a lease fee for these leases.

We will need legal advice on what a reasonable fee to cover Councils cost associated with the management of these sites

waters being fished by the Professional Fisher. Such a node may only be occupied by up to 3 shacks, and neither the State nor the Shire is obliged to provide Additionally, any Fisher Shack lease needs to be included in a node (where close proximity to a townsite is not available or is remote) adjacent or nearby the services to these leases.

We will need an expert to advise regarding the fire risk management of these sites and how it should be managed,

If the Shire is prepared to consider accepting the vesting of these reserves and allow occupancy of the reserves by Professional Fishers, the Shire first needs to establish if the existing Fisher Shacks are associated with a Professional Fishing licence, whether the shacks are adjacent to professional fishing grounds fished by the professional fisher, and whether the Professional Fisher intends to continue to fish the adjacent waters.

With this in mind, we need again to be careful of the possible cost associated with these options and that this does not impact existing ratepayers if these Given the State policy restrictions in regard to the above and that most of these sites only comprise 1 – 2 shacks, it is difficult to see how these reserves could be redeveloped and used for any other purpose, e.g., for tourism and recreational purposes.

leases cannot cover associated management costs.

The council needs to identify and develop nodes along its coast for tourism and recreation purposes of a reasonable magnitude it needs to undertake a comprehensive process to identify such nodes and set in place a framework for the development and management of these.

This requirement can provide a foundation for such a task. And as I mentioned just recently, there are funding opportunities available for the Shire to apply for Fortunately, LPS 2 requires the Shire to prepare and adopt detailed policy statements for each of its three special coastal planning areas. assistance in preparing the required detailed planning policy statements and consequential node masterplans.

I would like to set up a video discussion with follow up visits so we can establish the best outcome for our Shire and its Community.

Kind regards,



Peter Fitchat Chief Executive Officer

Good Morning Peter

I am currently reviewing jobs that have not progressed for quite some time.

One of these jobs refer to the Mirning Area Agreement ILUA, in particular reference to the fishing and squatter sites over portions unallocated Crown land (UCL) PIN 993221 namely Red Rocks Beach, Wanteen Beach and Three and Twelve-Mile Beach along the Eucla coastline. I have attached the deposited plans and maps for your reference.

It is now proposed to create a new reserve over these portions of UCL for the purpose of "Access, Professional Fishing Leases and Letting of Squatter Cottages thereon on 19 March 2005" with management order with power to lease or licence in favour of the Shire of Dundas (Shire).

Please confirm if the Shire would be amenable in accepting the management of this proposed new reserve.

If you have any queries, please do not hesitate to contact me.

Thank you and kind regards

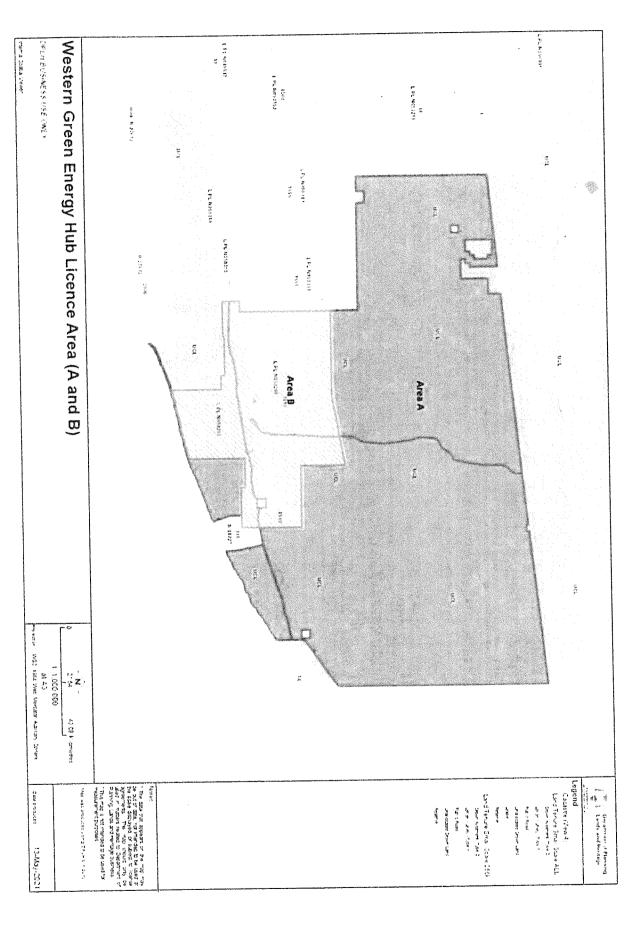
Jihan Baroquillo | Senior State Land Officer | Land Management Central

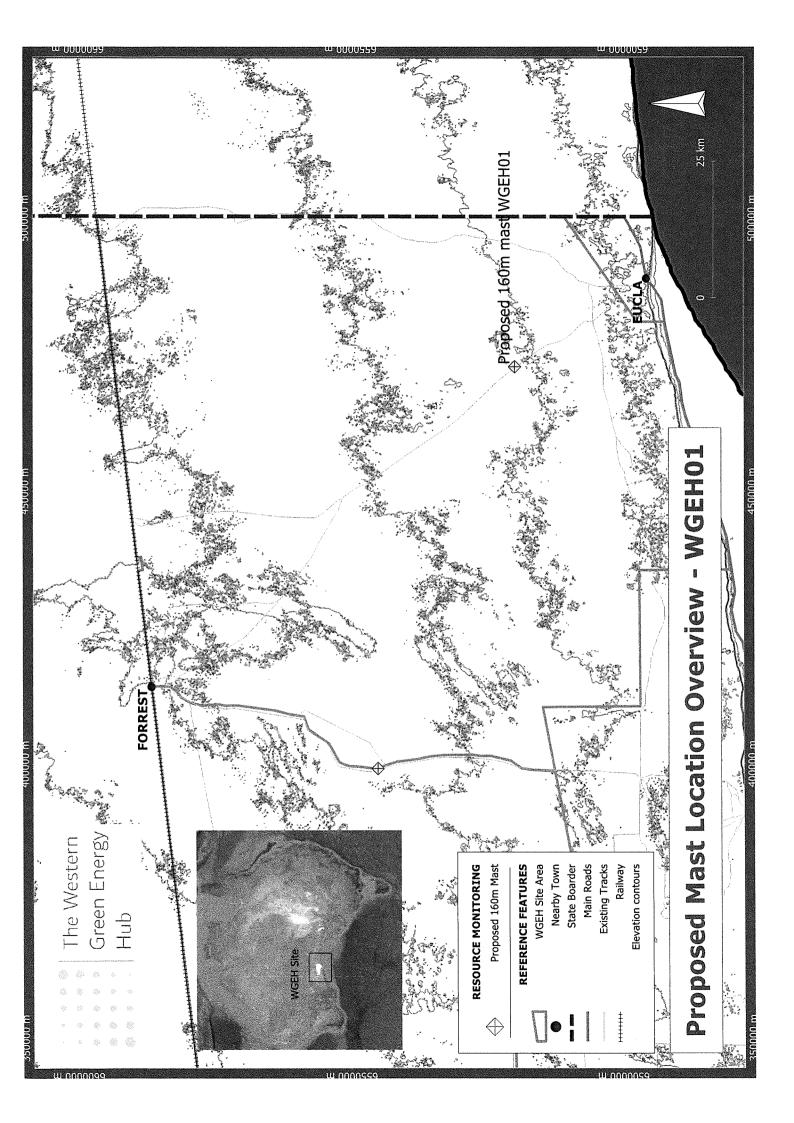


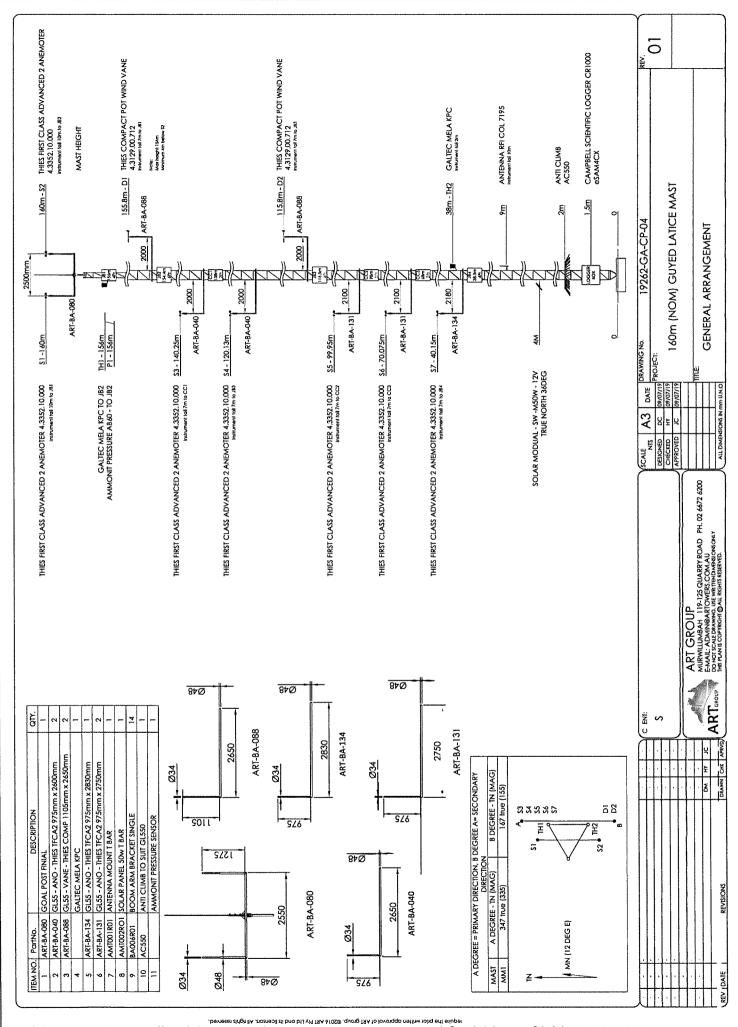
Norseman Woodlands to Eucla Coast

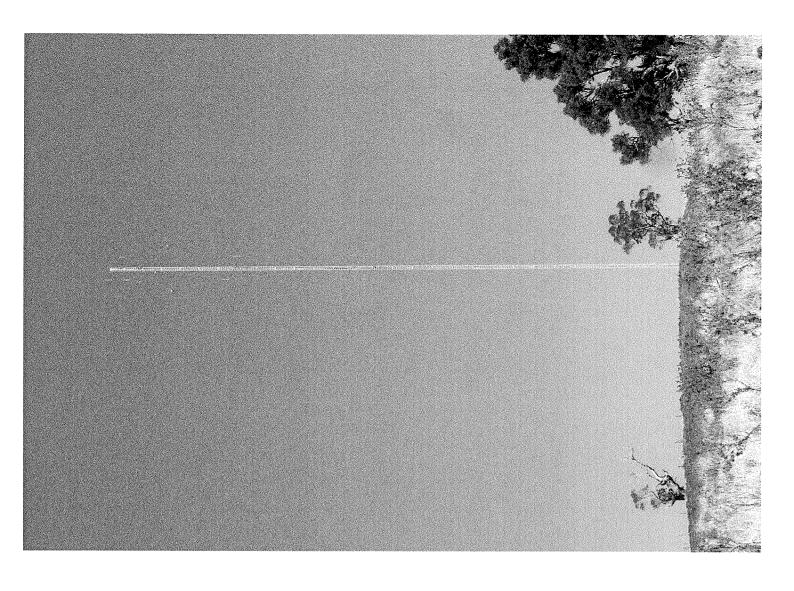
10.1.5 – Proposed Weather Monitoring Mast

ANNEXURE A - Sketch











Norseman Woodlands to Eucla Coast

10.3.3 – Development Assessment Panels



Our Ref: DP/12/00609 Enquiries: DAP Secretariat Telephone: 6551 9919

Dear Local Government CEO,

DEVELOPMENT ASSESSMENT PANELS - LOCAL GOVERNMENT NOMINATIONS

Following the upcoming local government elections to be held on 16 October 2021, there may be a change in your local government DAP membership if the composition of your council changes. All existing local government DAP members are currently appointed for a term ending 26 January 2022. Prior to this expiry date, your local government will need to nominate four (4) DAP members for appointment by the Minister for Planning.

Representation of local interests is a key aspect of the DAPs system. Under regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* your local council is requested to nominate, as soon as possible following the elections, four elected council members to sit as DAP members for your local government. Using the attached form, nominations should be submitted via email to the DAPs Secretariat at daps@dplh.wa.gov.au.

All local government councils are requested to provide nominations for local government DAP members by Friday 19 November 2021, to ensure local interests are represented in future DAP determinations. If you are unable to provide nominations by the above date, please contact the DAPs Secretariat to discuss alternative arrangements and implications. Once nominations are received, the Minister will appoint local government DAP members for the term ending 26 January 2024.

The McGowan Government launched OnBoardWA as part of its commitment to increase the diversity and backgrounds of Government board and committees along with the total number of women appointed.

I encourage you to consider diversity of representation when putting forward your local government nominations in supporting this important election commitment. Further information about OnBoardWA can be found at http://www.onboardwa.jobs.wa.gov.au.

The WA Government is committed to continue implementing the Action Plan for Planning Reform to ensure the planning system continues to deliver great outcomes and great places for Western Australians. Changes to the DAP system, identified as part of the reform initiatives, aims to provide a more robust DAP process that promotes consistency and transparency in decision-making. Please note that the local government membership configuration on the DAP will not be affected by the reform initiatives.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat on (08) 6551 9919 or email daps@dplh.wa.gov.au. Further information is available online at https://www.dplh.wa.gov.au/daps.

Yours sincerely

Der.

Jodi Cant

Director General

16 September 2021



DEVELOPMENT ASSESSMENT PANELS LOCAL GOVERNMENT MEMBER NOMINATION

Please complete the form and submit to daps@dplh.wa.gov.au.

Local Governm	ent		
DAP Name			
		Member 1	Member 2
Name			
Address			
	***************************************	· · · · · · · · · · · · · · · · · · ·	
Phone			
Email			
Date of Birth			
Sex			
*Employer Name/s			
*Position/s			
*Employment Status	Full Time	Part Time/Casual - Specify hours per week	Full Time Part Time/Casual - Specify hours per week
*Eligibility for Payment	Yes	No	Yes No
	Alternate Member 1 Alternate Member 2		
Name			
Address			
Phone			
Email			
Date of Birth			
Sex			
*Employer Name/s			
*Position/s			
*Employment Status	Full Time	Part Time/Casual - Specify hours per week	Full Time Part Time/Casual - Specify hours per week
*Eligibility for Payment	Yes	No	Yes No
* The employment details refer only to external employment and does not include your role as a Local Government member. Eligibility for DAP sitting fees is determined in accordance with the Premier's Circular 2019/07 .			
LOCAL GOVERNMENT CONTACT DETAILS MINUTE TAKER			
Name			
Phone		Email	



Norseman Woodlands to Eucla Coast

10.3.4 – F3 Purchasing Policy



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Purchasing Statement

The Shire of Dundas is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire's strategic and operational objectives.

1.0 Objectives

The Shire's purchasing activities will:

- (a) Achieve best value for money that considers sustainable benefits, such as; environmental, social and local economic factors;
- (b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- (d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (f) Comply with the Local Government Act 1995, Local Government (Functions and General) Regulations 1996, other relevant legislation, Codes of Practice, Standards and the Shire's Policies and procedures;
- (g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Dundas
- (h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management framework;
- (i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan;
- (j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

2.0 Ethics & Integrity

The Shire's Code of Conduct applies when undertaking purchasing activities and decision making, requiring Council Members and employees to always observe the highest standards of ethics and integrity and act in an honest and professional manner.

3.0 Value for Money

The Shire will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

Value for money assessment will consider:



- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.
- (c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit; and
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

4.0 Purchasing Thresholds and Practices

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements can be provided by a single supplier.

A *category of supply* can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

4. Strategic Purchasing Value Assessments

The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.



The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

5. Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.
- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- (d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

6. Table of Purchasing Thresholds and Practices

6.1 Supplier Order of Priority

The Shire will consider and apply, where applicable, the following Supplier Order of Priority:

Priority 1: Existing Prequalified Supplier Panel or other Contract

Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract.

If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA can be considered.

Priority 2: Local Suppliers

Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply with in the timeframe required, the Shire will wherever possible ensure quotations are obtained from local suppliers permanently located within the Shire as a first priority, and those permanently located within surrounding Esperance - Goldfields region as the second priority.



If no relevant local supplier is available, then a relevant WALGA PSA may be used.

Priority 3: Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)

Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.

However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:

- i. Local supplier availability (that are not within the PSA); or,
- ii. Social procurement preference to use Aboriginal business or Disability Enterprise.

If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.

Priority 4: Tender Exempt - WA State Government Common Use Arrangement (CUA)

Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.

However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.

If no relevant CUA is available, then a Tender Exempt [F&G Reg.11(2)] arrangement may be used.

Priority 5: Other Tender Exempt arrangement [F&G Reg. 11(2)]

Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.

Priority 6: Other Suppliers



Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

6.2 Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with item 4. Strategic Purchasing Value Assessments determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Purchase Value Threshold (ex GST)	Purchasing Practice
Up to \$5,000 (ex GST)	Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). The purchasing decision is to be evidenced in accordance with the Shire's Record Keeping Plan.
From \$5,001 and up to \$20,000 (ex GST)	Seek at least three (3) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers response to: • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price.
From \$20,001 and up to \$50,000 (ex GST)	Seek at least three (3) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1) except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers' responses to: • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest quote.



Purchase Value Threshold (ex GST)	Purchasing Practice
From \$50,001 and up to \$250,000 (ex GST)	Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). The purchasing decision is to be based upon assessment of the suppliers response to: • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assesses all best and sustainable value considerations.
Over \$250,000 (ex GST)	Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under F&G Reg.11(2)) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). OR Public Tender undertaken in accordance with the Local Government Act 1995 and relevant Shire's Policy and procedures. The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to: • A detailed specification; and • Pre-determined selection criteria that assesses all best and sustainable value considerations.
Emergency Purchases (Within Budget) Refer to Clause 1.4.3	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.



Purchase Value Threshold (ex GST)	Purchasing Practice
Emergency Purchases (No budget allocation available) Refer for Clause 1.4.3	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i> , the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.
Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.
Evidence of Decision and Record Keeping	The rationale for procurement decisions including, where applicable, policy non-compliance must be evidenced using the Evaluation Report template and retained in accordance with the Shire Record Keeping Plan.

6.3 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and Functions and General Regulation 11(2)(a); OR
- (c) A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements



in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

6.4 Inviting Tenders though not required to do so

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [F&G Reg.13].

6.4.1 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [F&G Reg.21] where the required supply evidences one or more of the following criteria:

- (a) Unable to sufficiently scope or specify the requirement;
- (b) There is significant variability for how the requirement may be met;
- (c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (d) Subject to a creative element; or
- (e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

6.5 Unique Nature of Supply (Sole Supplier)

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- (a) purchasing value is estimated to be over \$5,000; and
- (b) purchasing requirement has been documented in a detailed specification; and
- (c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- (d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

Shire of DUNCIS Norseman Woodlands to Eucla Coast

F3. Purchasing Policy

6.5 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

6.6 Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then Functions and General Regulation 21A applies.

For any other contract, the contract must not be varied unless

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

7. Local Economic Benefit

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire will:

- (a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- (b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- (c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- (d) 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;
- (e) avoid bias in the design and specifications for Requests for Quotation and Tenders all Requests must be structured to encourage local businesses to bid;
- (f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- (g) provide adequate and consistent information to local suppliers.



F3. Purchasing Policy

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire or substantially demonstrate a benefit or contribution to the local economy.

The Shire has adopted a Regional Price Preference Policy, which will be applied when undertaking all purchasing activities.

8. Socially Sustainable Procurement

The Shire will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

(1) Aboriginal Businesses

Functions and General Regulation 11(2)(h) provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.

The Shire will first consider undertaking a quotation process with other suppliers (which may include other registered Aboriginal Businesses as noted in F&G Reg.11(2)(h)) to determine overall value for money for the Shire

Where the Shire makes a determination to contract directly with an Aboriginal Business for any amount up to and including \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

(2) Australian Disability Enterprises

Functions and General Regulation 11(2)(i) provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise.

The Shire's will first consider undertaking a quotation process with other suppliers (which may include other Australian Disability Enterprises) to determine overall value for money for the Shire's



F3. Purchasing Policy

Where the Shire decides to contract directly with an Australian Disability Enterprise for any amount, including an amount over the Tender threshold of \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire's Record Keeping Plan.

9. Record Keeping

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

10. Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire's policies and procedures.

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive Officer.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- (c) where the beach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.



F3. Purchasing Policy

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1.	(insert Date)				 Updated to WALGA template. Update to Purchasing Practice table, increase in minimums. Detail added to items 6-9. 					
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Policy Reviewed November 2021





Policy Objective

This Policy establishes protocols for the purpose of avoiding actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Dundas during the period immediately prior to an election.

Policy Scope

This policy applies to Council Members and Employees during a 'Caretaker Period' relevant to:

- (a) Decisions made by the Council;
- (b) Decisions made under delegated authority;
- (c) Decisions made administratively;
- (d) Promotional materials published by the Shire of Dundas
- (e) Discretionary community consultation;
- (f) Events and functions, held by the Shire of Dundas or other organisations;
- (g) Use of the Shire of Dundas's resources;
- (h) Access to information held by the Shire of Dundas.

Policy Statement

Definitions

'Caretaker Period' means the period of time prior to an Election Day, specifically being the period from the close of nominations (37 days prior to the Election Day in accordance with s.4.49(a) of the *Local Government Act 1995*) until 6.00pm on Election Day.

'CEO' means the Chief Executive Officer of the Shire of Dundas.

'Election Day' means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.



'Electoral Material' includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting (s.4.87(3) of the Local Government Act 1995); or
- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections)*Regulations 1997; or
- (c) Any materials produced by the Shire of Dundas relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

'Events and Functions' including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Shire of Dundas and / or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the Shire of Dundas or an external entity.

'Extraordinary Circumstances' including a circumstance that requires the Council to make or announce a Significant Local Government Decision during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

- (a) incur or increase legal, financial and/or reputational risk; or
- (b) cause detriment to the strategic objectives of the Shire of Dundas.

'Significant Local Government Decision' includes any decision:

- (a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [s.5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;
- (b) Relating to the Shire of Dundas into a sponsorship arrangement with a total Shire of Dundas contribution that would constitute Significant Expenditure, unless the Council resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
- (c) Relating to the Shire of Dundas entering into a commercial enterprise as defined by Section 3.59 of the *Local Government Act 1995*;
- (d) That would commit the Shire of Dundas to Significant Expenditure or actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community,



- (e) To prepare a report, initiated by the Administration, a Council Member, candidate or member of the public that, in the CEO's opinion, may be perceived as or is actually an election campaign issue;
- (f) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above.
- (g) That adopts a new, or significantly changes an existing, policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation.
- (h) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.
- (i) Significant Local Government Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Shire President in accordance with s.6.8(1)(c) of the Local Government Act 1995.

'Caretaker Protocol' means the practices or procedures prescribed in this Policy.

'Public Consultation' includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue, but does not include statutory consultation / submission periods prescribed in a written law.

'Significant Expenditure' means expenditure that sits outside of the approved Annual Budget for the relevant financial year or requires a Significant Local Government Decision as outlined in the Significant Local Government Decision definition.

Caretaker Period Protocols - Decision Making

The CEO will ensure that:

- (a) At least 30-days prior to a Caretaker Period, the CEO will advise Council Members and employees in writing of the dates that the Caretaker Period commences and concludes.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

Scheduling Significant Local Government Decisions

- During a Caretaker Period, unless Extraordinary Circumstances apply, the CEO will reasonably ensure that:
 - (a) Council or Committee Agenda, do not include reports and / or recommendations that constitute Significant Local Government Decisions; and
 - (b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to Significant Local Government Decisions.



- 2. The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Significant Local Government Decisions are either:
 - (a) Considered by the Council prior to the Caretaker Period; or
 - (b) Scheduled for determination by the incoming Council.
- The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated
 Authority from the Council to the CEO or a Committee is not exercised where the exercise of
 that delegated authority relates to a Significant Local Government Decision or an election
 campaign issue.

Council Reports Electoral Caretaker Period Policy Statement

Extraordinary Circumstances

1. Council Reports

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may submit a report on a Significant Local Government Decision for Council's consideration, subject to the report including:

- (a) Details, if applicable, of options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.
- (b) An Electoral Caretaker Period Policy Statement, which details why Extraordinary Circumstances apply.

2. Council Forums, Workshops or Briefings

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may include matters relating to a Significant Local Government Decision for Council Member discussion at Council Forums, Workshops or Briefings.

The CEO is required to provide Council with advice as to why Exceptional Circumstance apply. Details of this advice is to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.

Managing CEO Employment

This Policy, prohibits Significant Local Government Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

- 1. The Council may consider and determine:
 - (a) CEO's leave applications;
 - (b) appoint an Acting CEO, where necessary;
 - (c) suspend the current CEO, where appropriate and in accordance with the terms of their contract.



2. The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period.

Delegated Authority Decision Making in Extraordinary Circumstances

During a Caretaker Period, Employees who have Delegated Authority are required to consider if a proposed delegated authority decision may relate, or be subsidiary, to a Significant Local Government Decision or election campaign issue and if so, refer the matter to the CEO for review and consideration in accordance with clause 2.1(3) above.

Caretaker Period Protocols - Candidates

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the Shire of Dundas' public information in accordance with s.5.94 of the *Local Government Act 1995*.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the Shire's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire [refer s.5.92 of the Local Government Act 1995].

All election process enquiries from Candidates, including Council Members who have nominated for reelection, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

Candidate Requests on behalf of Electors, Residents or Ratepayers

Where a Candidate, including Council Members who have nominated for re-election, requires the assistance of the Administration to respond to a request made by an Elector, Resident or Ratepayer, then the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and will also advise the candidate of the outcome.

Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, should note that the Shire's 's official crest or logo may not be used in campaign Electoral Materials without the express permission of the Shire.

Candidate attendance at Meetings

To ensure equitable access to information about Council's decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Council Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period; providing each Candidate with a copy of the meeting agenda at the time it is distributed to Council Members.



For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

Council Member Caretaker Period Protocols

Access to Information and Advice

During a Caretaker Period all Council Members will scrupulously avoid using or accessing Shire of Dundas information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy [refer s.5.93 of the Local Government Act 1995].

During a Caretaker Period, all Council Member requests for information and advice from the Shire of Dundas will be reviewed by the CEO and where the subject of the information or advice is considered as relating to an election campaign issue, the CEO will either make a determination, or refer the request for Council's determination, as to if the information or advice is / is not to be provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

Media and Publicity

During a Caretaker Period, all Council Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Shire's objectives or operations and is not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

Council Member Business Cards, Shire Printed Materials

Council Members must ensure that Shire business cards and Local Government printed materials are <u>only</u> used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the *Local Government Act 1995*.

Council Members are prohibited from using Shire business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.



Council Member Addresses / Speeches

Excluding the Shire President and Deputy Shire President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire, unless expressly authorised by the CEO.

In any case, the Shire President, Deputy Shire President and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

Council Member Misuse of Local Government Resources

A Council Member who uses Shire resources for the purpose of persuading electors to vote in a particular way is a "misuse of Local Government resources" breach in accordance with Regulation 8 of the Local Government (Rules of Conduct) Regulations 2007.

This prohibition on misuse of Local Government Resources for electoral purposes <u>applies at all times</u> and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Shire provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the Shire.

Shire of Dundas Publicity, Promotional and Civic Activities

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting Shire services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,
- (b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of Shire initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Local Government Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Exceptional Circumstances apply and if a Significant Local Government Decision announcement is necessary during a Caretaker Period.

Civic Events and Functions

The Shire will avoid the scheduling of Civic Events and Functions during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.



Where the Shire is required to schedule a Civic Event or Function during a Caretaker Period at which Council Members would usually be invited, then all Candidates will also be invited to attend and will be acknowledged as candidates immediately following any acknowledgement provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

Shire of Dundas Publications and Communications

All Shire publications and communications distributed during a Caretaker Period must not include content that:

- (a) may actually, or be perceived to, persuade voting in an election; or
- (b) is specific to a candidate or candidates, to the exclusion of other candidates;
- (c) draws focus to or promotes a matter which is a Significant Local Government Decision or which is an electoral campaign issue.

All Shire publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

Shire of Dundas Website and Social Media Content

1. During the Caretaker Period, this Policy applies to content proposed for publication on the Shire's website and social media channels.

Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Shire Delegates on external committees and organisations however, all other biographical information related to a sitting Council Member who is also a candidate will be removed from public access for the duration of the Caretaker Period.

The Candidate Election Profiles prescribed in s.4.49(b) of the Local Government Act 1995, may also be published on the Shire's website and social media.

- 2. Website and social media content, published prior to a Caretaker Period, will not be subject to this Policy.
- New website or social media content which relates to Significant Local Government Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.
- 4. Content posted by the public, candidates or Council Members on the Shire's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

Community Consultation

The Shire will undertake planned community consultation (discretionary and legislative) during a Caretaker Period, unless the consultation relates to a Significant Local Government Decision or potentially contentious election campaign issue.

Policy Adopted (insert date)



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Version #	De	cision Re	ference:	Syn	opsis:						
1.	(in	(insert Date)			 Updated to WALGA template. Update to Purchasing Practice table, increase in minimums. Detail added to items 6-9. 						
2.											



10.3.6 – Benefits to Departing Employees

Shire of DUNCOS Norseman Woodlands to Eucla Coast

ST1. Benefits to Departing Employees

Policy Objective

This policy recognises the service of Shire of Dundas employees at their resignation or retirement from the Shire; and determines the way the Shire grants a gratuity payment in addition to any amount to which the employee is entitled under a contract of employment or award at the completion of their service with the Shire of Dundas.

Policy Statement

The policy sets out the guidelines with regard to gratuity payments or farewell gifts that the Shire can confer on an employee who retires or resigns from full time or permanent part-time (pro-rata payment) employment.

The policy shall be published in accordance with Section 5.50(1) of the Local Government Act 1995 and notes the limitations set by Regulation 19A of the Local Government (Administration) Regulations 1996.

A "gratuity payment" means any payment of monies in excess of any contract or award entitlement including the disposition of Shire property to any employee.

An employee who is subject to performance management or investigation by the Shire at the time of ceasing employment; or who has been dismissed for reasons other than redundancy will not be eligible to receive benefits under this policy.

The Shire may confer a gratuity payment to an employee who after continuous employment with the Shire ceases employment, retires or resigns. The maximum value allowed for the gift or gratuity will accord with the length of continuous employment by the employee with the Shire as follows:

Up to 7 years No gratuity payment would be made unless exceptional circumstances apply and are reported to the Council by the Chief Executive Officer for consideration.

7 + years The Shire will confer a gratuity payment to an employee after 7 years continuous service.

The value of the payment is to be calculated using the following formula:

(Personal leave in hours) multiplied by (5%) multiplied by (number years of continuous service) multiplied by (the current rate of pay on the resignation date)

The value of the payment is to be a maximum of **50%** of the accumulated personal leave entitlements at the current rate of pay on the resignation date.

Farewell Functions



ST1. Benefits to Departing Employees

The Shire will offer a farewell function to those eligible employees whose employment with the Shire is finishing as follows.

Length of Service

- i) Service 0 5 years: a farewell function is not provided.
- ii) Service more than 5 years and less than 10 years: employees may attend a short farewell function during business hours. The Shire will provide a limited amount of food, tea and coffee.
- iii) Service of 10 or more years: in addition to an internal staff function (as per 1.1ii), the employee and their partner will be invited to join the Shire President and Elected Members at an Ordinary Council meeting dinner. The departing employee may elect not to have a farewell function.

Gifts

The Shire considers the gratuity payment sufficient and will not purchase a gift in recognition of the service provided by an employee whose employment with the Shire is finishing or has finished.

Note:

- The Local Government (Administration) Regulations 1996 Part 4 19A limits the monetary value of gratuities paid to employees who are finishing employment with a Local Government to \$5,000.
- If the Council wishes to approve a gratuity payment is in excess of the maximum for the relevant term of service stipulated in this policy, then it must give notice of the proposed payment in accordance with the provisions of Section 5.50 (2) of the Local Government Act 1995.
- Continuous employment does not include unpaid maternity, unpaid paternity or unpaid leave in excess of three months.
- The gratuity payment will be calculated only on personal leave accrued during employment with the Shire of Dundas, not the amount of personal or sick leave transferred from a former local authority under the previous award.
- The employee is responsible for any taxation implications associated with the payment.

Policy Adopted xxxxx



AREA: Community Development OFFICER: Pania Turner

PERIOD OF REPORTING: November- December 2021

Community Event Reminder October-November

Ordinary Meeting of Council:

Tuesday, 23rd November 2021

Where: Shire of Dundas Council Chambers

Time: 6pm

Who: Councillors and Community

Seniors Christmas Luncheon

When: Thursday 25 November

Where: Kambalda Recreation Facility

Time: 11:30-2pm

Who: Norseman Seniors

Travel: Shire Bus. 2 Shire officers will accompany the seniors transport the seniors to

the event.

Seniors Christmas Dinner Friday 3rd December

Where: Norseman Town Hall

Time: 6pm-9pm

Who: Councillors and Seniors

Carols in the Park:

Saturday 11th December

Where: Norseman, Marks Park

Time: 3pm-8pm Who: Community

What: Christmas markets, live music,

community barbeque, Santa!

Ordinary Meeting of Council:

Tuesday, 21st December 2021

Where: Shire of Dundas Council

Chambers Time: 6pm

Who: Councillors and Community

COVID-19

Based on the latest health advice, a mandatory vaccination policy for most occupations and workforces in WA will be introduced in a phased approach.

The policy follows the existing mandates in place for workers in high-risk industries, including those interacting with people at an increased risk of being infected with COVID-19, or people who are vulnerable to the impacts of COVID-19, or where it is necessary to avoid catastrophic risk to the safety of the community.



The policy's phased approach is to apply mandatory vaccinations for more industries in WA, as well as a requirement for other critical workers to be vaccinated to attend work in the event of a lockdown or similar restrictions.

Group 1 industries and occupations:

First dose by 1 December 2021 and fully vaccinated by 31 December 2021:

Industries determined to have high transmission risk, or are a vulnerability risk or are necessary or critical to the safety of the community

A number of these industries have been announced previously and are currently in the process of implementation

Group 2 industries and occupations:

First dose by 31 December 2021 and fully vaccinated by 31 January 2022:

Industries and workforce deemed critical to ongoing delivery of business and the function of the community

Mandating requirement in place to ensure the continuity of key services and businesses in the event of expected community transmission.

In the event of a lockdown:

Must be fully vaccinated to attend work during a lockdown or similar restrictions:

These critical workers must be fully vaccinated to leave home to attend work, to decrease transmission risk and prevent impact on the delivery of services.

Considerations for the Shire of Dundas Staffing

Senior Officers are monitoring changes to the mandate as the details rating to local government is being considered.

Although local government is only referred to in Group 3 *In the event of a lockdown*: The expectation is that Shire staff who perform duties in areas identified in Groups 1 or 2 such as emergency response roles, catering for an event, or working with children and youth will be required to meet the mandated vaccination.

Staff can present proof of their vaccination status via their digital certificate or immunisation record. These will be kept on confidential personal files as per other medical records.

Senior staff are working with all staff to address vaccine hesitancy or concerns.

Preparing for borders opening

The Shire of Dundas and its residents have now experienced more than once cases of COVID-19 passing through the Shire. It is expected that as Australia opens up and we see an increased level of interstate travellers more of these incidents are likely to occur. High vaccination rates, good hygiene practices and use of the Safe WA App are all safeguards for the Community.

The Shire's LEMC will also review a local pandemic response plan to further assist our preparedness.



Strategic Community Plan

The final elected member's workshop to review the community feedback for the Strategic Community Plan will be held on November 19th October. Facilitated by Puzzle Consulting this workshop will bring together all the feedback from our community and draw out the priorities identified which will then inform the development of the Strategic Community Plan.

Norseman Swimming Pool

The much-awaited pool season has commenced, with Pool Manage Sandy Murphy at the helm of Norseman Pool for another season. The start of the season is a good place to remind pool users of their responsibilities and pool rules:

- Children under 5 years must be accompanied by a responsible adult and supervised at arm's reach at all times.
- Children under 10 years must be accompanied by a responsible adult and supervised at all times.
- Swim/aqua nappies must be worn by a child or baby who ordinarily wears a nappy.
- Appropriate and clean swimwear must be worn by all pool users.
- A person must not enter or use the pool if suffering from gastroenteritis, or disease/skin infection that is communicable
- A person will not be permitted to enter the facility if they are deemed to be under the influence of alcohol/ drugs (intoxicated).

Norseman Pensioner Op Shop

The Norseman Pensioners Opshop has now moved to Dodd House. A new fitting room has been installed and the shelving has arrived and is being assembled as we know the Pensioners are eager to reopen in their new facilities.

Arility Norseman Experience

Norseman's newest mural experience by way of augmented reality (AR) will be launched at the Norseman Christmas Fayre- Carols in the Park on Saturday 11th December. The Shire would like to acknowledge Our GEMS WA who through the work of Project Manager Donna Malec of has assisted the Norseman Visitor Centre in making some of our iconic features come to life!



Christmas in the Park-Norseman Christmas Fayre

The Event team are gearing up for the Christmas in the Park. Which will be proudly supported by Norseman CRC, Pantoro and IGO. The afternoon promises to be day of festive fun, and we encourage all to come along.



4.1 TOWN WORKS

- Town crew completing works at the new laundromat, remove soil from rear of building.
- Remove all old air-conditioning externally and internally.
- Grind internal floor of glue and cements to level.
- Pumping sewer water to reduce volumes in storage ponds.

4.2 GARDEN CREW

- New garden crew have started working on all gardens.
- Reinstalling reticulation at clock roundabout.

4.3 ROAD CREW

- Assisting Town Crew with projects.
- One staff member taking long service Leave.
- A casual grader operator has been sourced to commence work on the Hyden Norseman Road and also to train a current Shire worker in the operation of grader operation.

4.4 HYDEN-NORSEMAN ROAD

Closed 8/11/2021 due to rain.

4.5 EUCLA

• Nil at the moment.

4.6 PLANT

• Rubbish truck broke down with computer issues. Sourced Cleanaway to complete the Monday waste collection. Truck repaired and now operational.

4.7 Norseman Landfill

- Progressing to alter landfill outdated paperwork and procedures.
- Required to conduct extensive clean up due to controlled waste contractor overflowing the sewer dump pit. Incident was reported to DWER on 4/11/2021.

4.8 OCCUPATIONAL SAFETY AND HEALTH

- Chemical shed has been sorted by OHS contracting company as is the pool storage area.
- All out of date and non-compliant chemicals have been removed from chemical shed.
- Chemical storage of pool chemicals to be rectified at the Swimming pool.

4.9 HUMAN RESOURCES

Casual Grader operator sourced and commenced work.

4.10 BUILDING MAINTENANCE

• Lighting to Admin repaired.

4.11 PLANT REPLACEMENT

• Nil at this time

4.12 CEMETERY

• More weed spraying being performed.

4.13 MWS WORKING ITEMS

- Review and modify Plant Replacement 10 Year plan
- Ongoing Gravel Extraction-Hyden-Norseman Road,
- Review Building Maintenance.
- Showing new Works Co-ordinator, the workings of Dundas Shire.

4.14 SWIMMING POOL

• Meeting with pool Manager at the pool resulting in an inspection uncovered several hazards that require urgent attention.

Shire staff spent a full week performing maintenance to the pool area infrastructure. Toilet's pressure cleaned, floors painted, footpath cleaned and painted. Lawns mowed.

4.15 PRIVATE WORKS

- Cartage additional gravel to new mining camp.
- Private works for spilled waste material on roadways by BIS Industries.

JOE HODGES Manager Works and Service



MANAGEMENT REPORT

Prepared by: Angie Hogan 01/10/2021-31/10/2021 Norseman Community Resource Centre

Membership and patronage details:

Total Number of memberships: 4

New memberships this reporting period: 0

Patronage per opening hour: 6.5

The CRC had a busy month with a Fright night at the museum with a fantastic tour of the museum and a great attendance on the night, the feedback was overwhelming and we are aiming to run this once a year.

Kidz Klub Halloween in the park proved to be a huge success with 50 in attendance, adults and kids made an amazing effort with costumes, along with a BBQ, bouncy castles and prizes for best costume, the kids and adults had a great time.

The CRC has had a lot of online workshops and webinars for business, also hobby workshops have been a great success.

Marketing strategies undertaken in the reporting period and outcomes achieved Strategies undertaken:

Events/courses investigated for future succession planning

All year we will be running Free Basic computer classes-Word, Excel, and Publisher, and BeConnected for Seniors 50+ short courses.

Professional development and training opportunities

Certificate II in information, Digital media and Technology.

Professional development opportunities undertaken within reporting period

Professional development opportunities identified for future reporting periods



REPORT TO COUNCIL Ordinary Council Meeting 23rd November 2021

AREA: Tourism, Events & Youth OFFICER: Margaret McEwan

PERIOD OF REPORTING: October - November

Visitor Services

A total of 1083 patrons have been through the Woodlands Centre between the dates of the 4th of October – 13th of November (inclusive of CRC customers). Since the border has eased restrictions, we are seeing more travellers heading over to South Australia making their journey home. Staff have been assisting travellers with the South Australian boarder passes.

RV spend from the 1^{st of} October – 30th October has recorded \$2318.00 spend for the month of October.

Events

Craft ladies' day out in Kalgoorlie on the 10^{th} November doing their Christmas shopping early way ahead of the Christmas rush, it is always a pleasure spending the day with this group of ladies, thank you for a great day out!

Remembrance Day service. On the 11th Day of the 11th Month on the 11th hour, we will Remember them! Thank you to everyone who attended the service and a special thank you to Kevin Tucker, Sophie Lewis, Cate Honey and Leon Cuso.

Youth

Youth activities are happening 3 days a week,

Monday - Youth Centre open 1:30pm - 6pm, ages 9-18yrs

Wednesday – Free crafternoon and a movie at the Woodlands Centre, 2:45pm – 4pm, ages 6-18yrs

Friday – Friday afternoon Sports at the oval, 3:30pm-6pm, All ages welcome!

Up Coming Events & Workshops

Powertex Workshop 19th November Coded Dojo code club for kids 20th November Community Markets 20th November Coolgardie Seniors Christmas Luncheon 25th November Seniors Mining Tour 27th November

DECEMBER

Seniors Christmas Dinner 3rd December Christmas in the Park 11th December End of year Shire party 17th December

