



MGC & WM ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

19 March 2025 at 5:00pm

INDEX

13. MANAGER GOVERNANCE & COMMUNITY

13.2.1 EO11 24-25 Provision of Early Childhood Education Services	1
13.2.2 <i>CONFIDENTIAL – EO1 Submissions (provided under separate cover)</i>	-
13.3.1 MARKYT Community Scorecard Results Report	15
13.4.1 Council Administration Policies (reviewed)	98

14. WORKS MANAGER

14.1.1 Amended Council Policy 1.5.6 Voluntary Contributions to Roadworks	190
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EXPRESSION OF INTEREST

Expression of Interest:	<i>Provision of Early Childhood Education Services</i>
Deadline:	<i>9am, Thursday, 24 April 2025</i>
Address for Delivery:	<i>All submissions are to be submitted via Tenderlink.</i>
EOI Number:	<i>EOI1 24-25</i>

Table of Contents

Contents

1	Introduction.....	3
2	Background.....	4
2.1	Existing Childcare Provision	4
2.2	Current Challenges and Future Demand.....	5
3	The Opportunity	6
3.1	Site Details	6
3.2	Building Works.....	6
3.3	Lease Terms	6
3.4	Site Inspection.....	7
3.5	Disposal Process	7
4	Selection Criteria	8
4.1	Mandatory Requirement.....	8
4.2	Qualitative Evaluation Criteria	8
5	Submitting an Expression of Interest (EOI)	10
6	EOI Response Form.....	12
7	Appendices	13
7.1	Floor Plan	13
7.2	Landscape Design (Concept)	14

1 Introduction

The Shire of Mingenew is seeking Expressions of Interest (EOI) from accredited childcare providers to commence operations in a newly constructed, purpose built facility located on a portion of Reserve 26455, 20 Victoria Road, Mingenew, opposite the Shire of Mingenew Administration and Council Chambers.



The EOI will enable the Shire of Mingenew to select a preferred respondent at which stage it will seek to dispose of the property for the purpose of a lease via private treaty in accordance with section 3.58 of the *Local Government Act 1995*.

The Services being sought are general weekday early childhood education services (daycare), before and after school care services and vacation care services.

2 Background

Mingenew is located 383 kilometres north of Perth in Western Australia's Mid-West region, covering an area of 1,939 km². Named after 'Mingenew Spring', an Aboriginal term recorded by settlers in 1856, the area saw European settlement in the 1850s due to its suitability for cattle farming. The Midland Railway opened in August 1891, leading to the subdivision of private land and the gazettal of the township of Mingenew in 1894.

Our community has a long agricultural history and is home to the largest inland grain receival point (CBH) in the southern hemisphere, with plans for further expansion. Diversification into the tourism economy, space industry, and resource sector has increased demand for childcare services to support workforce needs and align with the community's key objective of promoting population retention and growth.

Expanding and enhancing childcare services in Mingenew has been a top priority for the community. This has driven a business case and grant application to construct a new, purpose built facility. This initiative was highlighted in the Shire of Mingenew Strategic Community Plan 2019-2029 and reaffirmed in the updated Strategic Community Plan 2023-2033 and Corporate Business Plan.

2.1 Existing Childcare Provision

Mingenew has an existing Shire-owned childcare facility (the Mingenew Education and Care Centre (MECC)) located at 76 (Lot 106) Phillip Street, which is currently operated by a not-for-profit organisation, under a lease arrangement with the Shire.

The current Mingenew Education and Care Centre (MECC) is the only daycare service within the Shire of Mingenew, serving a community of approximately 400 residents, as well as those commuting to Mingenew for work. The centre can accommodate up to 17 children at a time (subject to meeting child-staff ratios), operating four days a week between 8:15am-5:00pm. This is a critical service for primary caregivers to support local employment and is crucial to economic growth and social health in the region.

The existing facility has recently been modified to increase the floor area to accommodate an increase to the number of children (17 licensed places) however there is no feasible capacity for further extensions to the facility. After consideration of options to renovate the existing or build a new fit-for-purpose facility, the latter was considered the most feasible option.

2.2 Current Challenges and Future Demand

As at December 2024, the Mingenew Education and Child Care Centre has 21 enrolments, including after school care. There are three educators working at the facility, two of whom are Diploma qualified. The service currently has a vacancy for a qualified or trainee assistant.

There have been challenges in attracting and retaining suitable candidates to the Centre. To support the service provider in attraction and recruitment, the Shire has provided subsidised housing for childcare employees and supported initiatives to increase employee benefits. Housing has been identified as a major challenge and priority for the Mingenew community, with insufficient diverse and modern housing options available. However, the Shire is developing a number of business cases to support an increase in housing stock in Mingenew, particularly for key workers, and has allocated land for future development.

Whilst the Centre currently reports no children on the waitlist, previous surveys and current data indicate a higher demand. The ABS (2021) reports there are 104 families in Mingenew, with 38 children between the ages of 0-4 years and 29 children 5-9 years but the timing of the census may not accurately reflect the seasonal workforce supporting the agricultural industry.



3 The Opportunity

3.1 Site Details

The site for the new Childcare Centre is centrally located in the Mingenew townsite, within walking distance to essential services and amenities. It is approximately 320m from the Mingenew Primary School, the same distance to the Mingenew Health Centre and the main street town centre.

The lot is Crown Reserve 26455, vested with the Shire for “Municipal Purposes”.

3.2 Building Works

The subject site includes a custom built premises for the operation of a childcare centre. A tender was awarded to construct the premises, ensuring it is fit for purpose. The works planned to the building are summarised below:

The new childcare facility is a single story building with slab on ground with timber frame walls and timber frame roof trusses. Plasterboard internal lining, predominantly cement sheet externally cladding and steel roof cladding.

The works are expected to be completed early 2026. A floor plan of the building is provided (refer 7.1).

On completion of works, the Shire considers the site will be capable of providing up to 24 long-day care placements, subject to relevant approvals from the regulator as sought by the successful operator.

3.3 Lease Terms

The lease will be negotiated under a lease arrangement in accordance with section 3.58 of the *Local Government Act 1995* and the term of the lease is negotiable but will be a minimum of 5 years inclusive of options.

Key terms of the lease for consideration are included in the table below. Upon determining a preferred respondent through the procurement process, a final lease agreement will be drafted which reflects the terms outlined below.

Consideration	Detail
Lease Term	5 year + 5 year option
Lease rate	Amount to be nominated on the Response schedules, excluding GST, will be subject to negotiation.
Building, Site Works and Fit-out	As-is
Ongoing Maintenance	The lessee will be responsible for general wear and tear, grounds maintenance and installation of any specialist features.
Outgoings	The lessee pays any rates and taxes levied and all services

	(air conditioning, electricity, water, wastewater pumpouts, pest, gas, telecommunications, and fire prevention and management systems).
Insurance	The successful proponents, must as leaseholder, indemnify the Shire from any claims arising from the operation of the facility. The leaseholder will also be required to maintain current public liability of \$20 million (as a minimum), professional indemnity, property, business interruption and workers compensation insurance to the Shire's satisfaction.
Deed of Agreement	The lessee to enter a deed approved by the State (being the head lessor) agreeing to be bound by the head lease and, if requested by the State, provide a guarantee of its obligations from either its directors, principal shareholders or other person reasonably required by the State.
Costs of Lease	<p>The lessee must pay for all costs and expenses associated with entering the lease.</p> <p>The lessee will be responsible for all expenses incurred for:</p> <ul style="list-style-type: none"> • The exercise or enforcement of its rights under the lease because of the lessee's breach; • Obtaining any consent approval, variation or surrender of lease occasioned/required by the lessee; • Any act or omission by the lessee causing cost or expense to the State.
Performance	<p>The lessee to:</p> <ul style="list-style-type: none"> • Comply with negotiated service level minimums • Compliance with state and national legislation, including child protection, working with children, public health, food safety and work health and safety • Consistent compliance with National Quality Framework and Standards • Maintain sufficient and appropriate workforce for the prescribed child numbers • Offer Child Care Subsidy to support low income households • Maintain effective parental communication • Maintain effective communication with the Council as the facility owner and strategic partner

3.4 Site Inspection

As the new childcare facility is under construction, a site inspection is not available.

3.5 Disposal Process

The *Local Government Act 1995* requires that the disposal of any local government property (including by way of lease) is required to be advertised if the local government has agreed the method and terms of disposal without having utilised a tender or auction process.

As such, respondents are advised that following successful negotiation with any party with respect to obtaining a lease, the Shire will undertake a statutory period of advertising (minimum period of 14 days, however submission period is open for a period of 30 days) and must consider a submission made with respect to this matter before it is able to enter into any legal agreement with the preferred party.

4 Selection Criteria

4.1 Mandatory Requirement

All respondents must demonstrate they hold the relevant regulatory licences to provide centre based childcare services in Western Australia.

4.2 Qualitative Evaluation Criteria

The following criteria have been developed to evaluate expressions of interest received.

All submitters must respond to each issue outlined in the qualitative criteria in their response.

Qualitative Criteria Description	Provided
Business Planning The Respondent must give details of its proposed business plan inclusive of a financial plan, and a plan to recruit and retain skilled and experienced staff to operate the centre. Consideration should be given to: <ul style="list-style-type: none"> • Details of staffing structure and contingency • Employment packages, retention policies • Staff training and education • International recruitment strategy (if applicable) • Housing of staff 	35% YES/NO
Quality of Service The Respondent should demonstrate their level and quality of care. Consideration will be given to: <ul style="list-style-type: none"> • Track record at previous facilities with the regulator including audit compliance and sanctions for non-compliance; • Expectations to provide higher level of service with respect to qualified staff, operating hours, flexibility additional education offering; • Additional service provision/experience in providing services to disadvantaged and children with a disability. 	35% YES/NO
Service Delivery Model The Respondent should demonstrate their proposed level of service and model. Consideration will be given to:	20% YES/NO

<ul style="list-style-type: none"> - Before and after school care - Vocational care - Capacity and ratios 	
<p>Relevant Regional Experience</p> <p>Describe your experience in providing centre-based care services in regional Western Australian communities. Consideration should be given to:</p> <ul style="list-style-type: none"> • Size of facility • Track record with the regulator <p>Staff attraction and retention rates</p>	<p>10%</p> <p>YES/NO</p>

5 Submitting an Expression of Interest (EOI)

Submitting an Expression of Interest (EOI)

How to prepare your submission

1. Carefully read all parts of this document;
2. Complete the submission and attach any supporting documents;
3. Lodge your submission before 9am, Thursday 24 April 2025.

Contact Person

Name: Matt Fanning
Title: Chief Executive Officer
Telephone: (08)9928 1102 / 0419 647 661

Deadline for EOI

The deadline for registration of interest is **9am, Thursday, 24 April 2025.**

The submission must be submitted by this deadline.

Lodgement of Submission and Delivery Method

The submission is to be made via Tenderlink at <https://portal.tenderlink.com/mingenew/>

Rejection of Submissions

The Shire may not review a submission which:

- Is received after the deadline
- Is not received via email
- Fails to comply with any other requirements of the Expression of Interest

Acceptance of Submission

The Shire is not bound to accept any of the submissions but will present all submissions (except those rejected).

Disclosure of Information

Documents and other information relevant to any contract may be disclosed when required by law under the *Freedom of Information Act 1992* or under a court order.

Submission Validity Period

All submissions (including purchase price and rent) must remain valid for a minimum period of six months from the closing date.

Ownership of Submission

All documents, materials, articles and information submitted by the applicant will become the property of the Shire on submission, provided that the applicant shall be entitled to retain copyright and other intellectual property rights therein.

Canvassing of Officials

If an applicant, whether personally or by agent, canvasses any of the Shire's Council Members or Officers with a view to influencing the acceptance of any submission, then regardless of such canvassing having any influence on the review of the submissions, the Shire may at its discretion omit the applicant from consideration.

Identity of Applicant

The identity of the applicant is fundamental to the Shire. The applicant shall be the person, persons, corporation or corporations named as the applicant in the Response Form and whose execution appears on the submission in the Response Form of this Expression of Interest.

6 EOI Response Form

The Chief Executive Officer
Shire of Mingenew
21 Victoria Road, Mingenew WA 6522

I/We (Registered Entity Name): _____
(BLOCK LETTERS)

of: _____
(REGISTERED STREET ADDRESS)

ABN _____ ACN (if any) _____

Service Approval No: _____ Provider Approval No: _____

Telephone No: _____ Mobile No: _____

E-mail: _____

In response to Expression of Interest (EOI) 1 24-25 Provision of Childcare Services:

I/We agree that I am/We are bound by and will comply with this Request and its associated schedules, attachments, all in accordance with the Conditions contained in this Request signed and completed.

The responded price is valid up to one hundred and eighty (180) calendar days from the date of the EOI closing.

I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Response irrespective of its outcome.

The consideration is as provided under the schedule of rates of prices in the prescribed format and submitted with this EOI.

Dated this _____ day of _____ 20____

Signature of authorised signatory of Respondent: _____

Name of authorised signatory (BLOCK LETTERS): _____

Position: _____

Telephone Number: _____

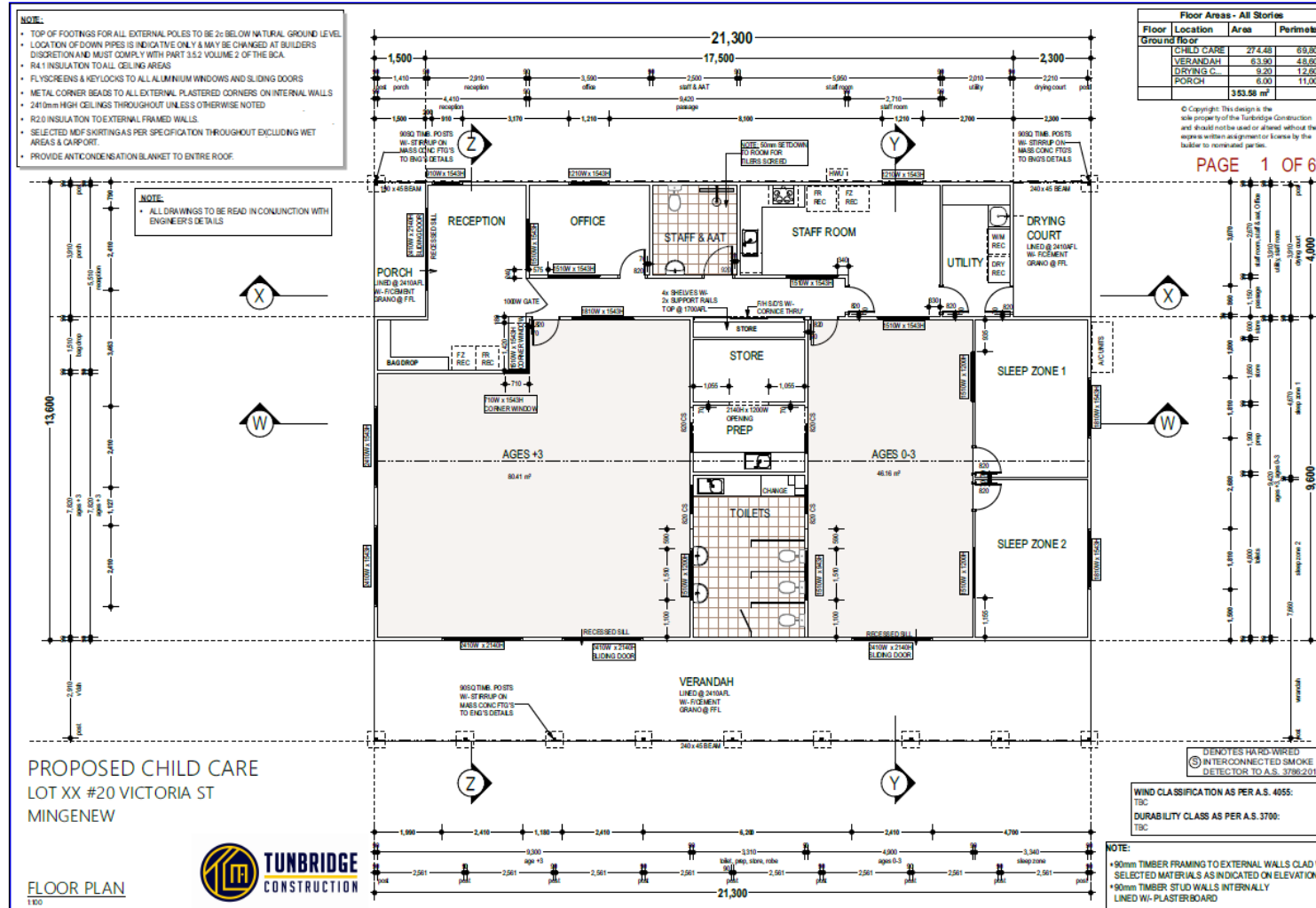
Authorised signatory Postal address: _____

Email Address: _____

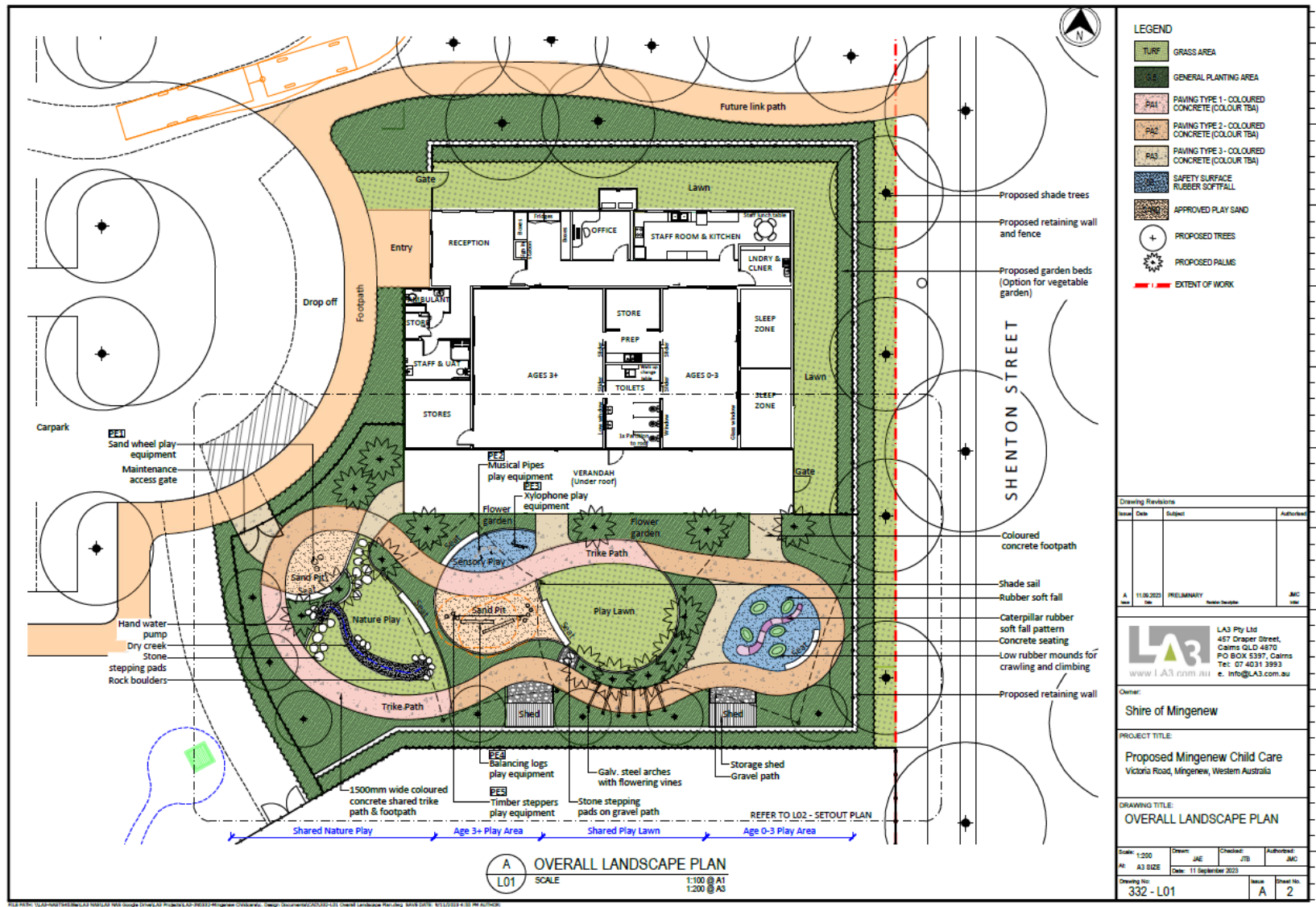
Lease rate offered per annum ex GST:	\$
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7 Appendices

7.1 Floor Plan



7.2 Landscape Design (Concept)





MARKYT 

Community Scorecard

2024

Prepared for



Prepared by



Strategic overview	3
Approach	5
Overall performance	10
MARKYT® industry comparisons	13
MARKYT® community trends	17
MARKYT® community priorities	20
Performance against key pillars in the Strategic Community Plan:	
People	30
Prosperity	42
Planet	53
Place	58
Performance	66
Overview of community variances	77
MARKYT® community priorities among other stakeholder groups	80

Strategic overview

Vision



24

% agree

3% points below
Industry Average and
up 3% points from 2022

Liveability

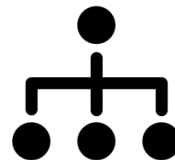


73

Performance Index Score

1 index point below
Industry Average and
up 8 points from 2022

Governance



54

Performance Index Score

3 index points above
Industry Average and
up 8 points from 2022

Rates Value



37

Performance Index Score

4 index points below
Industry Average and
on par with 2022

Top 3 performers

- Sport and recreation facilities and services
- Playgrounds, parks and reserves
- Respect for Aboriginal cultures and heritage

Most improved

- Playgrounds, parks and reserves
- Respect for Aboriginal cultures and heritage
- Customer service

Stronger compared to other councils

- Tourism attractions and marketing
- Sport and recreation facilities and services
- Telecommunications and internet services

Priorities



Local roads



Seniors' services and care



Housing



Health and community services



Waste management services



Streetscapes, trees and verges



Footpaths, trails and cycleways

Approach

Purpose



Department of Local Government, Sport and Cultural Industries

DLGSC's Integrated Planning and Reporting Framework requires local councils to review the **Strategic Community Plan** at least once every two years.

MARKYT Community Scorecard

Shire of Mingenew commissioned a MARKYT® Community Scorecard to:

- Support a review of the Strategic Community Plan (SCP)
- Assess performance against objectives and key performance indicators (KPIs) in the SCP
- Determine community priorities
- Benchmark performance



The Study

Shire of Mingenew commissioned CATALYSE® to conduct an independent MARKYT® Community Scorecard.

Scorecard invitations were sent to all households in the area by Australia Post unaddressed mail.

CATALYSE® sent email invitations to the Shire’s customer contacts, and the Shire provided supporting promotions through various communication channels.

The scorecard was open from **21 October to 6 December 2024**.



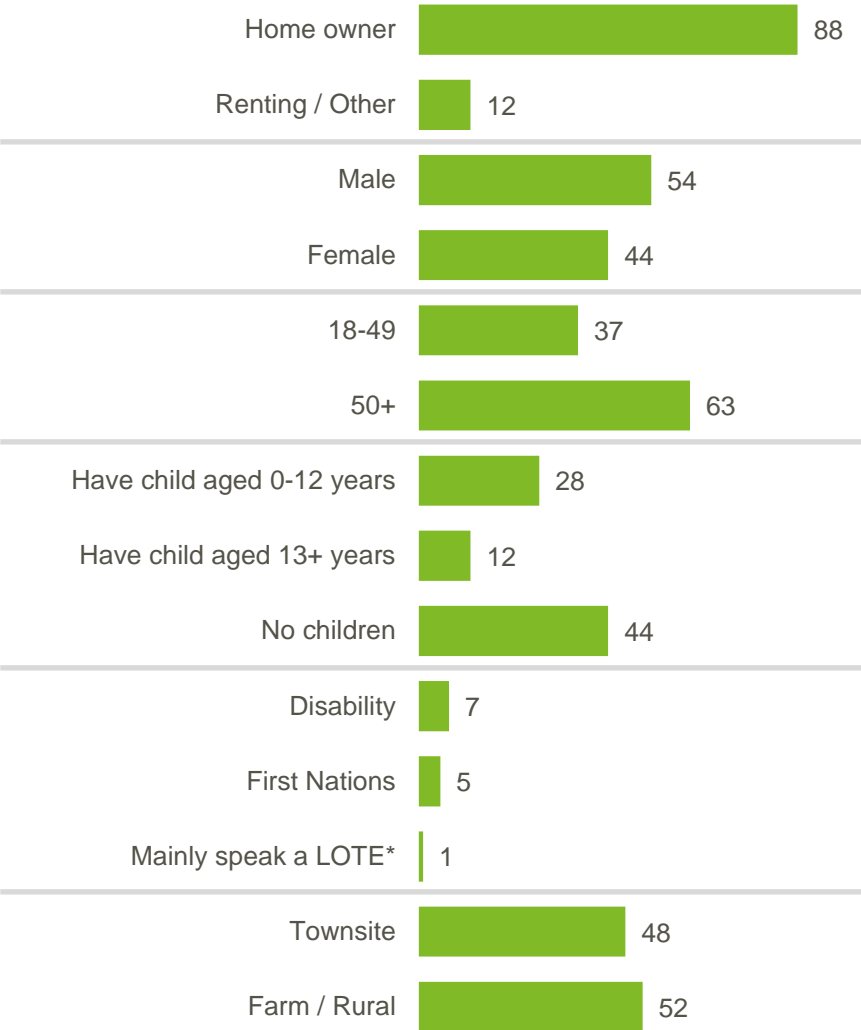
The scorecard was completed by **77 community members** with various connections to the Shire:

Resident	Out of area ratepayer / visitor	Elected Member / Shire employee
61	10	6

The main body of this report shows responses from residents. Responses were weighted by age and gender to match the ABS Census population profile.

Where sub-totals add to ±1% of the parts, this is due to rounding errors to zero decimal places.

% of resident respondents (weighted)



* LOTE: Language other than English

Over the past 21 years, CATALYSE® has conducted community and business perceptions surveys for more than 70 councils across Australia. When comparable questions are asked, we publish high and average scores to enable participating councils to recognise and learn from industry leaders.

Perth Region

Armadale
Bassendean
Bayswater
Belmont
Cambridge
Canning
Claremont
Cockburn
Cottesloe
East Fremantle
Fremantle
Joondalup
Kalamunda
Kwinana
Melville
Mosman Park
Mundaring
Nedlands
Peppermint Grove
Perth
Serpentine-Jarrahdale
South Perth
Subiaco
Swan
Victoria Park
Vincent
Wanneroo

Wheatbelt Region

Chittering
Dandaragan
Gingin
Merredin
Narrogin
Northam
Pingelly
Toodyay
York

Southwest Region

Augusta-Margaret River
Bridgetown-Greenbushes
Bunbury
Busselton
Capel
Collie
Dardanup
Donnybrook-Balingup
Harvey

Great Southern Region

Albany
Broomehill-Tambellup
Cranbrook
Denmark
Gnowangerup
Jerramungup
Katanning
Kent
Kojonup
Plantagenet
Woodanilling

Peel Region

Boddington
Mandurah
Murray
Serpentine-Jarrahdale



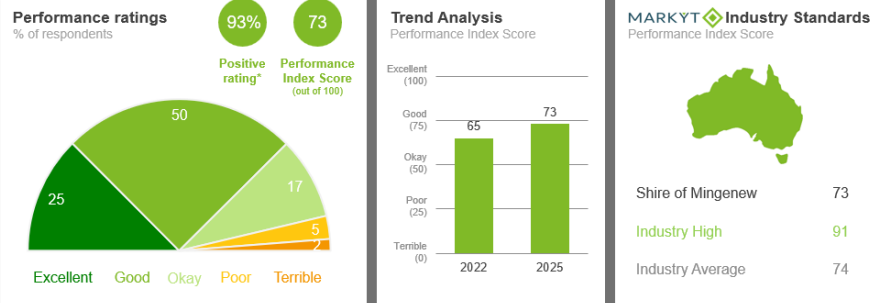
Note: in this report, average and high scores are calculated from councils that have completed a MARKYT® accredited study and asked a comparable question within the past three years.

How to read MARKYT® performance dashboards

Performance Ratings

The chart shows community perceptions of performance on a five-point scale from excellent to terrible.

Trend analysis shows how performance varies over time.



The **Performance Index Score** is a weighted score out of 100.

Score	Average Rating
100	Excellent
75	Good
50	Okay
25	Poor
0	Terrible

Variances across the community

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+*	18-49 years	50+ years	Townsite	Farm / Rural
73	75	75	70	76	70	57	72	73	73	73

Variance across the community shows how results vary across the community based on the Performance Index Score

MARKYT® Industry Standards show how Council is performing compared to other councils.

Council Score is the Council's performance index score.

Industry High is the highest score achieved by councils that have completed a comparable study with CATALYSE®.

Industry Average is the average score among councils that have completed a comparable study with CATALYSE®.

Overall Performance

Place to live

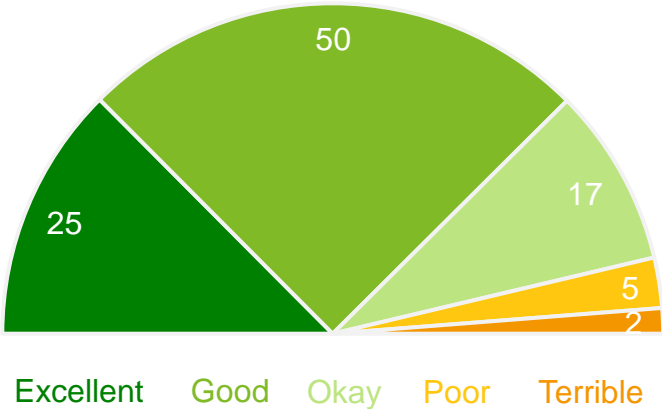
Performance ratings

% of respondents



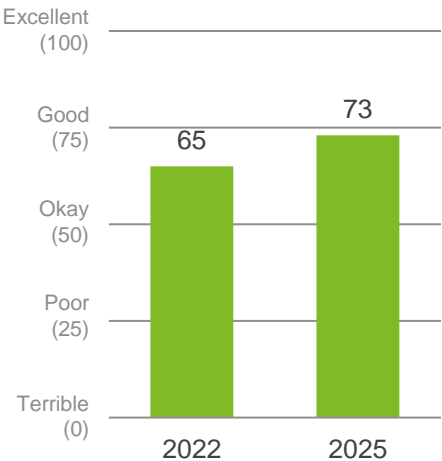
Positive rating*

Performance Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	73
Industry High	91
Industry Average	74

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
73	75	75	70	76	70	57	72	73	73	73

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 61).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Governing organisation

Performance ratings

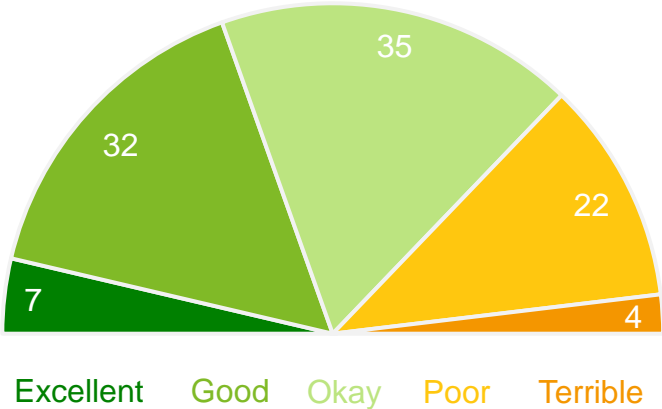
% of respondents

74%

54

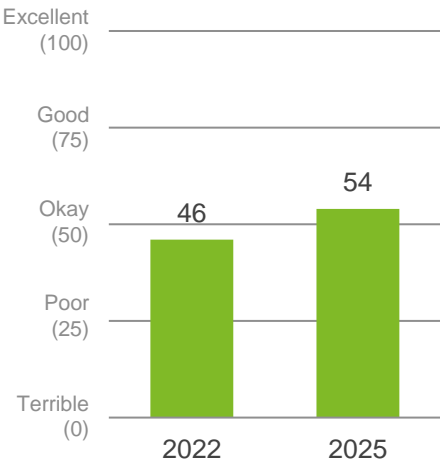
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	54
Industry High	71
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
54	53	58	51	50	62	49	64	49	48	60

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 61).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

MARKYT industry comparisons

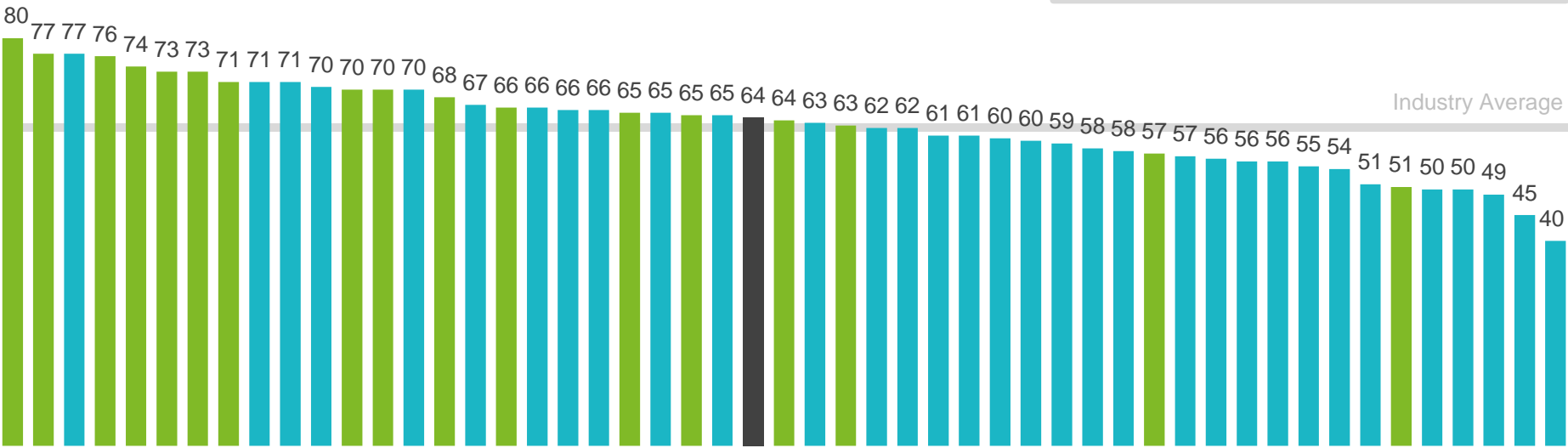
Overall Performance | industry comparisons

The 'Overall Performance Index Score' is a combined measure of the Shire of Mingenew as a 'place to live' and as a 'governing organisation'. The Shire of Mingenew's overall performance index score is 64 out of 100, 1 index points above the industry average.


Overall Performance Index Score

average of 'place to live' and 'governing organisation'

- Shire of Mingenew
- Metropolitan Councils
- Regional Councils




MARKYT



Industry Standards

Performance Index Score



Shire of Mingenew

64

Industry High

80

Industry Average

63

How to read the MARKYT Benchmark Matrix

The MARKYT® Benchmark Matrix (shown in detail overleaf) illustrates how the community rates performance on individual measures, compared to how other councils are being rated by their communities.

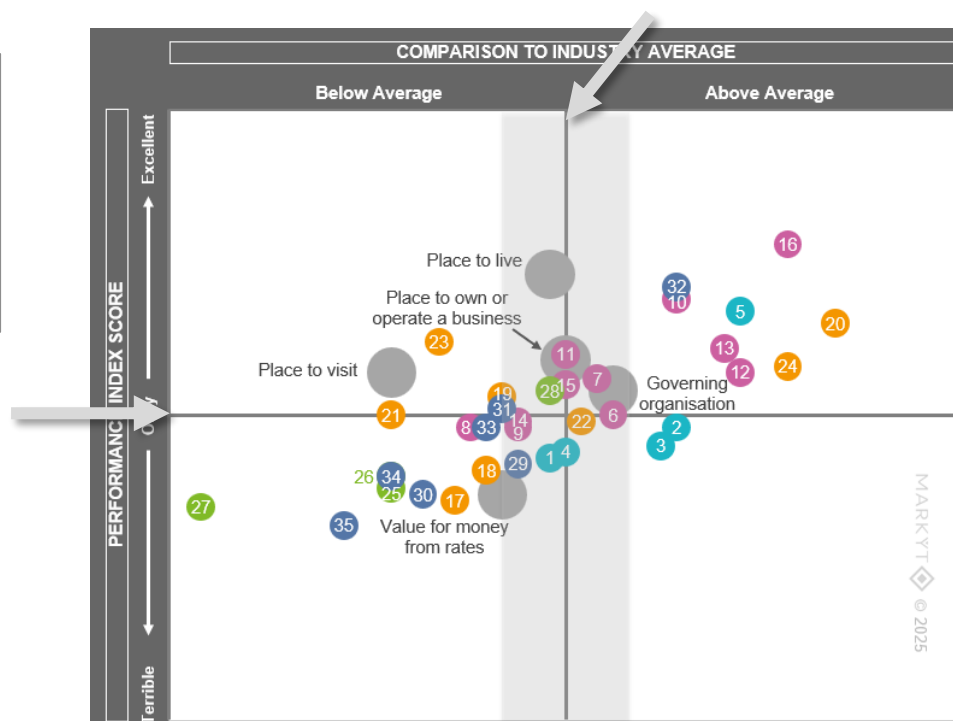
There are two dimensions. The vertical axis maps community perceptions of performance for individual measures. The horizontal axis maps performance relative to the MARKYT® Industry Standards.

Services are grouped in five areas:

- Performance
- People
- Prosperity
- Planet
- Place

This line represents okay performance based on the MARKYT Performance Index Score. Higher performing service areas are placed above this line while lower performing areas are below it.

Councils aim to be on the right side of this line, with performance ABOVE the MARKYT® Industry Average.



MARKYT Benchmark Matrix

COMPARISON TO INDUSTRY AVERAGE

Below Average

Above Average



- 1 Council's leadership
- 2 Advocacy and lobbying
- 3 Consultation
- 4 Communication
- 5 Customer service
- 6 Youth services and facilities
- 7 Family / children services and facilities
- 8 Seniors' services and care
- 9 Disability access and inclusion
- 10 Respect for Aboriginal cultures
- 11 Volunteer recognition and support
- 12 Community safety and crime prevention
- 13 Lighting of streets and public places
- 14 Animal management (dogs and cats)
- 15 Health and community services
- 16 Sport and recreation facilities / services
- 17 Economic development and jobs
- 18 Town centre development and activation
- 19 History and heritage
- 20 Tourism attractions and marketing
- 21 Festivals, events, art, cultural activities
- 22 Education and training
- 23 Library services
- 24 Telecommunications and internet
- 25 Sustainable practices / climate change
- 26 Conservation and environment
- 27 Waste management services
- 28 Natural disaster management
- 29 Responsible growth and development
- 30 Housing
- 31 Community buildings, halls and toilets
- 32 Playgrounds, parks and reserves
- 33 Streetscapes, trees and verges
- 34 Footpaths, trails and cycleways
- 35 Local roads

MARKYT community trends

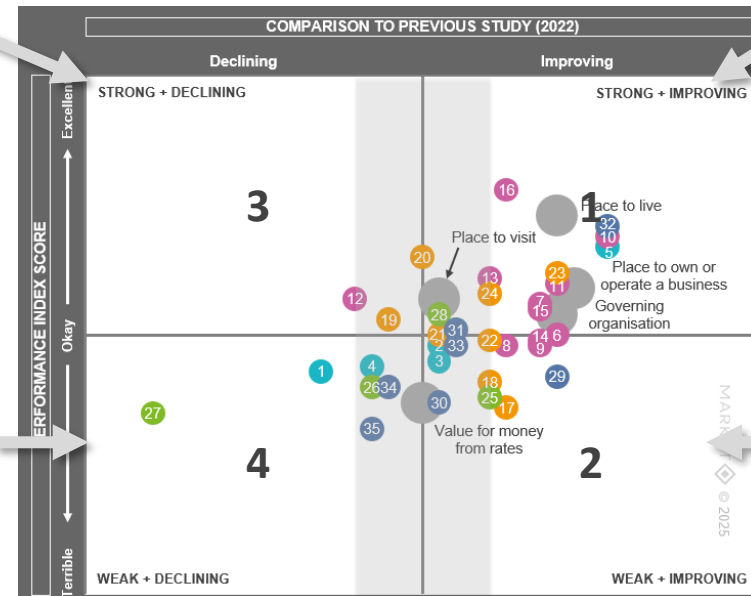
The MARKYT® Community Trends Window shows trends in performance over the past 2 years.

Window 3 includes higher performing services in decline. **Arrest decline** for:

- Community safety and crime prevention

Window 4 includes lower performing areas in decline. The **main concerns** include:

- Waste management services
- Council's leadership



Window 1 includes higher performing areas that have improved. **Stand-out improvers** are:

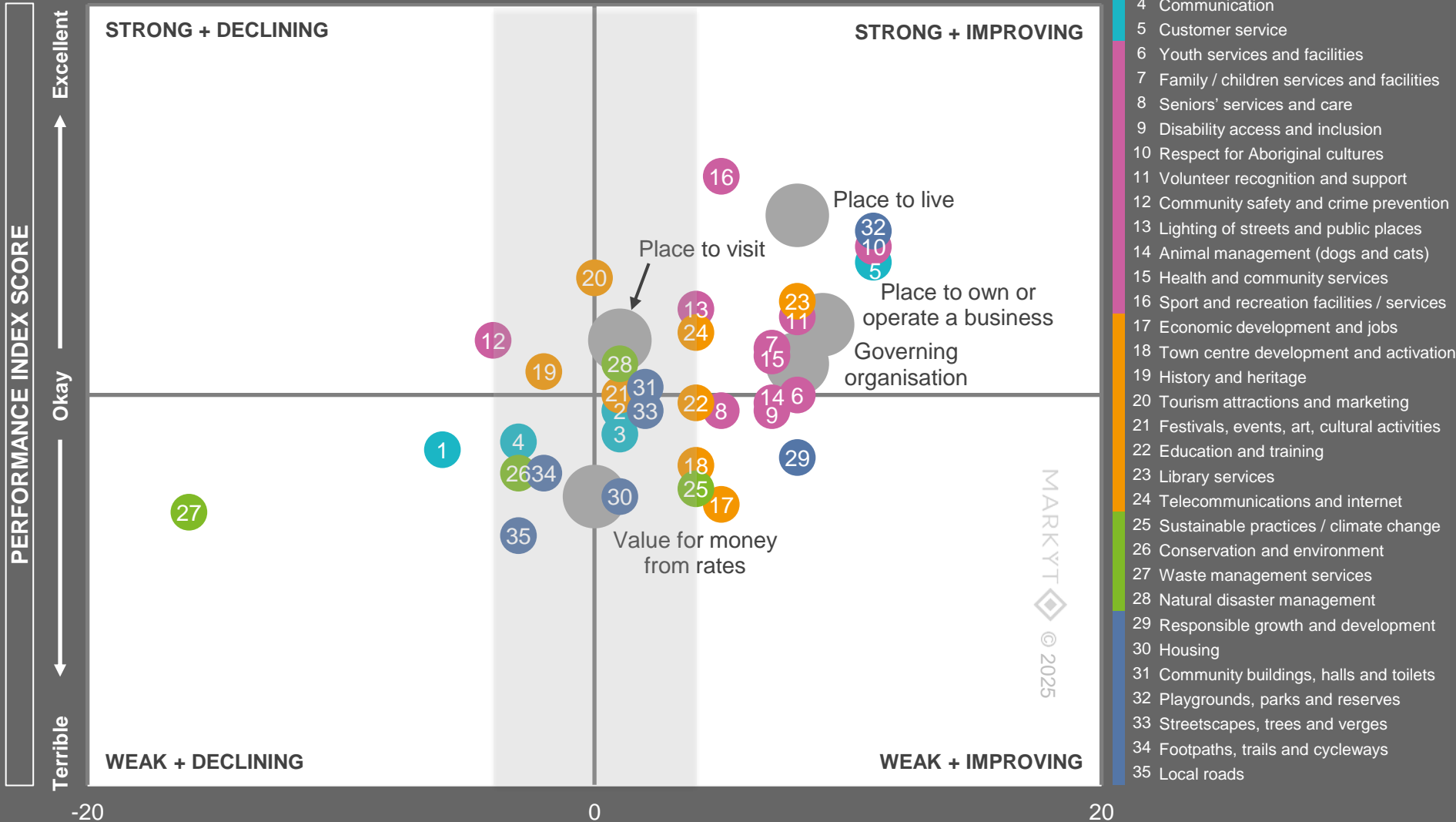
- Playgrounds, parks and reserves
- Respect for Aboriginal cultures and heritage
- Customer service
- Library services
- Volunteer recognition and support
- Youth services and facilities
- Family / children services and facilities
- Health and community services

Window 2 includes lower performing areas that are improving. **Celebrate progress** and continue to work on areas such as:

- Responsible growth and development
- Disability access and inclusion
- Animal management (dogs and cats)
- Economic development and jobs
- Seniors' services and care

MARKYT Community Trends Window

COMPARISON TO PREVIOUS STUDY (2022)



Q. How would you rate performance in the following areas? Base: All respondents, excludes unsure and no response.

MARKYT  community priorities

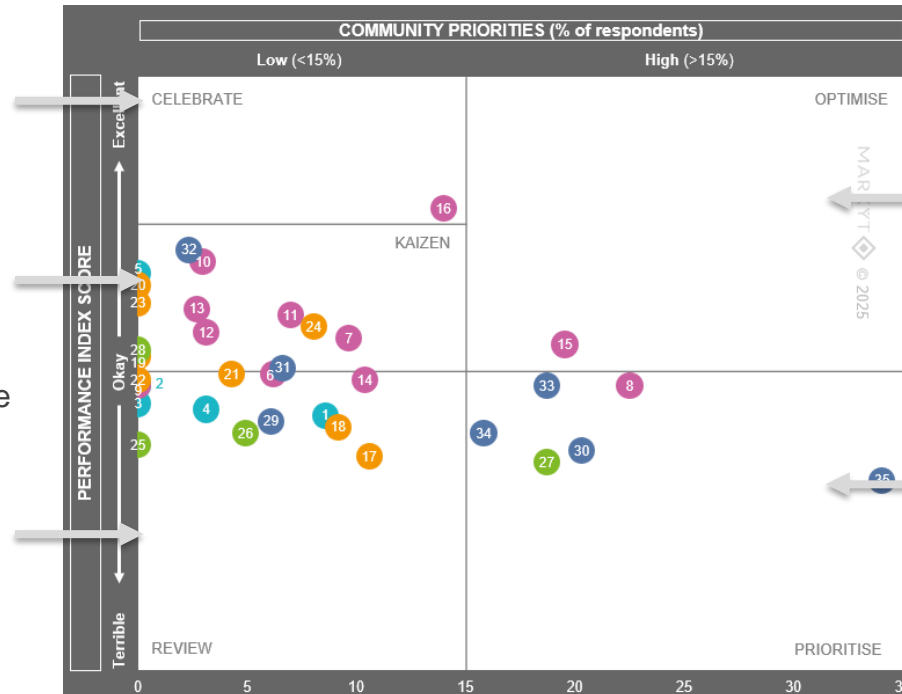
How to read the MARKYT Community Priorities

The MARKYT® Community Priorities chart maps priorities against performance in all service areas.

CELEBRATE the Shire's highest performing areas.

KAIZEN: consider ways to continuously improve services with average ratings between okay and good to strive for service excellence

REVIEW lower performing areas.



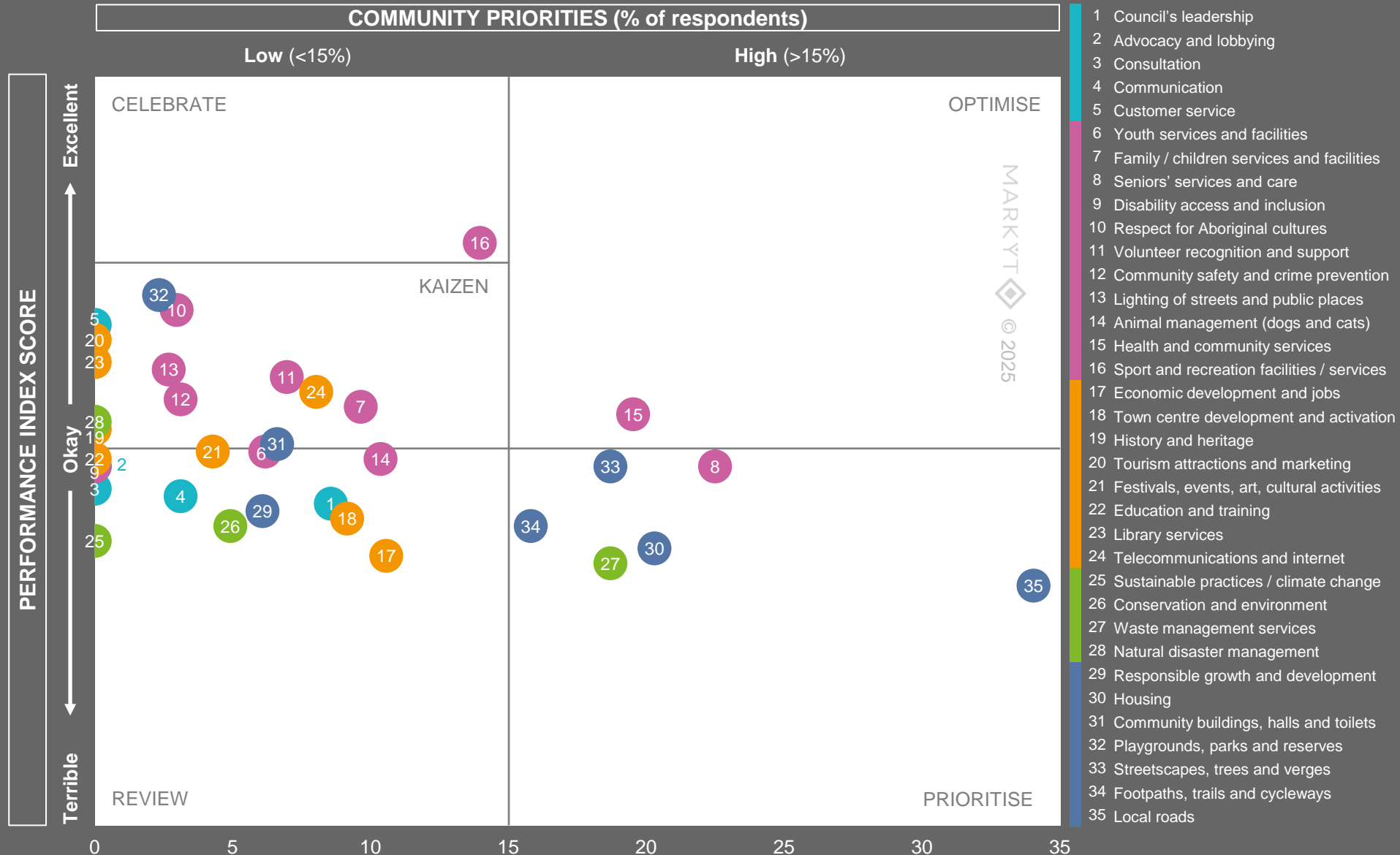
OPTIMISE higher performing services where the community would like enhancements to better meet their needs.

PRIORITISE lower performing services where the community would like the Shire to focus its attention.

Services are grouped in five areas:

- Performance
- People
- Prosperity
- Planet
- Place

MARKYT Community Priorities



Q. How would you rate performance in the following areas? Base: All respondents, excludes unsure and no response. (n=varies)

Q. Which areas would you most like the Council to focus on improving? Base: All respondents, excludes no response (n=49)

Community driven actions

- Maintain roads to a high standard. In particular:
 - repair potholes;
 - grade and resheet gravel roads regularly;
 - continue to seal gravel roads.
- Ensure work is done in a timely manner and by people with appropriate expertise.

Community Voices

"Patch potholes in sealed roads."

"Every vehicle I have needs a wheel alignment."

"There are a lot of streets in town that are uneven due to tree roots and potholes."

"More gravelling and grading."

"Put gravel on roads, not clay."

"More maintenance, more appropriate gravel put down and graded more consistently."

"Can't get to rubbish dump - only service I need in town."

"Resurfacing town roads & new curbing."

"Simple stuff, gravel roads that have not been re sheeted in my lifetime."

"Yandanooka North Rd needs to be finished the whole road."

"Local roads. Continue to seal the Yandanooka NE Road. Regravel the Yandanooka - Melara Rd between Jones Rd and Mingenew - Morana Rd."

"Ensure repairs to roads are done in a timely manner."

*"There's a lot of Shire Roads that really need some work.
There's also a few that are really good. If the work force
isn't capable of fixing roads, find someone who has the expertise."*

Community driven actions

- Provide more services for seniors to allow residents to age in place. In particular:
 - provide more medical services;
 - improve accessibility – ensure footpaths are even and safe, provide better access to buildings;
 - provide a range of activities for recreation and exercise;
 - advocate for improved aged care facilities and housing for seniors.

Community Voices

*“Assisting and making 'Staying in Place' a success for our town.
Increase health services - rather than it decreasing.”*

“More consideration of seniors retention in Mingenew.”

“More information and medical services.”

“Activities, more doctor services - wait time can be months, transport.”

“I would have selected aged care services / streetscapes and disability inclusion here as they all linked - the footpaths really need to be addressed. They are just plain unsafe and this affects all people not just the aged or disabled. There are more and more people getting gophers and our town has a lot of seniors in it so they need to be large, smooth and visible for sight impaired in our town. Repainting the curbing so it can be seen, filling in the verges so they are smooth (mulch or gravel- whatever is better for preventing slips and trips), minimising drop offs. Investigating funding opportunities to correct poor access to buildings such as the CRC, the museum, the Shire and the Rec Centre. Continue advocacy or investment in aged care/disability housing stock. Continued advocacy or investment in securing a gym - a space that people of all ages can access and attend to receive physio services, rehabilitation services and fitness services. Exercise is very important for all ages to reduced falls risk and increase health and mental health outcomes.”

“How about the Shire get the aged units fixed so a 93-year old doesn't have to live in a caravan in a caravan park because the Shire can't get their act together to get them fixed.”

Community driven actions

- Advocate for development of a range of housing options to encourage people to live and work in Mingenew. Cater to families, seniors and employees of local businesses.
- Provide incentives for home-owners to lease out their empty properties.

Community Voices

“Build it and they will come!”

“Not enough push to get people to move here due to lack of properties developed.”

“More ‘unit style’ accommodation options.”

“Build more units for young travellers and seniors.”

“Potentially erecting houses suitable for additional employees for any businesses within Mingenew Shire.”

“More housing. Better quality housing. Sense of pride from owners, taking better care of their facades and gardens. Solutions to manage smaller and re-used accommodation such as dongas and sea containers.”

“Have incentives for those with empty houses to lease them out, lease out empty shire houses. There is a housing shortage everywhere right now and Mingenew could be taking advantage of this as a way to build population and encourage new families to move here.”

“Somehow, rent accommodation needs to be more available, to give people a reason to live in Mingenew.”

“The Shire needs to find a way to get services installed to streets with blocks that have none. The dollar block sale was a waste as there is still no housing on those blocks. We seem to be on a path to becoming a giant retirement village. Focus needs to be on family housing or ways to get people to want to build family or couple housing rather than encouraging more elderly people to move to town. Unfortunately although lovely to have as part of the community, they put a lot of pressure on services and give little back to our community.”

Community driven actions

- Advocate for a wider range of health services for all ages, including more GPs, specialists and allied health professionals, such as physiotherapists.

Community Voices

"Education and health."

"More accessible health services."

"Continuation of medical services."

"For an area to become attractive to a varied age group, health services are a must."

"Regular doctor service plus visiting specialist such as physios, not just targeted to the senior population but younger as well."

"Support staying in place during establishment. Hold WACHS to account- make sure they don't reduce service or hours. Keep doctor visits regular and reliable."

Community driven actions

- Increase opening hours of the tip to make it more accessible and convenient for residents.
- Provide recycling facilities in town.

Community Voices

"Open more often."

"The tip being open 2 days a week is a joke."

"Better opening times that suit the community."

"EVERYTHING!!?? We're paying more in our rates to get no rubbish tip open? Leave the gates open!!! We just want to be able to take our rubbish when we have a spare five minutes from every day life like kids/work etc, but then have to think about if it's open . . . we don't all live in town and can't always get in when it's open, not even us town folk can get there when it's open."

"Provide recycling facilities locally."

Community driven actions

- Beautify streetscapes in town.

Community Voices

"Very untidy."

*"A CEO who understands and loves the town.
Main town shopping area upgrades (budget per year)."*

*"Beautify' main streets - better paths, concrete and trees.
See Beverley town centre - beautiful."*

*"Have a nice Main Street like some lawn not just a park bench under a tree in dirt,
go and have a look at Three Springs' Main Street."*

*"Would be nice to see trees grown on verges ... but make sure they are native to the
area and do not grow too big that they become a issue with powerlines."*

Community driven actions

- Install more footpaths, at least one on each street.
- Ensure footpaths are well maintained and safe for users of all ages and abilities as well as prams, scooters, gophers etc.

Community Voices

"Put in some decent footpaths."

"Improve footpaths and install more."

"It would also be great to have more footpaths around town, at least one per street."

"Upgrade footpaths and develop walking trails."

"Footpaths - gopher accessibility / child prams."

"Every footpath should be cemented for safety reasons as our community is an old one."

"Our footpaths need sorting badly . . . they are way too dangerous in some parts for the elderly to walk along."

"There have been number of people I have heard and seen including myself and close family / friends tripping over certain footpaths, complained, only for nothing to be done. I'm raising a family in the town, I want my family, myself, members of the community to be safe and not trip over footpaths."

People

Services and facilities for youth

Performance ratings

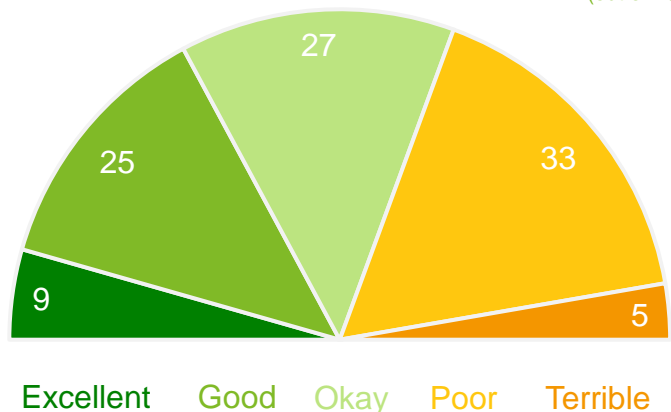
% of respondents

61%

50

Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew 50

Industry High 65

Industry Average 47

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
50	52	57	41	54	46	25	50	50	49	50

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 47).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Services and facilities for families and children

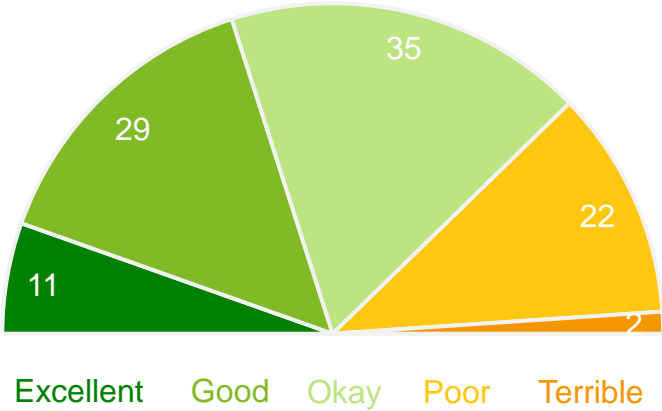
Performance ratings

% of respondents



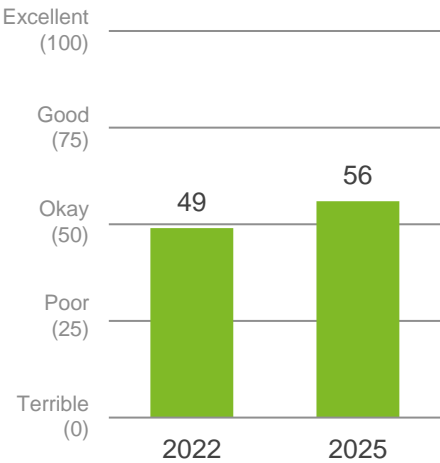
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	56
Industry High	68
Industry Average	54

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
56	57	59	52	56	55	43	59	54	52	60

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Services and care available for seniors

Performance ratings

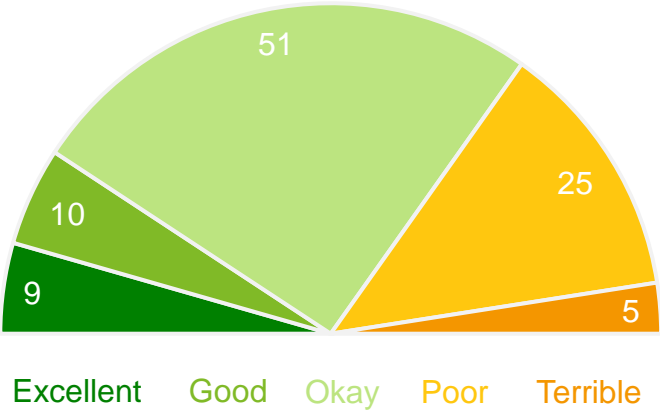
% of respondents

70%

48

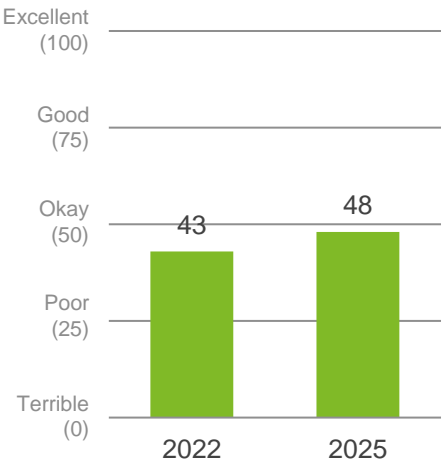
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	48
Industry High	68
Industry Average	54

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
48	49	55	42	50	47	47	52	46	46	51

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 47).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Disability access and inclusion

Performance ratings

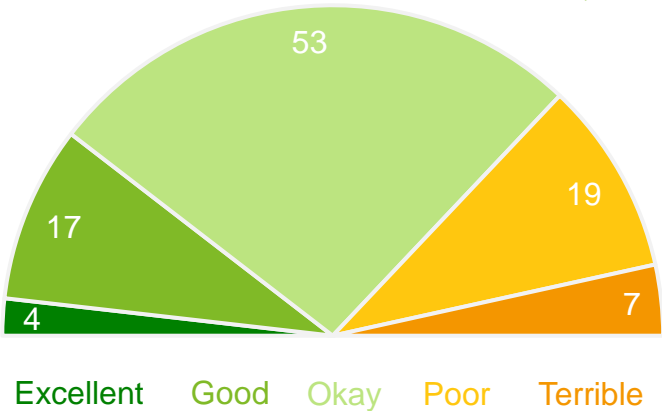
% of respondents

74%

48

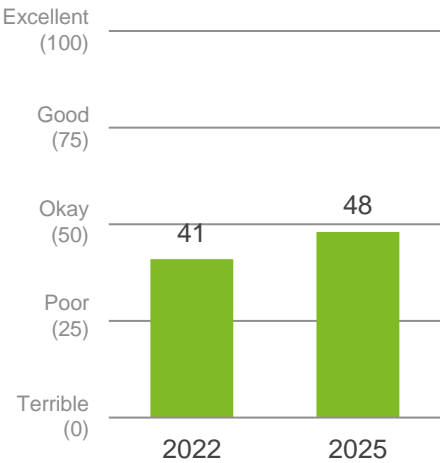
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	48
Industry High	62
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
48	49	55	40	50	48	35	46	49	44	54

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 42).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Recognition and respect for Aboriginal people, cultures and heritage

Performance ratings

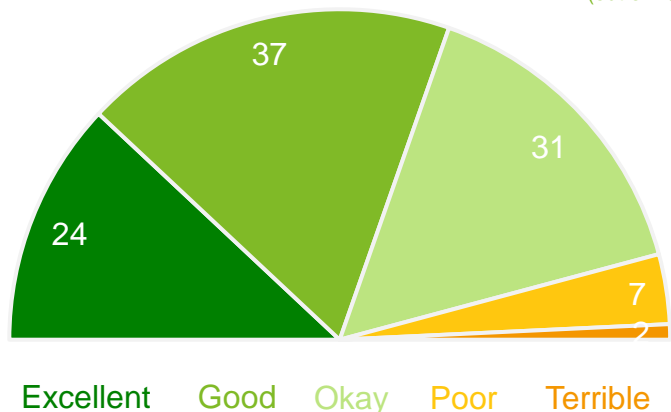
% of respondents

92%

69

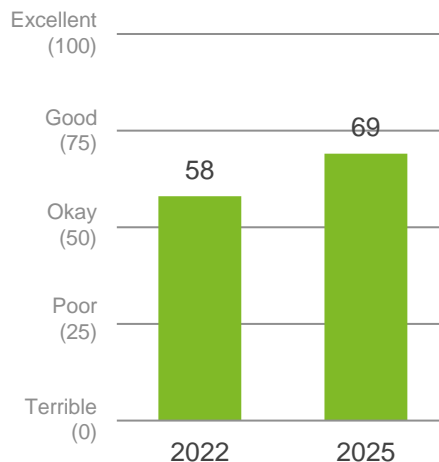
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	69
Industry High	71
Industry Average	62

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
69	72	75	61	77	67	53	59	75	71	66

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 38).

* Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Volunteer recognition and support

Performance ratings

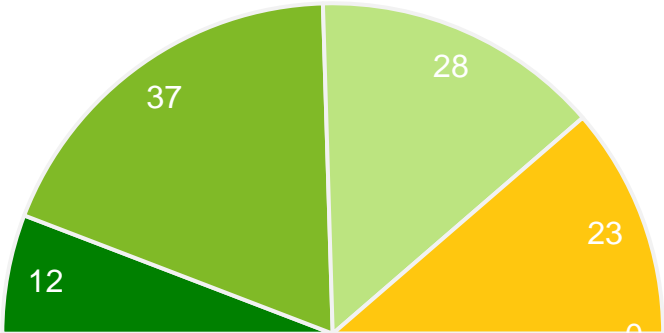
% of respondents

77%

60

Positive
rating*

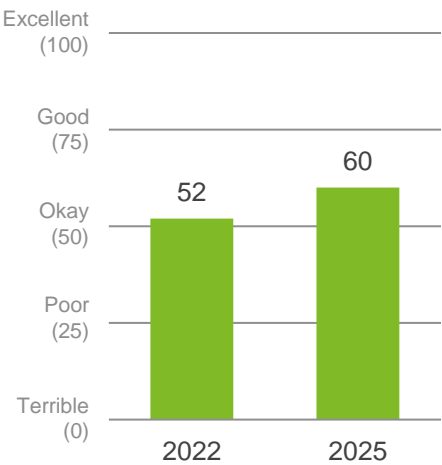
Performance
Index Score
(out of 100)



Excellent Good Okay Poor Terrible

Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	60
Industry High	69
Industry Average	60

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
60	58	67	54	60	60	53	62	58	55	64

Q. How would you rate performance in the following areas?

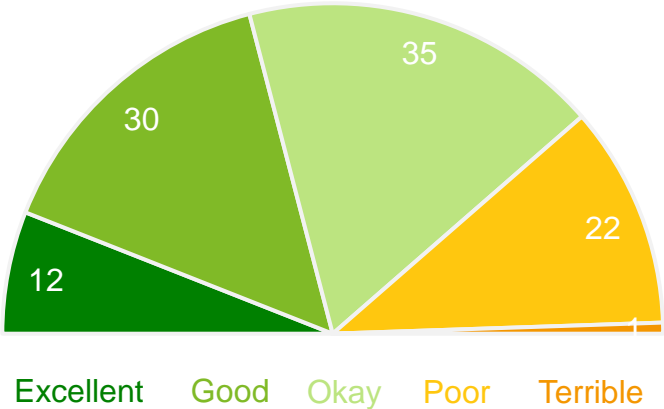
Base: All respondents, excludes 'unsure' and 'no response' (n = 50).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Community safety and crime prevention

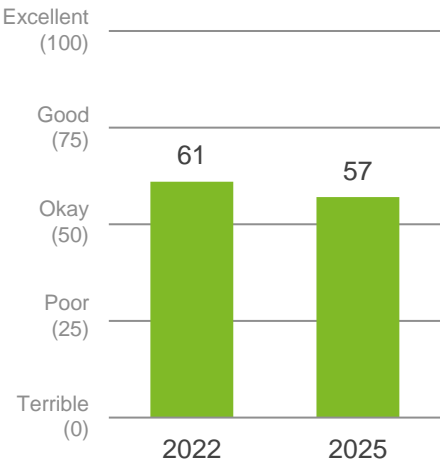
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	57
Industry High	66
Industry Average	46

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
57	58	60	54	53	64	52	60	56	54	61

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Lighting of streets and public places

Performance ratings

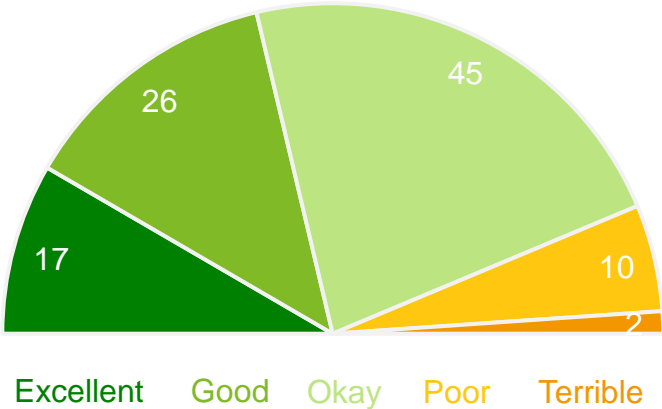
% of respondents

87%

61

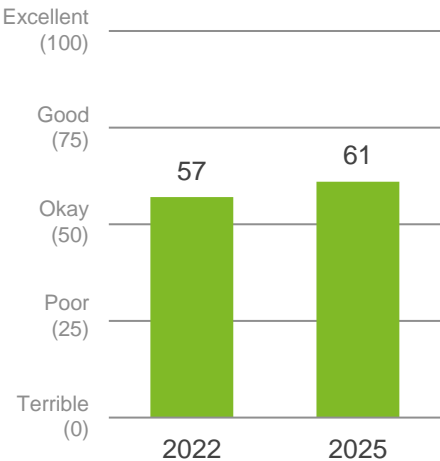
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	61
Industry High	65
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
61	64	63	57	62	61	47	61	61	61	62

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 52).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Animal management (dogs and cats)

Performance ratings

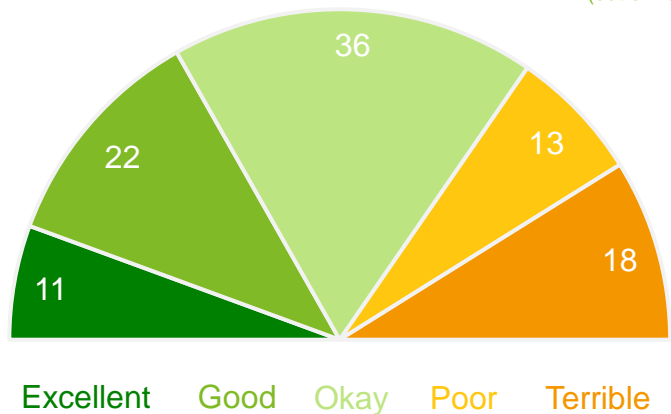
% of respondents

69%

49

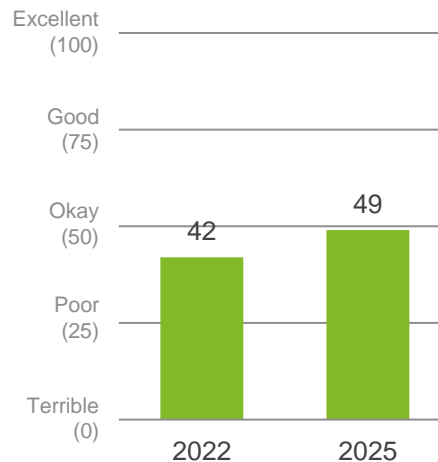
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	49
Industry High	67
Industry Average	52

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
49	49	52	45	40	66	54	60	44	42	62

Q. How would you rate performance in the following areas?

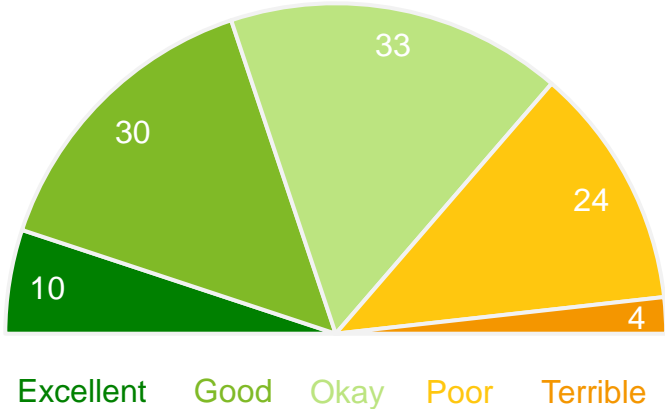
Base: All respondents, excludes 'unsure' and 'no response' (n = 43).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Access to health and community services

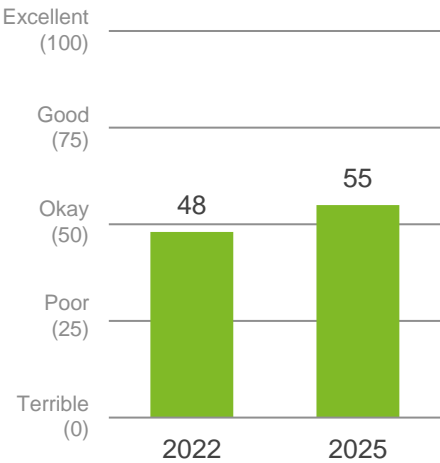
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	55
Industry High	68
Industry Average	55

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
55	56	62	44	53	58	47	58	53	53	57

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 57).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Sport and recreation facilities and services

Performance ratings

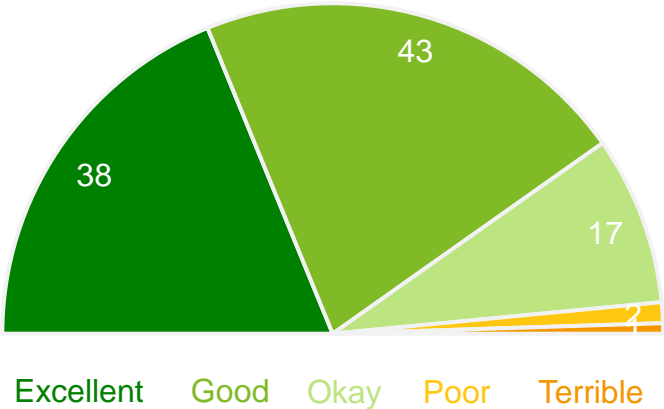
% of respondents

97%

78

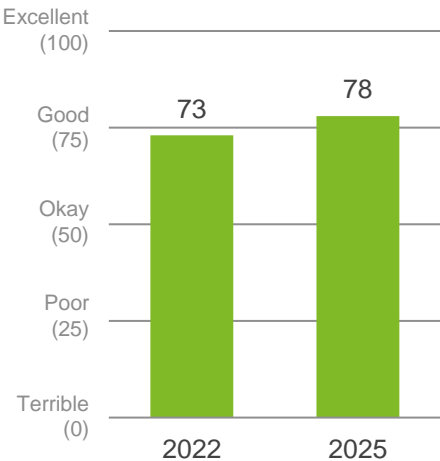
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	78
Industry High	81
Industry Average	64

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
78	81	81	76	84	74	65	75	81	80	77

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 56).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Prosperity

Economic development and job creation

Performance ratings

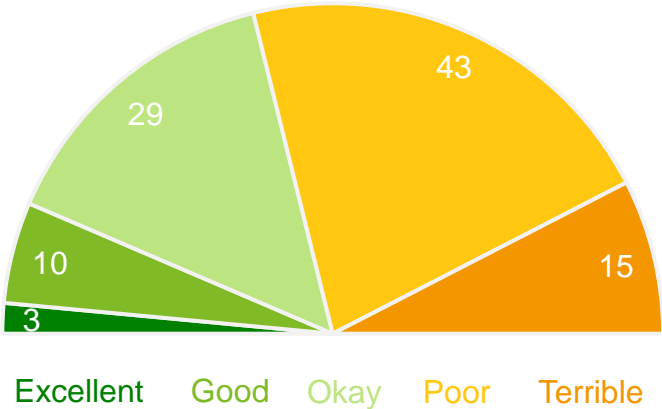
% of respondents

42%

Positive rating*

36

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	36
Industry High	56
Industry Average	43

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
36	35	40	32	39	36	31	37	35	32	40

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 51).

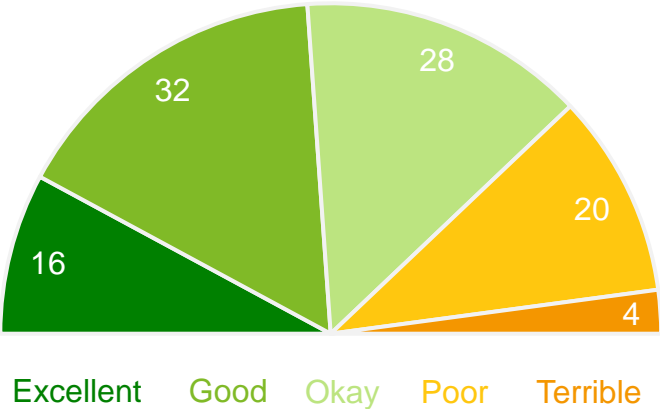
* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Place to own or operate a business

compared to other regional towns

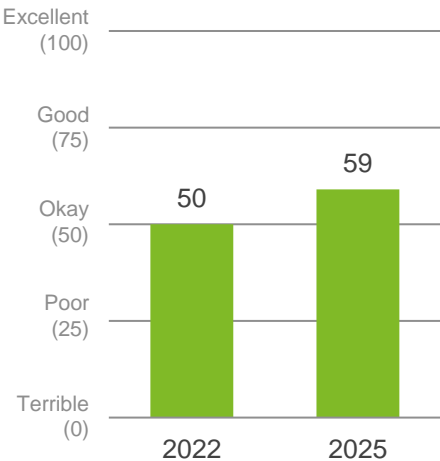
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	59
Industry High	72
Industry Average	59

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
59	59	65	52	59	64	46	59	59	55	62

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 55).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Town centre development and activation

Performance ratings

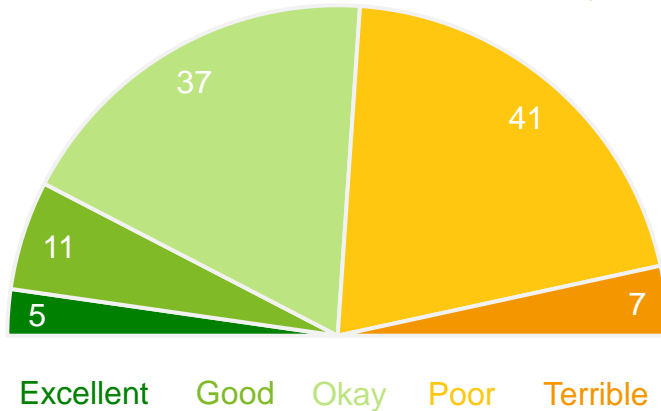
% of respondents

52%

41

Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	41
Industry High	63
Industry Average	46

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
41	44	42	44	45	41	31	41	41	36	48

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Preserving and promoting local history and heritage

Performance ratings

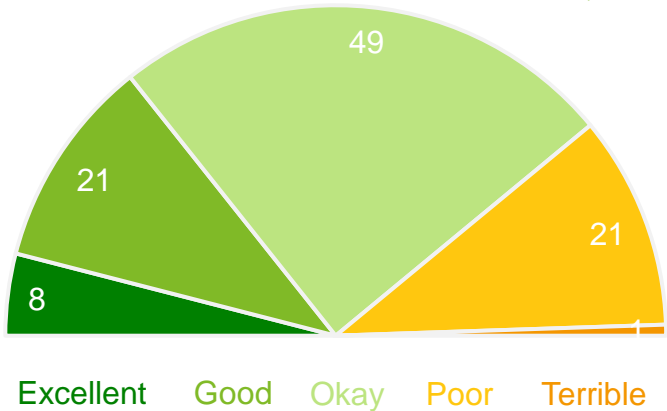
% of respondents

78%

53

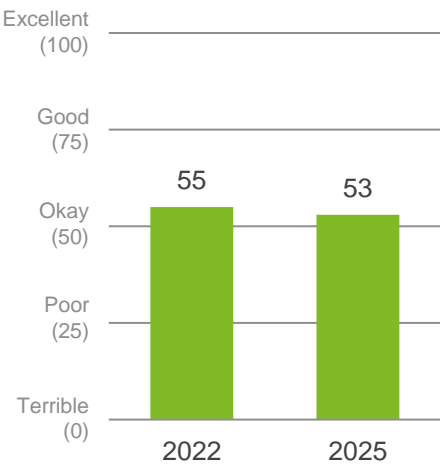
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	53
Industry High	78
Industry Average	57

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
53	53	56	52	51	63	54	59	51	52	55

Q. How would you rate performance in the following areas?

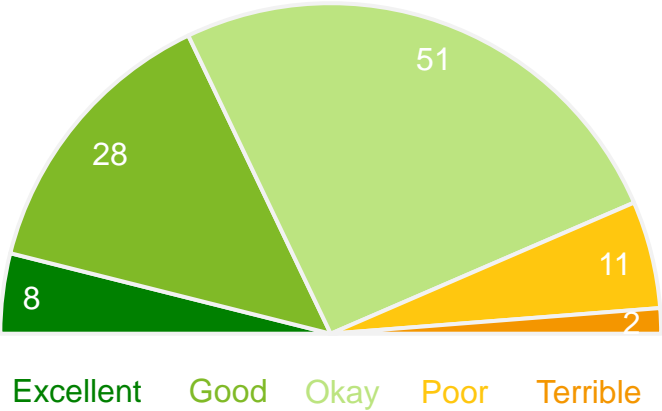
Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Place to visit

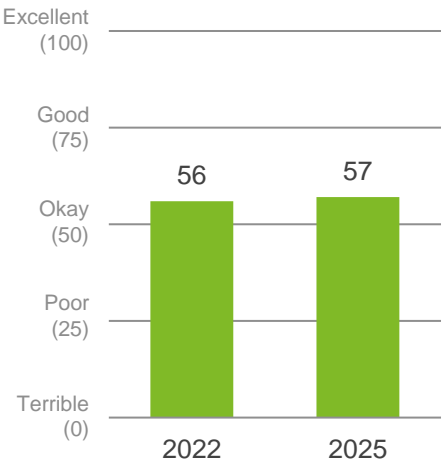
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	57
Industry High	90
Industry Average	68

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
57	57	58	58	61	62	57	57	57	61	53

Q. How would you rate performance in the following areas?

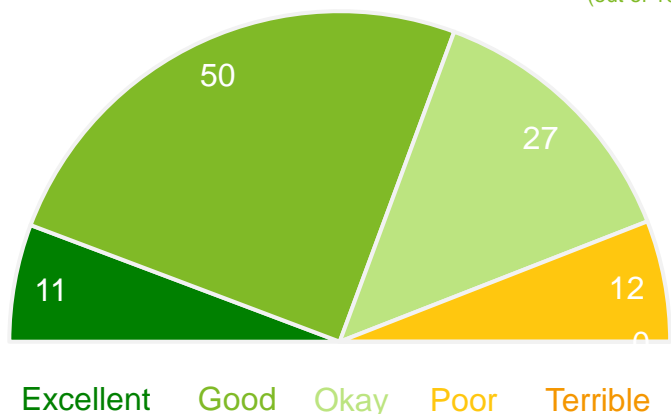
Base: All respondents, excludes 'unsure' and 'no response' (n = 58).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Tourism and destination marketing

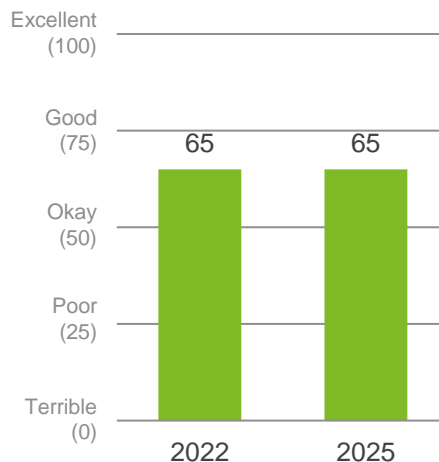
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	65
Industry High	75
Industry Average	48

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
65	67	63	68	63	72	64	69	64	62	69

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 55).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Festivals, events, art and cultural activities

Performance ratings

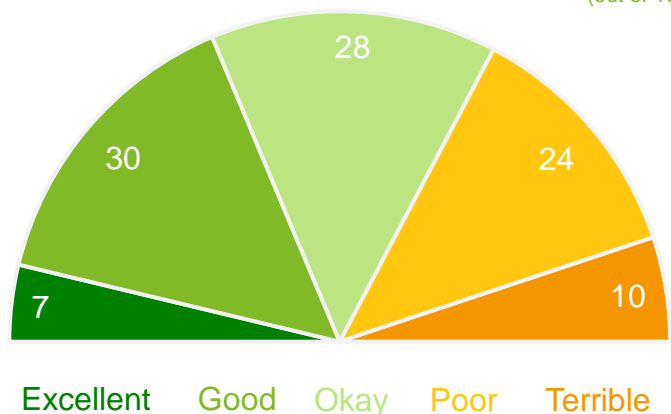
% of respondents

65%

50

Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew 50

Industry High 76

Industry Average 61

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
50	52	56	40	47	56	36	56	46	46	56

Q. How would you rate performance in the following areas?

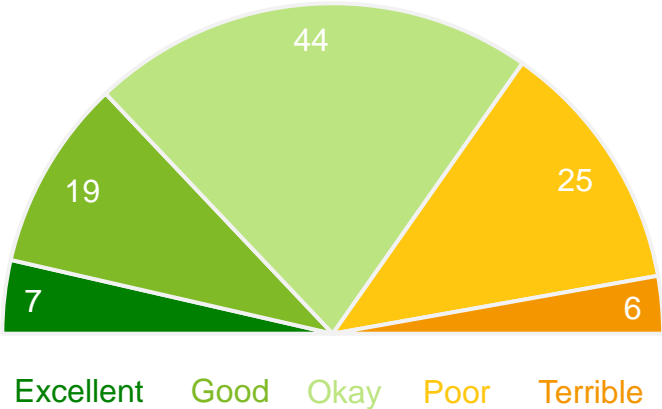
Base: All respondents, excludes 'unsure' and 'no response' (n = 49).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Access to education, training and personal development opportunities

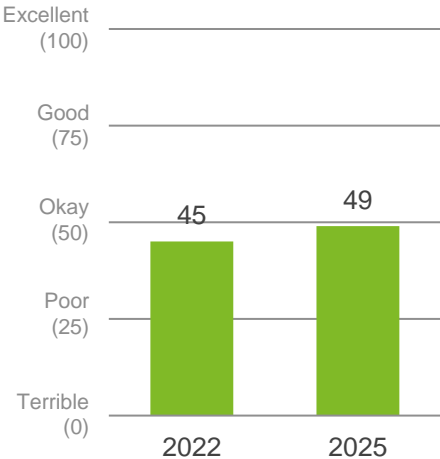
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	49
Industry High	65
Industry Average	48

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
49	50	54	44	51	53	31	53	47	45	54

Q. How would you rate performance in the following areas?
 Base: All respondents, excludes 'unsure' and 'no response' (n = 47).
 * Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Library services

Performance ratings

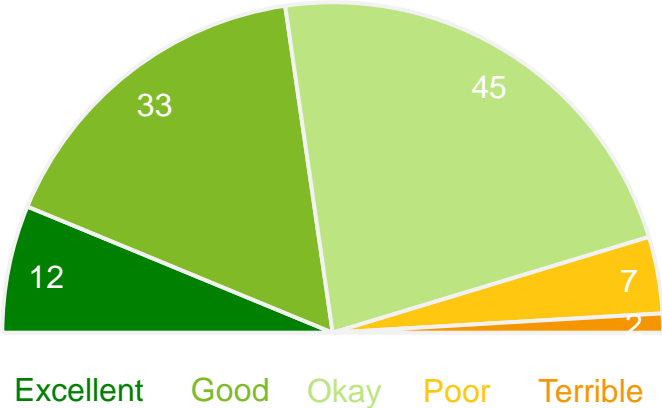
% of respondents

91%

Positive
rating*

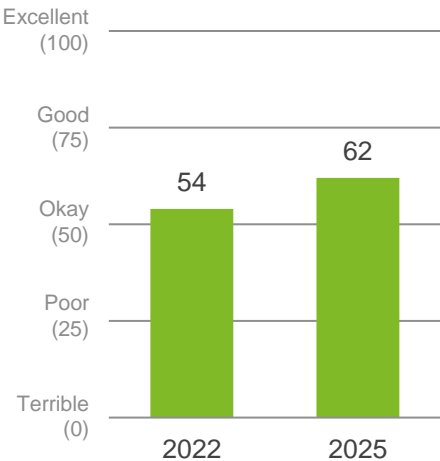
62

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	62
Industry High	82
Industry Average	70

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
62	62	61	63	59	73	60	68	59	59	66

Q. How would you rate performance in the following areas?

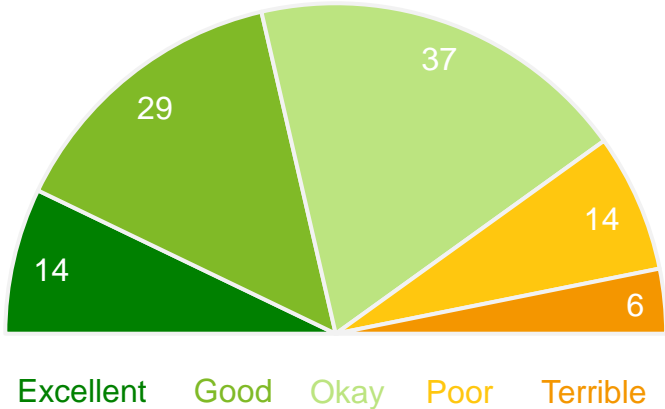
Base: All respondents, excludes 'unsure' and 'no response' (n = 47).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Access to telecommunications and internet services

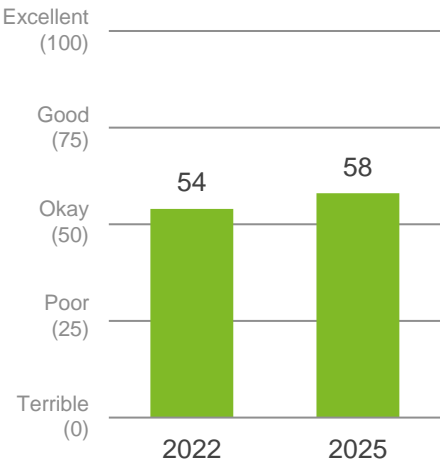
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	58
Industry High	58
Industry Average	44

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
58	56	56	62	52	71	62	69	53	58	58

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 48).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Planet

Conservation and environmental management

Performance ratings

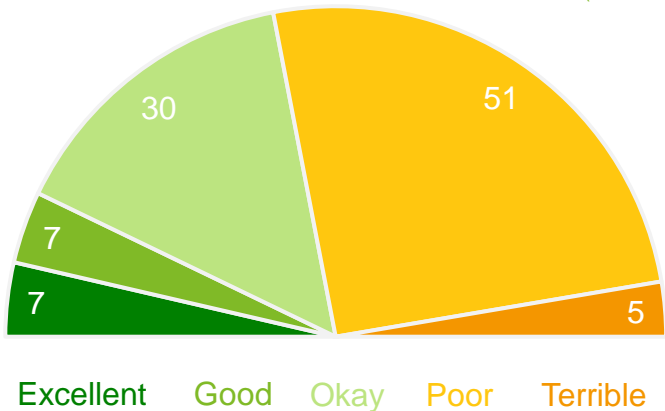
% of respondents

44%

40

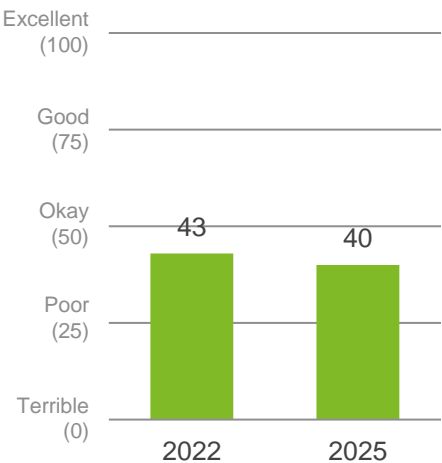
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	40
Industry High	67
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
40	40	47	34	33	52	38	50	35	37	46

Q. How would you rate performance in the following areas?

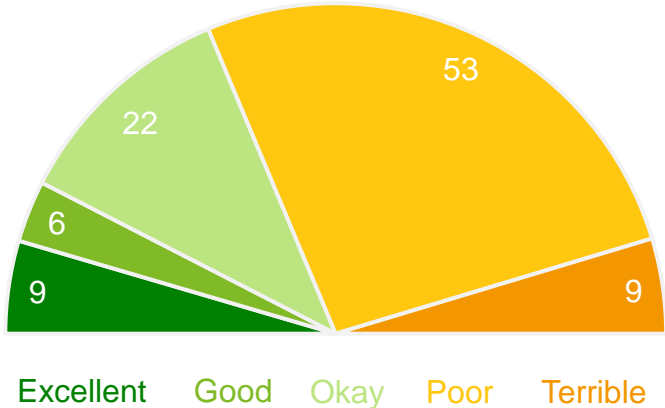
Base: All respondents, excludes 'unsure' and 'no response' (n = 39).

* Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Efforts to promote and adopt sustainable practices to manage climate change

Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	38
Industry High	68
Industry Average	49

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
38	39	52	26	34	53	30	48	33	35	43

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 31).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Waste management services

Performance ratings

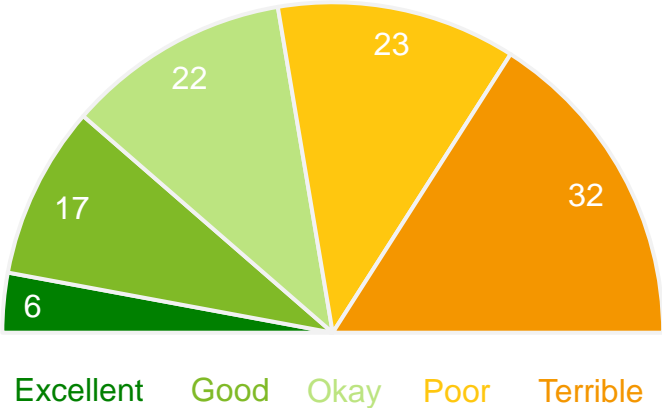
% of respondents



Positive rating*

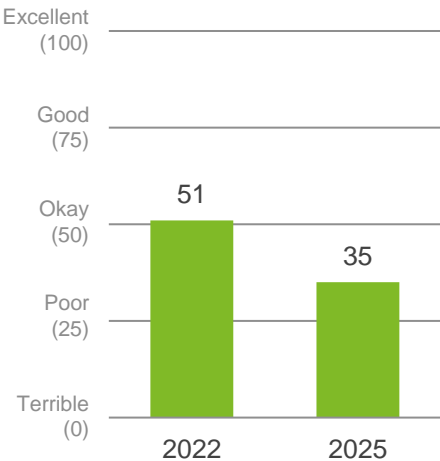


Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	35
Industry High	77
Industry Average	58

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
35	38	38	29	33	33	36	34	36	37	33

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 51).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Natural disaster management

(education, prevention and relief for fires, flooding, etc)

Performance ratings

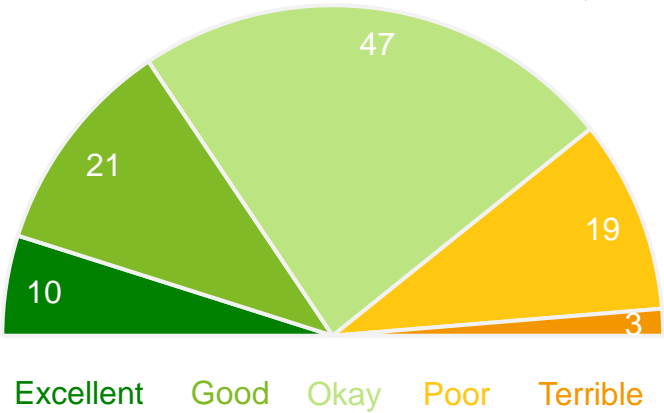
% of respondents



Positive rating*

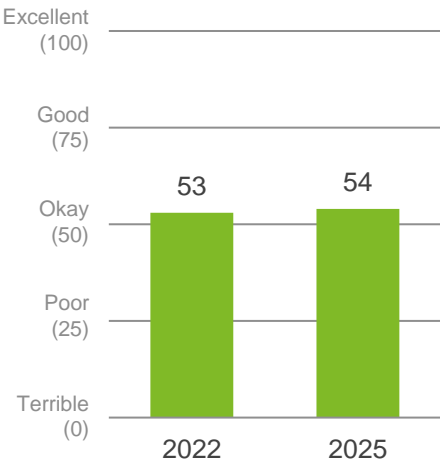


Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	54
Industry High	67
Industry Average	55

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
54	55	59	49	52	57	52	54	54	56	52

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 44).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Place

Managing responsible growth and development

Performance ratings

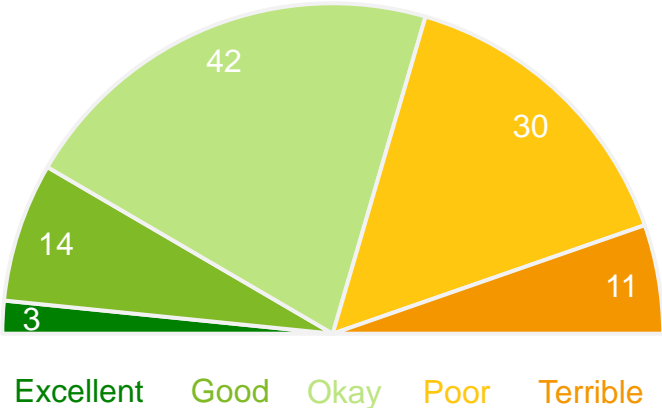
% of respondents

59%

42

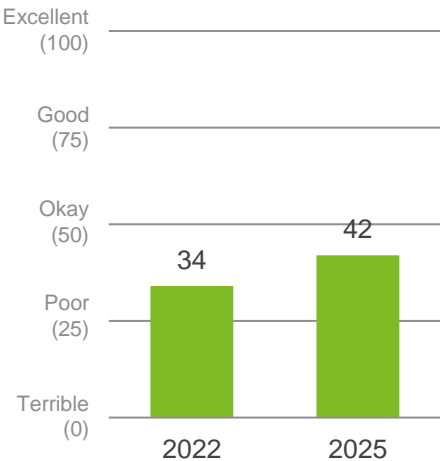
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	42
Industry High	62
Industry Average	45

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
42	44	44	40	42	43	33	46	40	37	50

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 47).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Access to housing that meets your needs

Performance ratings

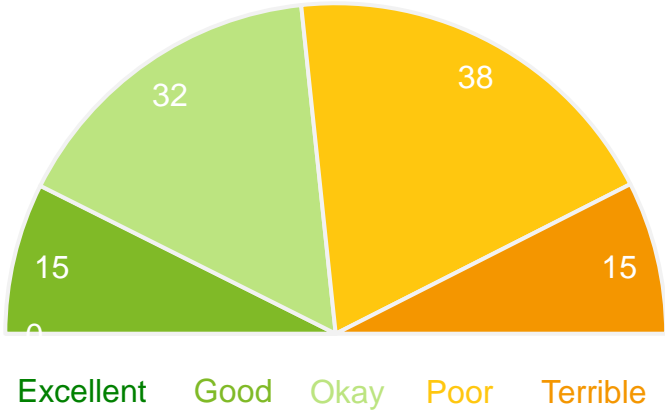
% of respondents

47%

37

Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	37
Industry High	64
Industry Average	46

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
37	36	42	30	38	31	31	35	37	37	36

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 39).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Community buildings, halls and toilets

Performance ratings

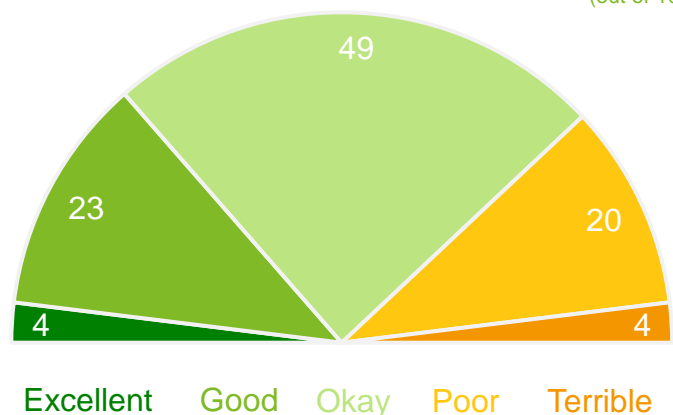
% of respondents

76%

51

Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew 51

Industry High 70

Industry Average 55

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
51	52	52	50	54	49	51	45	54	54	47

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Playgrounds, parks and reserves

Performance ratings

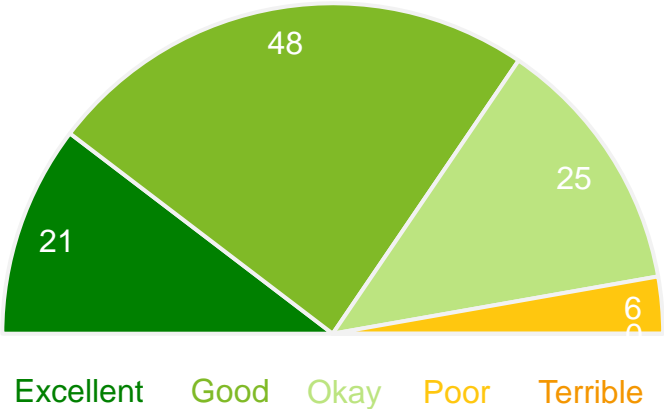
% of respondents



Positive rating*

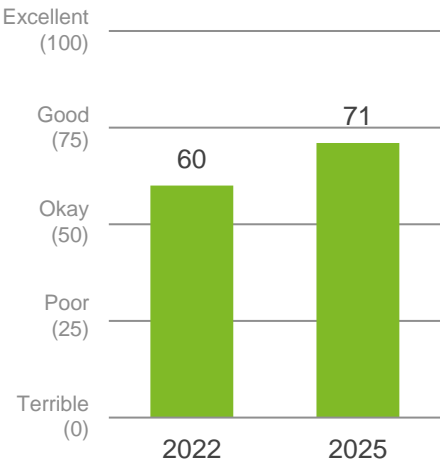


Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	71
Industry High	81
Industry Average	64

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
71	72	70	72	71	74	74	71	71	69	74

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Streetscapes, trees and verges

Performance ratings

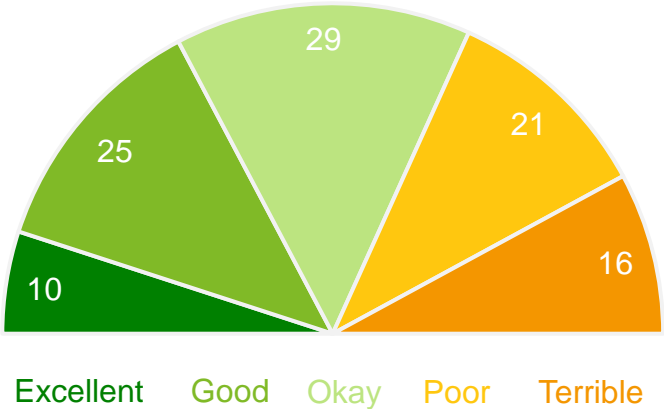
% of respondents

64%

48

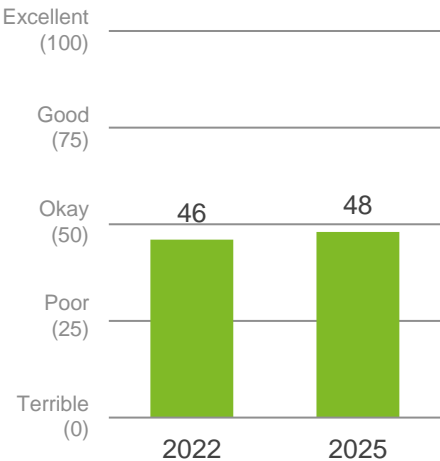
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	48
Industry High	70
Industry Average	53

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
48	48	55	43	50	50	57	51	47	40	58

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 52).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Footpaths, trails and cycleways

Performance ratings

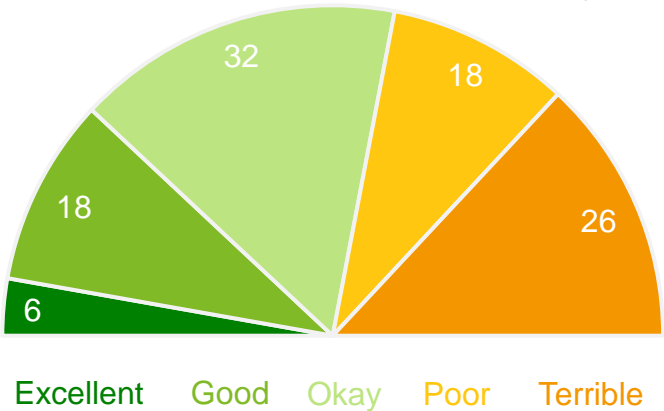
% of respondents

56%

40

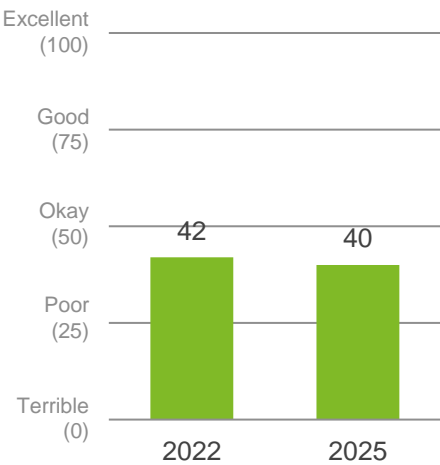
Positive rating*

Performance Index Score (out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	40
Industry High	67
Industry Average	51

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
40	40	50	30	41	46	34	45	38	25	59

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 51).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Building and maintaining local roads

Performance ratings

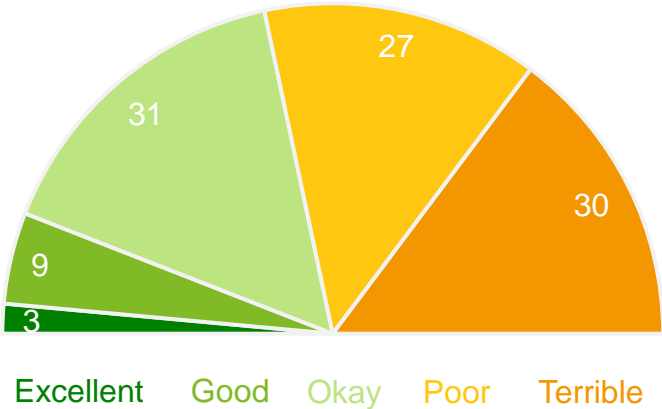
% of respondents

43%

Positive rating*

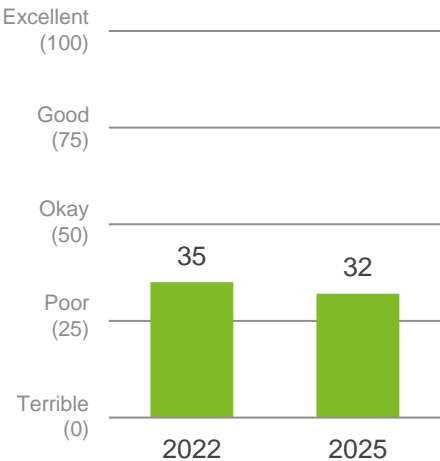
32

Performance Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	32
Industry High	68
Industry Average	46

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
32	34	28	35	30	33	26	37	30	38	25

Q. How would you rate performance in the following areas?

Base: All respondents, excludes 'unsure' and 'no response' (n = 52).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Performance

Council's leadership

Performance ratings

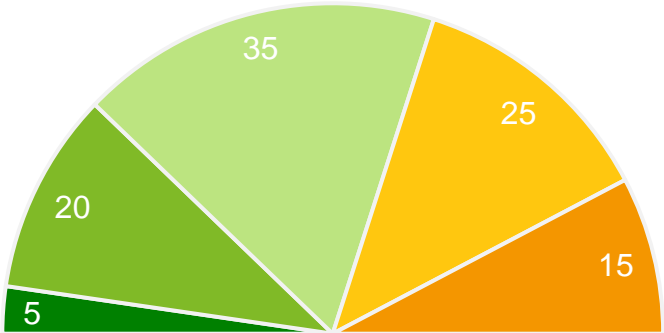
% of respondents

60%

43

Positive rating*

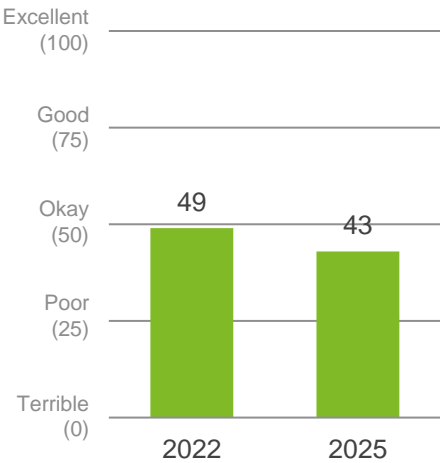
Performance Index Score (out of 100)



Excellent Good Okay Poor Terrible

Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	43
Industry High	63
Industry Average	44

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
43	44	46	41	41	52	31	52	39	35	53

Q. How would you rate performance in the following areas?

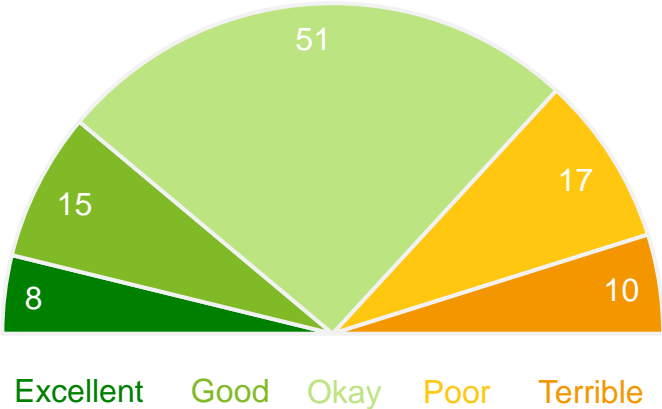
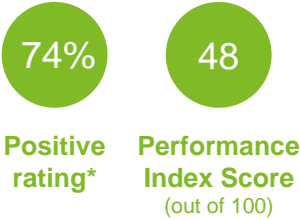
Base: All respondents, excludes 'unsure' and 'no response' (n = 52).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

Advocacy and lobbying on behalf of the community to influence decisions, support local causes, etc

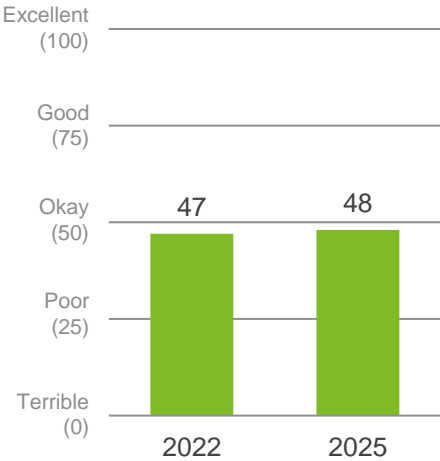
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	48
Industry High	62
Industry Average	41

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
48	49	50	49	46	57	42	57	44	44	54

Q. How would you rate performance in the following areas?

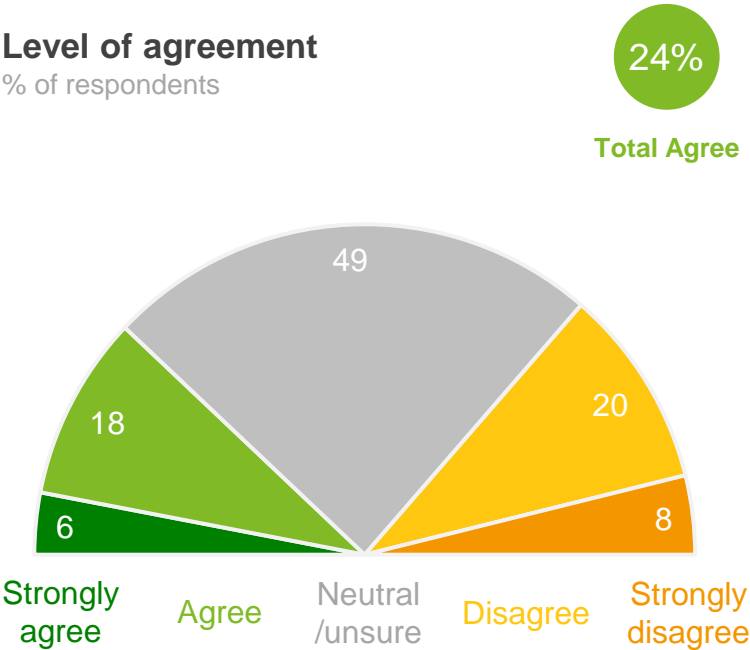
Base: All respondents, excludes 'unsure' and 'no response' (n = 46).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

The Shire has developed and communicated a clear vision for the area

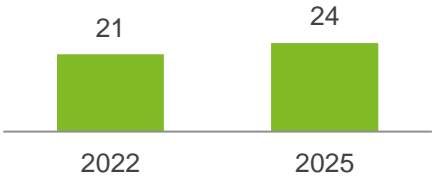
Level of agreement

% of respondents



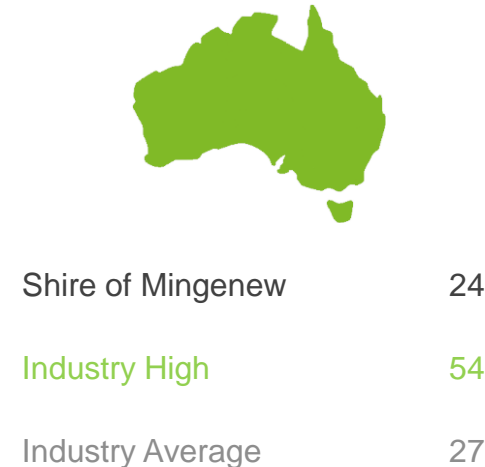
Trend Analysis

% agree



MARKYT Industry Standards

% agree



Variances across the community

% agree

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
67	69	62	72	68	72	57	72	64	70	63

Q. How strongly do you agree or disagree with the following statements?
Base: All respondents, excludes 'no response' (n = 58). [#] Small sample size (<20 respondents)

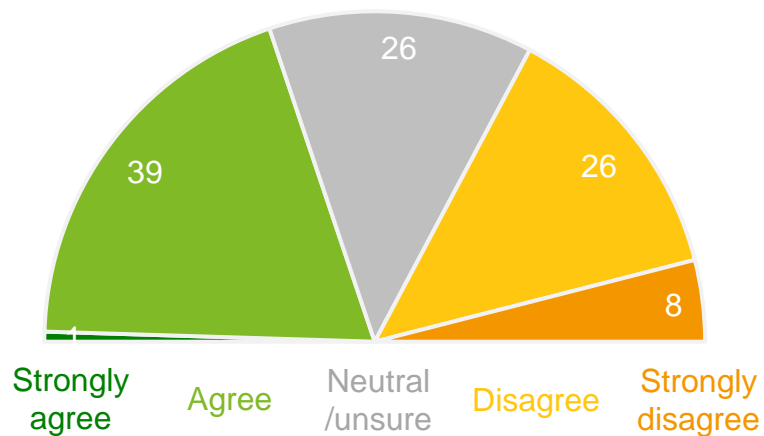
The Shire has a good understanding of community needs

Level of agreement

% of respondents

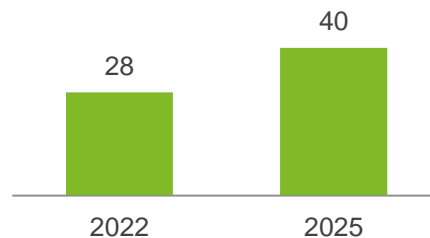
40%

Total Agree



Trend Analysis

% agree



MARKYT Industry Standards

% agree



Shire of Mingenew	40
Industry High	58
Industry Average	27

Variances across the community

% agree

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
67	69	62	72	68	72	57	72	64	70	63

Q. How strongly do you agree or disagree with the following statements?

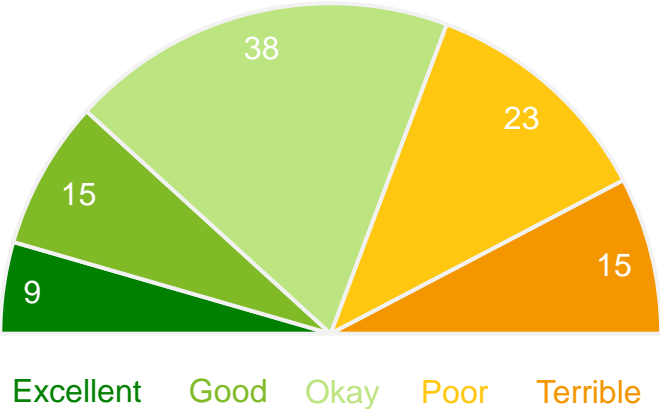
84

Base: All respondents, excludes 'no response' (n = 58). [#] Small sample size (<20 respondents)

How the community is consulted about local issues

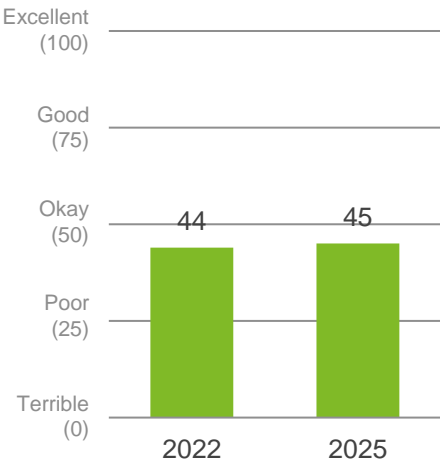
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	45
Industry High	55
Industry Average	39

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
45	45	42	50	41	54	34	56	40	41	50

Q. How would you rate performance in the following areas?

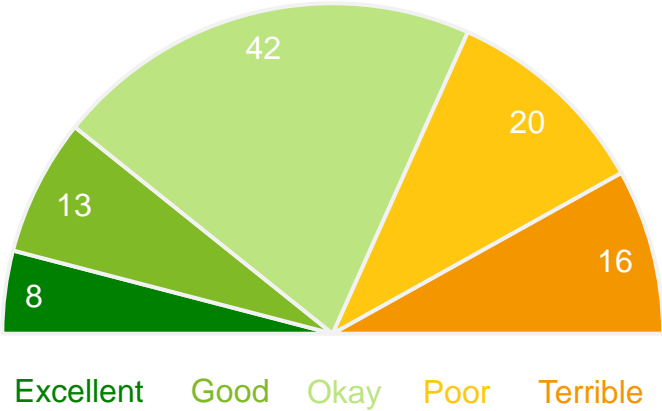
Base: All respondents, excludes 'unsure' and 'no response' (n = 52).

* Positive Rating = excellent, good + okay [#] Small sample size (<20 respondents)

How the community is informed about what's happening in the local area

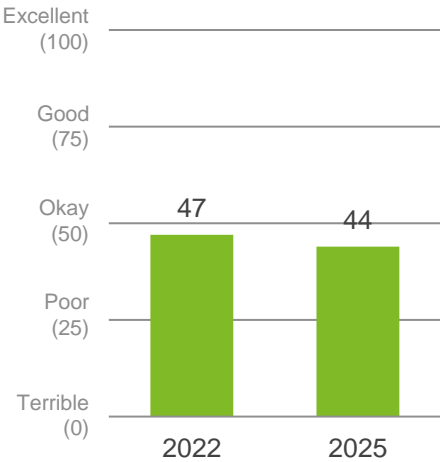
Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	44
Industry High	62
Industry Average	44

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
44	44	42	50	40	55	57	52	40	42	46

Customer service

Performance ratings

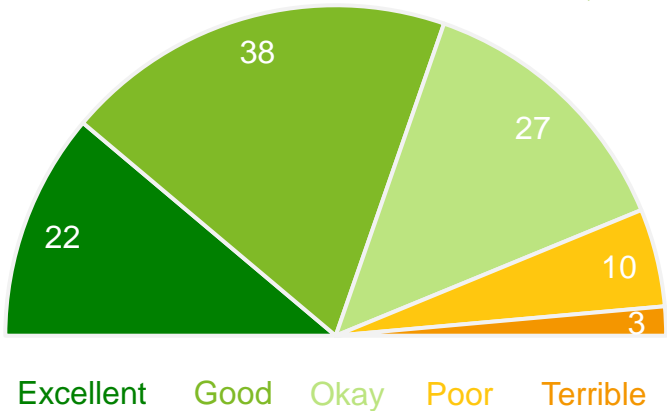
% of respondents

88%

67

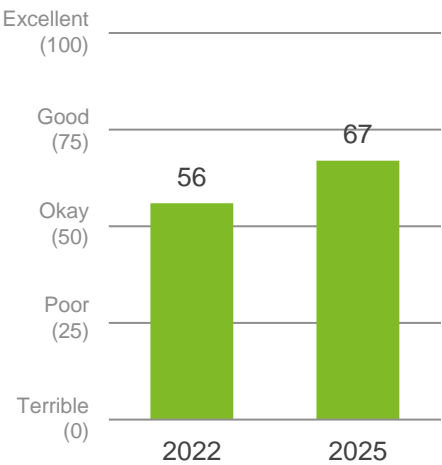
Positive
rating*

Performance
Index Score
(out of 100)



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	67
Industry High	69
Industry Average	56

Variances across the community

Performance Index Score

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
67	69	62	72	68	72	57	72	64	70	63

Q. How would you rate performance in the following areas?

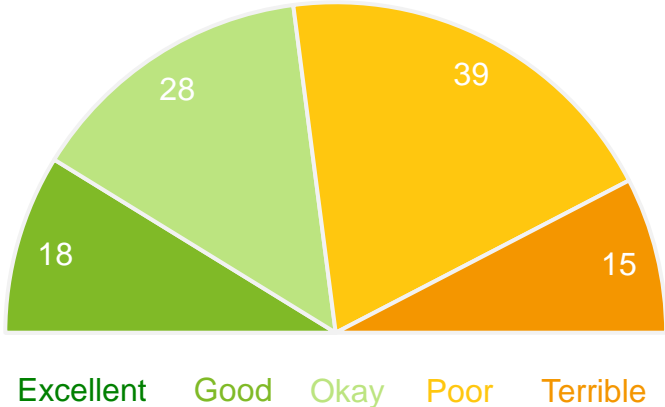
Base: All respondents, excludes 'unsure' and 'no response' (n = 53).

* Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Value for money from Council rates

Performance ratings

% of respondents



Trend Analysis

Performance Index Score



MARKYT Industry Standards

Performance Index Score



Shire of Mingenew	37
Industry High	59
Industry Average	41

Variances across the community

Performance Index Score

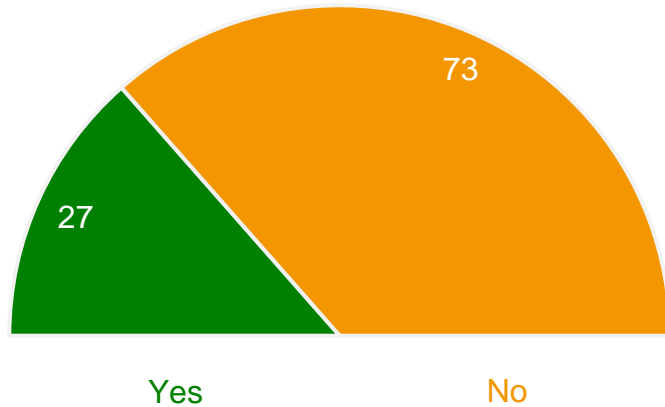
Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
37	38	42	31	32	44	38	47	32	32	42

Q. How would you rate performance in the following areas?
 Base: All respondents, excludes 'unsure' and 'no response' (n = 56).
 * Positive Rating = excellent, good + okay # Small sample size (<20 respondents)

Willingness to pay increased rates or a special levy to fund priority projects to fund priority projects

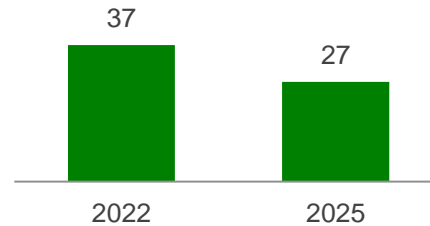
Would you be willing to pay increased rates or a special levy to fund your suggested projects or improvements?

% of respondents



Trend Analysis

% yes



- 27% of respondents would be willing to pay increased rates or a special levy to fund suggested projects or improvements.
- Willingness to pay more is higher among younger adults and families with younger children.
- There appears to be greater sensitivity to an increase among older, male residents who live in town.
- Overall willingness to pay increased rates or a special levy has fallen 10% points since 2022.

Variances across the community

% yes

Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
27	30	23	33	18	49	26	44	16	20	35

Q. Would you be willing to pay increased rates or a special levy to fund your suggested projects or improvements?

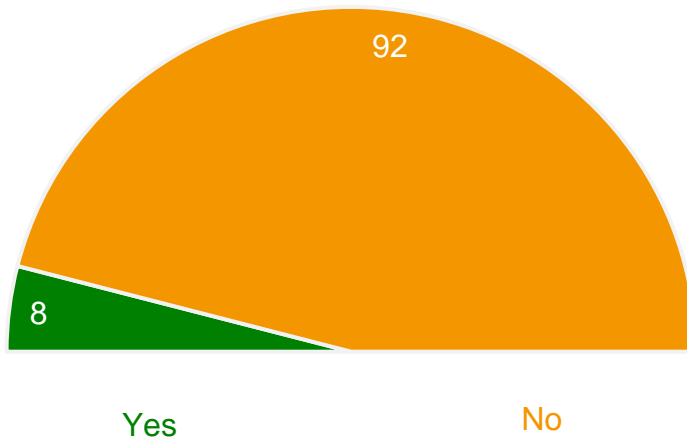
Base: All respondents, excludes no response (n = 41)

Interest in becoming a councillor

- 8% of respondents would consider nominating to be a local councillor in the next election.

Would you consider nominating to be a local councillor with the Shire?

% of respondents



Main barriers or concerns about becoming a local councillor:

Time constraints due to:

- Work
- Volunteer commitments
- Family commitments

Life stage factors such as:

- Having a young family
- Feeling that they are too old
- Health concerns

Perceptions of the Shire's culture:

- Shire is resistant to change
- Community don't have enough of a say
- Interest groups have too much power

Q. The next local government elections are scheduled for October 2025. Would you consider nominating to be a local councillor with the Shire? Base: All respondents, excludes no response (n = 44)

Q. What are your main barriers or concerns about becoming a local councillor?

Base: Respondents who would not consider nominating to be a local councillor with the Shire, excludes no response (n = 41)

Overview of Community Variances

Summary of community variances

	Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
Overall place to live	73	75	75	70	76	70	57	72	73	73	73
SENTIMENT (% agree)											
Developed and communicated a clear vision for the area	24	23	9	45	19	17	46	31	20	16	32
Has a good understanding of community needs	40	40	44	37	36	41	34	57	30	31	49
PERFORMANCE											
Governing organisation	54	53	58	51	50	62	49	64	49	48	60
Value for money from rates	37	38	42	31	32	44	38	47	32	32	42
Council's leadership	43	44	46	41	41	52	31	52	39	35	53
Advocacy and lobbying	48	49	50	49	46	57	42	57	44	44	54
Consultation	45	45	42	50	41	54	34	56	40	41	50
Communication	44	44	42	50	40	55	57	52	40	42	46
Customer service	67	69	62	72	68	72	57	72	64	70	63
PEOPLE											
Youth services and facilities	50	52	57	41	54	46	25	50	50	49	50
Family / children services and facilities	56	57	59	52	56	55	43	59	54	52	60
Seniors' services and care	48	49	55	42	50	47	47	52	46	46	51
Disability access and inclusion	48	49	55	40	50	48	35	46	49	44	54
Respect for Aboriginal cultures and heritage	69	72	75	61	77	67	53	59	75	71	66
Volunteer recognition and support	60	58	67	54	60	60	53	62	58	55	64
Community safety and crime prevention	57	58	60	54	53	64	52	60	56	54	61
Lighting of streets and public places	61	64	63	57	62	61	47	61	61	61	62
Animal management (dogs and cats)	49	49	52	45	40	66	54	60	44	42	62
Health and community services	55	56	62	44	53	58	47	58	53	53	57
Sport and recreation facilities and services	78	81	81	76	84	74	65	75	81	80	77

Summary of community variances

	Total	Homeowner	Male	Female	No children	Have child 0-12	Have child 13+ [#]	18-49 years	50+ years	Townsite	Farm / Rural
PROSPERITY											
Place to own or operate a business	59	59	65	52	59	64	46	59	59	55	62
Economic development and jobs	36	35	40	32	39	36	31	37	35	32	40
Town centre development and activation	41	44	42	44	45	41	31	41	41	36	48
Preserving and promoting history and heritage	53	53	56	52	51	63	54	59	51	52	55
Place to visit	57	57	58	58	61	62	57	57	57	61	53
Tourism attractions and marketing	65	67	63	68	63	72	64	69	64	62	69
Festivals, events, art and cultural activities	50	52	56	40	47	56	36	56	46	46	56
Education and training	49	50	54	44	51	53	31	53	47	45	54
Library services	62	62	61	63	59	73	60	68	59	59	66
Telecommunications and internet services	58	56	56	62	52	71	62	69	53	58	58
PLANET											
Sustainable practices / climate change	38	39	52	26	34	53	30	48	33	35	43
Conservation and environment management	40	40	47	34	33	52	38	50	35	37	46
Waste management services	35	38	38	29	33	33	36	34	36	37	33
Natural disaster management	54	55	59	49	52	57	52	54	54	56	52
PLACE											
Responsible growth and development	42	44	44	40	42	43	33	46	40	37	50
Housing	37	36	42	30	38	31	31	35	37	37	36
Community buildings, halls and toilets	51	52	52	50	54	49	51	45	54	54	47
Playgrounds, parks and reserves	71	72	70	72	71	74	74	71	71	69	74
Streetscapes, trees and verges	48	48	55	43	50	50	57	51	47	40	58
Footpaths, trails and cycleways	40	40	50	30	41	46	34	45	38	25	59
Local roads	32	34	28	35	30	33	26	37	30	38	25

MARKYT community priorities

Other stakeholder groups

MARKYT Community Priorities

Out of area ratepayer / visitor

COMMUNITY PRIORITIES (% of respondents)

Low (<15%)

High (>15%)

Excellent

↑

Okay

↓

Terrible

CELEBRATE

OPTIMISE

KAIZEN

REVIEW

PRIORITISE

Please note:
VERY SMALL sample size

MARKYT  © 2025

- 1 Council's leadership
- 2 Advocacy and lobbying
- 3 Consultation
- 4 Communication
- 5 Customer service
- 6 Youth services and facilities
- 7 Family / children services and facilities
- 8 Seniors' services and care
- 9 Disability access and inclusion
- 10 Respect for Aboriginal cultures
- 11 Volunteer recognition and support
- 12 Community safety and crime prevention
- 13 Lighting of streets and public places
- 14 Animal management (dogs and cats)
- 15 Health and community services
- 16 Sport and recreation facilities / services
- 17 Economic development and jobs
- 18 Town centre development and activation
- 19 History and heritage
- 20 Tourism attractions and marketing
- 21 Festivals, events, art, cultural activities
- 22 Education and training
- 23 Library services
- 24 Telecommunications and internet
- 25 Sustainable practices / climate change
- 26 Conservation and environment
- 27 Waste management services
- 28 Natural disaster management
- 29 Responsible growth and development
- 30 Housing
- 31 Community buildings, halls and toilets
- 32 Playgrounds, parks and reserves
- 33 Streetscapes, trees and verges
- 34 Footpaths, trails and cycleways
- 35 Local roads

Q. How would you rate performance in the following areas? Base: All respondents, excludes unsure and no response. (n=varies)

Q. Which areas would you most like the Council to focus on improving? Base: All respondents, excludes no response (n=10)

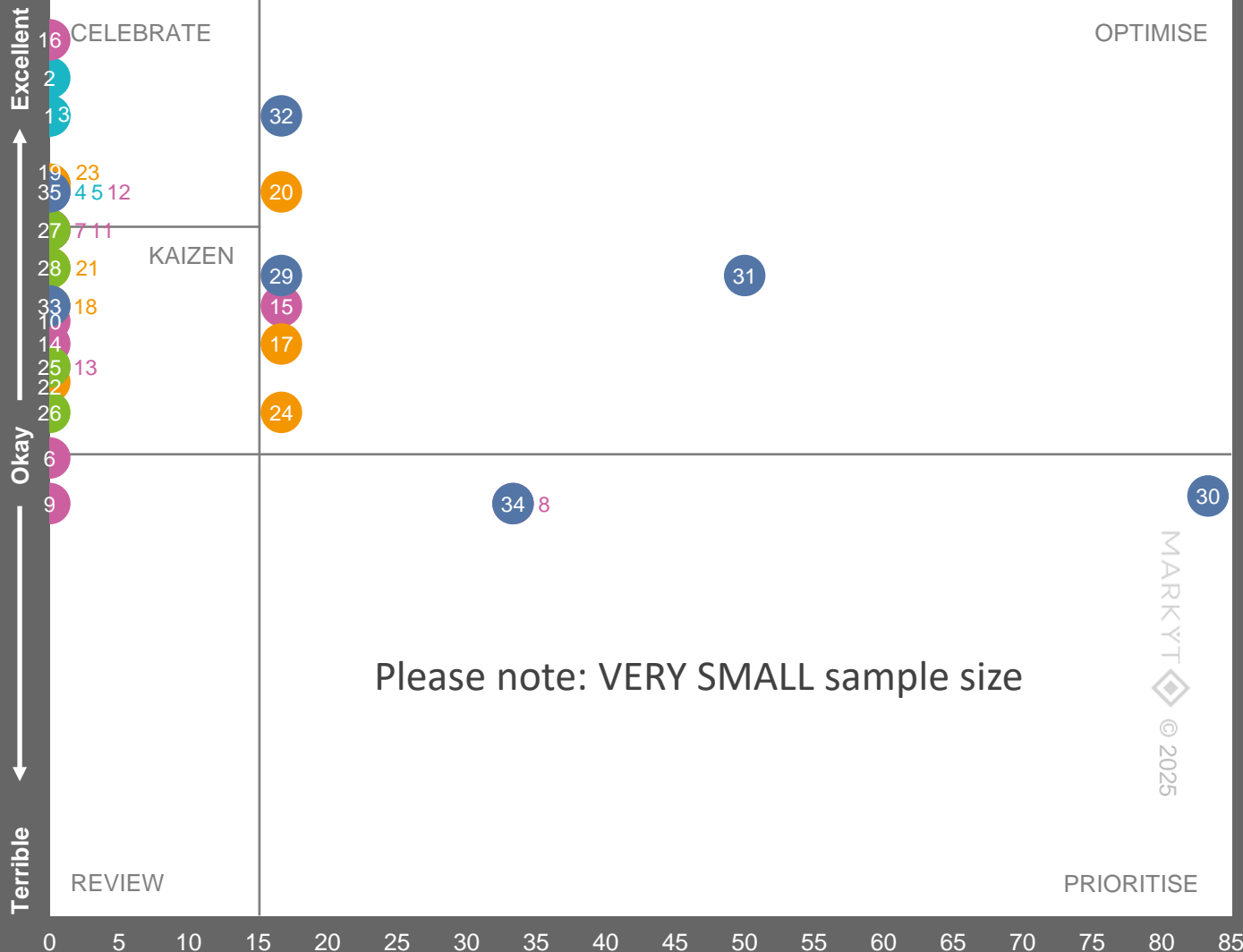
MARKYT Community Priorities

Elected Member /
Shire employee

COMMUNITY PRIORITIES (% of respondents)

Low (<15%)

High (>15%)



- 1 Council's leadership
- 2 Advocacy and lobbying
- 3 Consultation
- 4 Communication
- 5 Customer service
- 6 Youth services and facilities
- 7 Family / children services and facilities
- 8 Seniors' services and care
- 9 Disability access and inclusion
- 10 Respect for Aboriginal cultures
- 11 Volunteer recognition and support
- 12 Community safety and crime prevention
- 13 Lighting of streets and public places
- 14 Animal management (dogs and cats)
- 15 Health and community services
- 16 Sport and recreation facilities / services
- 17 Economic development and jobs
- 18 Town centre development and activation
- 19 History and heritage
- 20 Tourism attractions and marketing
- 21 Festivals, events, art, cultural activities
- 22 Education and training
- 23 Library services
- 24 Telecommunications and internet
- 25 Sustainable practices / climate change
- 26 Conservation and environment
- 27 Waste management services
- 28 Natural disaster management
- 29 Responsible growth and development
- 30 Housing
- 31 Community buildings, halls and toilets
- 32 Playgrounds, parks and reserves
- 33 Streetscapes, trees and verges
- 34 Footpaths, trails and cycleways
- 35 Local roads

Q. How would you rate performance in the following areas? Base: All respondents, excludes unsure and no response. (n=varies)

Q. Which areas would you most like the Council to focus on improving? Base: All respondents, excludes no response (n=6)



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1.2.1 RECORDS MANAGEMENT POLICY Administration

Title:	1.2.1 RECORDS MANAGEMENT POLICY
Adopted:	16 March 2018
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	<i>State Records Act 2000</i> <i>Local Government Act 1995</i> <i>Freedom of Information Act 1992</i> <i>Electronic Transactions Act 2011</i> <i>Financial Management Act 2006</i> <i>Corruption and Crime Commission Act 2003</i> <i>Criminal Code Act 1913</i>
Associated Documents:	Shire of Mingenew Recordkeeping Plan
Review Responsibility:	Finance & Administration Manager <u>Manager Corporate Services</u>
Delegation:	Nil.

Previous Policy Number/s 2014

Objective:

To ensure that the Shire of Mingenew meets the statutory requirements provided for by the State Records Act 2000.

Policy Statement:

The Shire of Mingenew is committed to creating and maintaining full and accurate records of its business transactions and official activities and managing them in accordance with the *State Records Act 2000*, the Shire of Mingenew Recordkeeping Plan, Policy and Procedures.

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Elected Members

Records must be created and kept (by elected members) by forwarding to the Chief Executive Officer for retention and disposal in accordance with the requirements of the State Records Office of WA if:

- The subject matter is in relation to their participation in the decision making processes of Council or Committees of Council, or performance of official duties, and
- Deemed to be a significant or vital record. (See Recordkeeping Procedure).

Activities or transactions that are not directly relevant to the decision making processes of Council or Committees of Council are not subject to mandatory recordkeeping requirements. Accordingly, the creation and retention of records relating to these activities or transactions is at the discretion of the Elected Member.

Workers

All workers (includes employees, volunteers and contractors) are to create, collect and retain records relating to the business activities they perform on behalf of the Shire. They are to ensure significant records are captured into the Recordkeeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping.

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COUNCIL POLICY Administration

1.2.2

Title:	1.2.2 RISK MANAGEMENT
Adopted:	20 February 2019
Reviewed:	<u>Biennially (last reviewed 19 October 202230 April 2025)</u>
Associated Legislation:	Local Government Act 1995 Local Government (Audit) Regulations 1996 Risk Management Standard AS/NZS ISO 31000:2018
Associated Documents:	Risk Assessment and Acceptance Criteria Tables: Risk Management Framework
Review Responsibility:	Audit & Risk Committee; Chief Executive Officer & Governance <u>OfficerManager Governance and Community</u>
Delegation:	Nil

Previous Policy Number/s 2013, 1.2.2

Objective:

To detail the Shire's level of commitment towards the concept and resourcing of risk management and define its risk appetite, risk acceptance and control evaluation criteria.

Policy Statement:

It is the Shire's Policy to aim for best practice (aligned with AS/NZS ISO 31000:2018 Risk Management Guidelines), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk management functions will be resourced appropriately to meet the size and scale of the Shire's operations and will form part of the Strategic, Operational, and Project responsibilities and be incorporated within the Shire's Integrated Planning Framework.

The Shire is committed to:

- Utilising the principles and guidelines outlined in the standard AS/NZS ISO 31000:2018;
- Appointing and resourcing the Audit & Risk Committee.
- Providing adequate budgetary provision for the financing of risk management including approved risk mitigation activities.
- Promoting a culture within the Shire of awareness and active management of risks;
- Providing regular education to its staff in risk management practices;
- Implementation of these principles in the Shire's operations through the Risk Management Framework and Procedures;
- Providing transparent and formal oversight of the risk and control environment to enable effective decision making.
- Embedding appropriate and effective controls to mitigate risk.
- Providing for the continuity of critical operations.
- Doing all the above to the best of our ability within the constraints imposed by resource availability.



Risk Appetite

As a public authority the Shire has a natural and, in some cases, statutory predisposition to a conservative appetite for risk. In particular, the Shire has little or no appetite for risk which will;

- a) Have a moderate (or higher) negative impact on the Shire's long-term financial sustainability;
- b) Result in moderate (or higher) breaches of legislative requirements and/or successful litigation against the Shire;
- c) Compromise the safety and welfare of staff, contractors and/or members of the community.
- d) Cause significant and irreparable damage to the environment;
- e) Result in moderate (or higher) disruption to the delivery of key Shire's services;
- f) Result in any negative impact on the Shire's reputation;
- g) Result in the loss of, or otherwise unauthorised or accidental access or disclosure of confidential information.

Quantified Risk Assessment and Acceptance Criteria

The Shire's Risk Assessment and Acceptance criteria (fig1-5) has been developed to align with its conservative risk appetite. All organisational risks are to be assessed against these criteria to allow consistency and informed decision making.

For operational requirements such as projects, or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations risk acceptance criteria and are to be noted within the individual risk assessment.

Monitoring and Reporting of Organisational Risk

- a) The Shire will develop and maintain a Risk Profile (register), which will evaluate risk at an organisational level using the quantified Risk Assessment and Acceptance Criteria contained within this policy;
- b) The CEO will report to the Audit & Risk Committee on the status of the Risk Profile at least twice yearly, with the report to include:
 - I. A review of any risk escalation; and
 - II. Provide a summary of risk maturity;
- c) The Audit & Risk Committee is to review this policy on a Biennial Basis;
- d) The CEO will conduct a triennial review of financial management systems and submit to the Audit & Risk Committee as per Regulation 5 of the *Local Government (Financial Management) Regulations 1996*;
- e) The CEO will conduct a triennial review on risk management, legislative compliance, and internal control and submit to the Audit & Risk Committee as per Regulation 17 of the *Local Government (Audit) Regulations 1996*.

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Figure 1- Risk Assessment Criteria- Measures of Consequence

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Legal & Compliance	Reputational	Property	Environment
Insignificant (1)	First aid injuries	Less than \$5,000	No material service interruption	Compliance: No noticeable regulatory or statutory impact Legal: Threat of litigation requiring small compensation Contract: No effect on contract performance	Unsubstantiated, low impact, low profile or 'no news' item <i>Example: gossip, online post seen by limited persons</i>	Inconsequential damage	Contained, reversible impact managed by on site response <i>Example: pick up bag of rubbish</i>
Minor (2)	Medical type injuries	\$5,001 - \$15,000	Short term temporary interruption – backlog cleared < 1 day	Compliance: Some temporary non-compliances Legal: Single minor litigation Contract: Results in meeting between parties in which contractor expresses concern	Substantiated, low impact, low news item <i>Example: online post seen by the community</i>	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response <i>Example: pick up trailer of rubbish</i>
Moderate (3)	Lost time injury <30 Days	\$15,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Compliance: Short term non-compliance but with significant regulatory requirements imposed Legal: several minor litigations Contract: Receive verbal advice that if breaches continue, a default notice may be issued	Substantiated, public embarrassment, moderate impact, moderate news profile <i>Example: local paper article, online post taken up by people outside of Shire</i>	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies <i>Example: Contractor removal of asbestos sheets</i>
Major (4)	Lost time injury >30 Days	\$50,000 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Compliance: Non-compliance results in termination of services or imposed penalties Legal: Single moderate litigation Contract: Receive written notice from contractor threatening termination if not rectified	Substantiated, public embarrassment, high impact, high news profile, third party actions <i>Example: State wide paper, TV news story, significant online presence</i>	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies <i>Example: truck/train spill of diesel oil on road reserve</i>
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Compliance: Non-compliance results in litigation, criminal charges or significant damages or penalties Legal: Single major litigation or numerous moderate litigations Contract: Termination of contract for default	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions <i>Example: Au wide paper, TV news,</i>	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Figure 2- Evaluation of Controls Criteria

Existing Controls Ratings		
Rating	Detailed Description	Description and Action Required
Effective	No control gaps. The control is influencing the risk level and only continues monitoring is needed	Description: Control addresses risk, is officially documented, in operation and has been tested to confirm effectiveness
Moderately Effective	Few control gaps. The control is influencing the risk level however improvement is needed	Control addresses risk but documentation and/or operation of control could be improved
Partially Effective	Some control gaps that result in the control having limited influence on risk level	Description: Control addresses risk at least partially, but is not documented and/or operation of control needs to be improved Action Required: Must have a treatment plan (action) to improve the control effectiveness to at least 'Moderately Effective'
Inadequate	Significant control gaps that result in the control not influencing the risk level	Description: At best, control addresses risk, but is not documented or in operation, at worst, control does not address risk and is neither documented nor in operation. Action Required: Must have a treatment plan (action) to improve the control effectiveness to at least 'Moderately Effective'



Figure 3- Risk Assessment Criteria- Measures of Likelihood

Measures of Likelihood			
Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Figure 4- Risk Assessment Criteria- Risk Matrix

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Figure 5- Risk Acceptance Criteria

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW (1-4)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE (5-9)	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH (10-16)	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	CEO
EXTREME (16-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council



1.2.2 RISK MANAGEMENT FRAMEWORK/PROCEDURE

Relevant Council Policy

Relevant CEO Directive

1.2.2 Risk Management v1

N/A

Approval Date: ~~19 October 2022~~ 30 April 2025

Review Date: Biennial

Appendix: Nil

SHIRE OF MINGENEW

Risk Management Framework & Procedures v2

~~M. Battilana~~ 23 April 2025 by M Fanning, CEO

Approved ~~21 September 2022 by~~



Table of Contents

1. Introduction.....	3
2. Governance.....	4
2.1 Framework Review.....	4
2.2 Operating Model	4
2.3 Governance Structure	5
2.4 Roles & Responsibilities.....	6
2.5 Document Structure (Framework).....	7
3. Risk Management Procedures.....	9
3.1 Scope, Context, Criteria	9
3.2 Risk Identification	10
3.3 Risk Analysis.....	11
3.4 Risk Evaluation	15
3.5 Risk Treatment	16
3.6 Communication & Consultation.....	16
3.7 Monitoring, Review and Reporting.....	16
4. Annual Control Assurance Plan	Error! Bookmark not defined.



1. Introduction

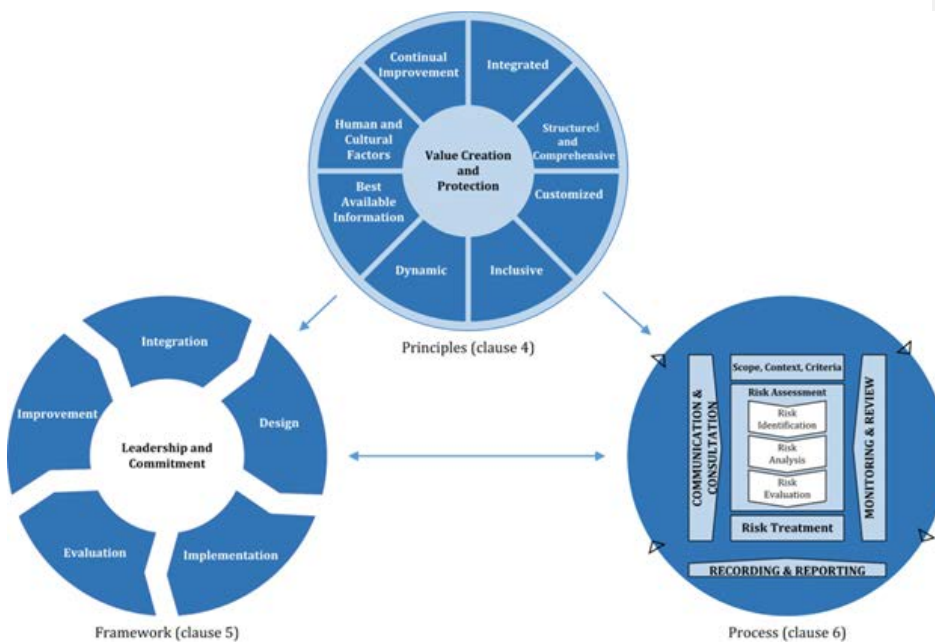
The Shire of Mingenew's (Shire) Risk Management Policy in conjunction with the components of this document encompasses the Shire's Risk Management Framework. It sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on AS ISO 31000:2018 Risk Management - Guidelines.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty, and its effects, on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

*Figure 1: Relationship between the risk management principles, framework and process
(Source: AS 31000:2018)*





1.1 Legislation

1. The *Local Government Act 1995* ("the Act") requires Councils to adopt appropriate policies, practices and procedures that ensure their assets are protected through sound administrative management.
2. Section 5.56(1) and (2) of the *Local Government Act 1995 - Planning for the Future*; Regulation 17(1) (a) of the *Local Government (Audit) Regulations*: *"The CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to risk management"*.
3. Under *Regulation 17 (1) of the Local Government (Audit) Regulations 1996* the CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to –
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
3. *17 (2) the review may relate to any or all of the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject at least once every 3 financial years.*
- 17 (3) The CEO is to report to the Audit & Risk Committee the results of that review.
4. Under *Regulation 17 of the Local Government (Audit) Regulations 1996* it is a responsibility of the Audit & Risk Committee to receive the CEO reviews conducted on the appropriateness of systems and procedures in relation to risk management, internal control and legislative compliance

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2. Governance

Appropriate governance of risk management within the Shire provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk framework.

2.1 Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness biennially.

2.2 Operating Model

The Shire has adopted a 'Three Lines of Defence' model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

First Line of Defence

All operational areas of the Shire are considered '1st Line'. They are responsible for ensuring that risks (within their scope of operations) are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include:

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decisioning of risk matters.



- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

Second Line of Defence

The Manager Governance & Community-~~Manager~~, supported by the Chief Executive Officer, acts as the primary '2nd Line'. -This position owns and manages the framework for risk management. -They draft and implement the governance procedures and provide the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1st & 3rd lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1st Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Shire's risk reporting for Shire's Management-Executive Leadership Team and the Audit & Risk Committee.

Third Line of Defence

Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit & Risk Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the Audit & Risk Committee with input from the CEO.

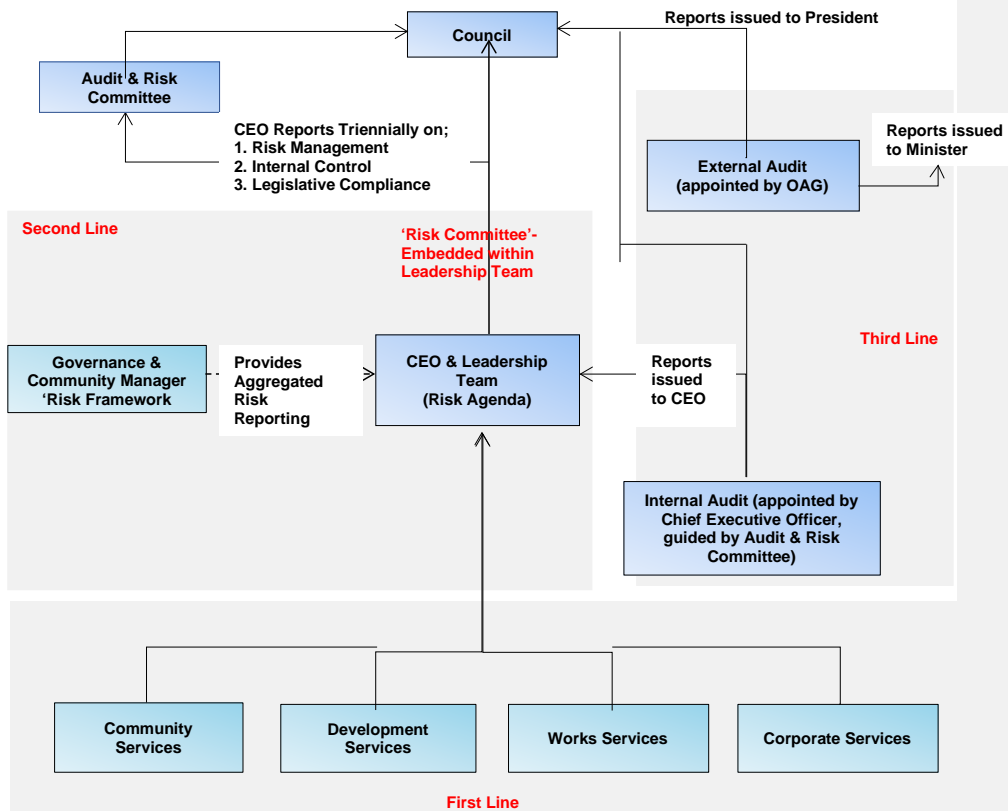
External Audit – Appointed by the Office of the Auditor General (OAG) to report independently to the President and CEO on the annual financial statements only.

2.3 Governance Structure

Diagram 2 depicts the current operating structure for risk management within the Shire.



Figure 2: Operating Model



2.4 Roles & Responsibilities

Council

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Establish and maintain an Audit & Risk Committee in compliance with the Local Government Act.

Audit & Risk Committee

- Regularly review the appropriateness and effectiveness of the Framework.
- Support Council to provide effective corporate governance.
- Assist to develop and endorse the Internal Audit Plan.
- Oversight of all matters that relate to the conduct of Internal and External Audits.
- Must be independent, objective and autonomous in deliberations.



CEO / Leadership Team

- Appoint Internal Auditors as required under Local Government (Audit) regulations, based on Audit & Risk Committee guidance.
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from 'risk matters'.
- Own and manage the Risk Profiles at Shire Level.

Manager Governance & Community Manager

- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for Risk matters.

Work Areas

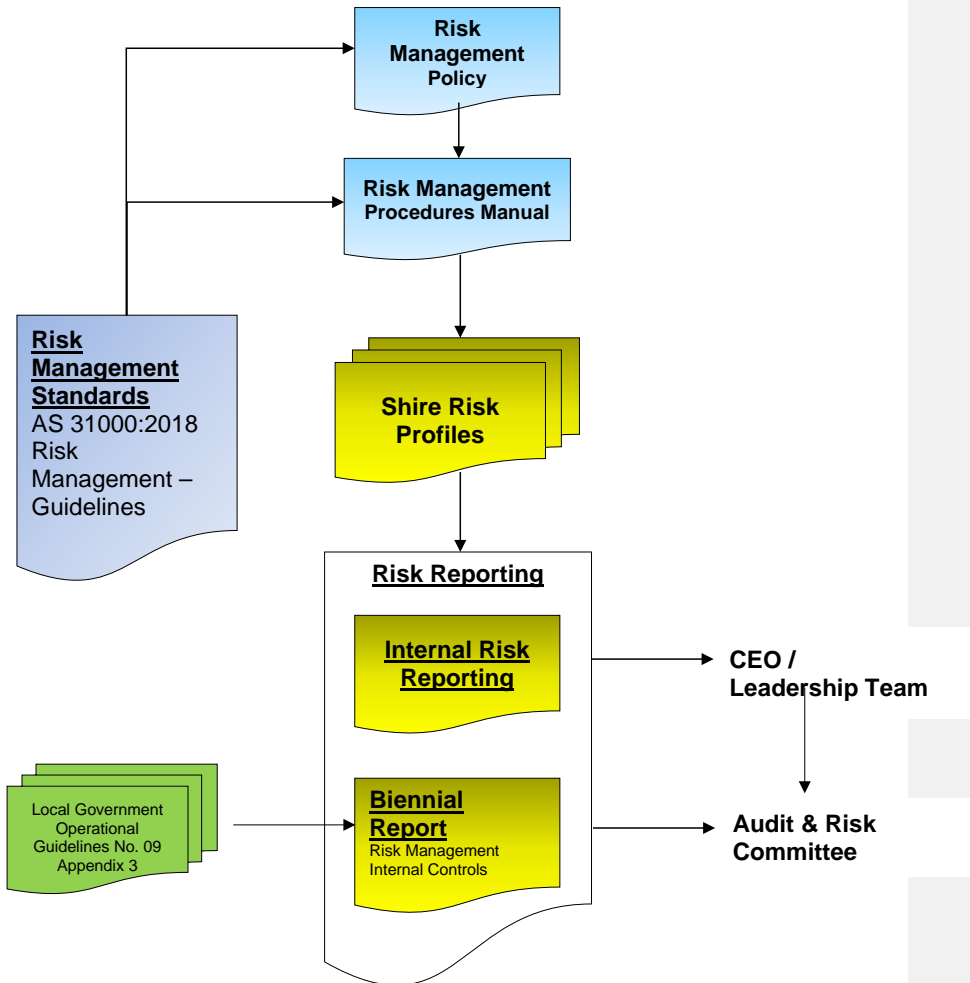
- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into team meetings, by incorporating the following agenda items;
 - New or emerging risks.
 - Review existing risks.
 - Control adequacy.
 - Outstanding issues and actions.

2.5 Document Structure (Framework)

Diagram 3 depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.



Figure 3: Document Structure





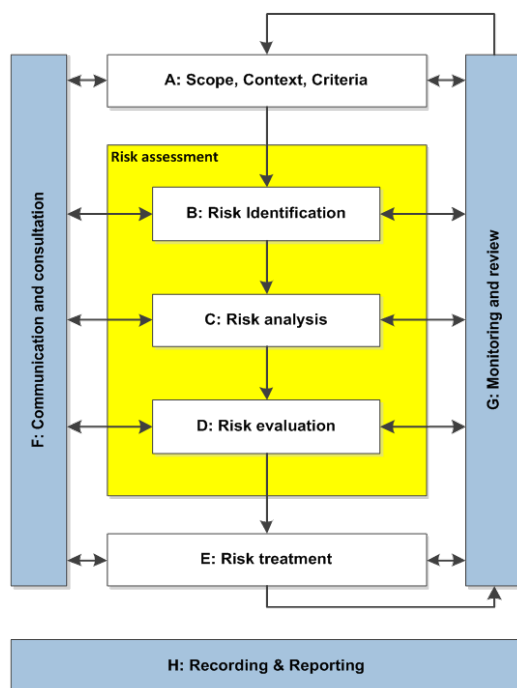
3. Risk Management Procedures

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis. Each Manager, in conjunction with the Governance & Community Manager are accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a **six-monthly basis**, unless there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported using key data inputs, workshops and ongoing business engagement. The risk management process is standardised across all areas of the Shire. The following diagram outlines that process with the following commentary providing broad descriptions of each step.

Figure 4: Risk Management Process AS 31000:2018



3.1 Scope, Context, Criteria

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:



Organisational Criteria

This includes the Risk Assessment and Acceptance Criteria (Fig 6-10) and any other tolerance tables as developed.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision-making processes.

Scope and Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process. Risk sources can be internal or external.

For specific risk assessment purposes, the Shire has three levels of risk assessment context:

I. Strategic Context

These risks are associated with achieving the organisation's long-term objectives. Inputs to establishing the strategic risk assessment context may include;

- Organisations Vision / Mission
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Strategies / Objectives / Goals (Integrated Planning & Reporting)

II. Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its key activities i.e. what is trying to be achieved.

III. Project Context

Project Risk has two main components:

- Direct refers to the risks that may arise as a result of project activity (i.e. impacting on process, resources or IT systems) which may prevent the Shire from meeting its objectives.
- Indirect refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

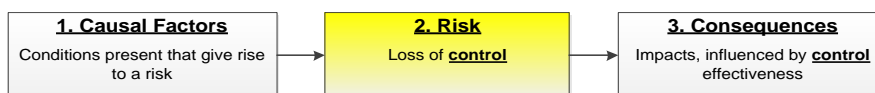
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3.2 Risk Identification

Once the context has been determined, the next step is to identify risks. This is the process of finding, recognising and describing risks. Risks are described as the point along an event sequence where control has been lost. An event sequence is shown below:

Figure 5: Event (risk) sequence



For the ease of management and recordkeeping, risks that are identified are to be classified into the following risk themes for collective risk analysis and documented into the Shire's Risk Profile:



- I. Misconduct
- II. Errors, Omissions and Delays
- III. Business Disruption
- IV. External Theft and Fraud
- V. IT & Communications Systems and Infrastructure
- VI. Compliance
- VII. Asset Management
- VIII. Document Management
- IX. Procedure / Contract Management
- X. Environment
- XI. Facilities and Events
- XII. Safety and Security
- XIII. Project Management
- ~~XIV.~~ Employment Practices
- ~~XIV.~~XV. Psychosocial Hazards

A new risk theme can be created if the risk cannot be grouped into an existing risk theme.

For each risk theme, or risk theme under review, using the specific risk assessment context as the foundation and in conjunction with relevant stakeholders, consider the below listed questions, capture and review the information. The objective is to identify potential risks that could stop the Shire from achieving its goals:

- I. *Risk What can go wrong? / What are areas of uncertainty?* (**Risk Description**- describe what the risk is and specifically where control may be lost. They can also be described as an event. They are not to be confused with outcomes following an event, or the consequences of an event).
- II. *How may this risk eventuate?* (**Potential Causes**- are the conditions that may present or the failures that may lead to the event or point in time when control is lost (risk)).
- III. *What are the current measurable activities that mitigate this risk from eventuating?* (**Controls**- are measures that modify risk. At this point in the process only existing controls should be considered).
- IV. *What are the potential consequential outcomes of the risk eventuating?* (**Consequences**- need to be impacts to the Shire. These can be health of staff, visitors or contractors; financial; interruption to services provided; non-compliance; damage to reputation or other assets or the environment. There is no need to determine the level of impact at this stage).

The reviewing of the following materials would assist in risk identification:

1. Internal and external audits
2. Insurance claims
3. Complaints and community feedback
4. Project planning
5. Performance reporting
6. Policy & procedure development
7. Incidents and systems analysis.

3.3 Risk Analysis

To analyse risk, the Shire's Risk Assessment and Acceptance Criteria is applied in the following steps:



Step 1 - Consider the effectiveness of the existing/identified key controls

Based on the documented controls, analyse the risk in terms of the Existing Control Ratings. To do this, the controls need to be reviewed from 3 perspectives:

- I. *Design Effectiveness- This process reviews the 'design' of the controls to understand their potential for mitigating the risk without any 'operating' influences. Controls that have inadequate designs will never be effective, no matter if it is performed perfectly every time.*

There are four components to be considered in reviewing existing controls or developing new ones:

1. Completeness – The ability to ensure the process is completed once. How will the control ensure that the process is not lost or forgotten, or potentially completed multiple times?
2. Accuracy – The ability to ensure the process is completed accurately, that no errors are made, or components of the process missed.
3. Timeliness – The ability to ensure that the process is completed within statutory timeframes or internal service level requirements.
4. Theft / Fraud – The ability to protect against internal misconduct or external theft / fraud-based activities.

It is very difficult to have a single control that meets all the above requirements when viewed against a Risk Theme. It is imperative that all controls are considered so that the above components can be met across several controls.

- II. *Operating Effectiveness- This process reviews how well the control design is being applied. Like above, the best designed control will have no impact if it is not applied correctly.*

As this generally relates to the human element of control application there are four main approaches that can be employed by management or the risk function to assist in determining the operating effectiveness and / or performance management.

1. Re-perform – this is only applicable for those short timeframe processes where they can be re-performed. The objective is to re-perform the same task, following the design to ensure that the same outcome is achieved.
2. Inspect – review the outcome of the task / process to provide assurance that the desired outcome was achieved.
3. Observe – physically watch the task / process being performed.
4. Inquire – through discussions with individuals / groups determine the relevant understanding of the process and how all components are required to mitigate any associated risk.

- III. *Overall Effectiveness- This is the value of the combined controls in mitigating the risk. All factors as detailed above are to be considered so that a considered qualitative value can be applied to the 'control' component of risk analysis.*



Figure 6- Overall Control Effectiveness (extracted from Shire of Mingenew Risk Management Policy-1.1)

Existing Controls Ratings		
Rating	Detailed Description	Description and Action Required
Effective	No control gaps. The control is influencing the risk level and only continues monitoring is needed	Description: Control addresses risk, is officially documented, in operation and has been tested to confirm effectiveness
Moderately Effective	Few control gaps. The control is influencing the risk level however improvement is needed	Control addresses risk but documentation and/or operation of control could be improved
Partially Effective	Some control gaps that result in the control having limited influence on risk level	Description: Control addresses risk at least partially, but is not documented and/or operation of control needs to be improved Action Required: Must have a treatment plan (action) to improve the control effectiveness to at least 'Moderately Effective'
Inadequate	Significant control gaps that result in the control not influencing the risk level.	Description: At best, control addresses risk, but is not documented or in operation, at worst, control does not address risk and is neither documented nor in operation. Action Required: Must have a treatment plan (action) to improve the control effectiveness to at least 'Moderately Effective'

Step 2 – Determine the Relevant Consequence

Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence). Use Figure 7 (below) to determine which risk rating best fits the risk's consequences.

Figure 7- Risk Consequence Matrix (extracted from Shire of Mingenew Risk Management Policy-1.1)



Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Legal & Compliance	Reputational	Property	Environment
Insignificant (1)	First aid injuries	Less than \$5,000	No material service interruption	Compliance: No noticeable regulatory or statutory impact Legal: Threat of litigation requiring small compensation Contract: No effect on contract performance	Unsubstantiated, low impact, low profile or 'no news' item <i>Example:</i> gossip, online post seen by limited persons	Inconsequential damage	Contained, reversible impact managed by on site response <i>Example:</i> pick up bag of rubbish
Minor (2)	Medical type injuries	\$5,001 - \$15,000	Short term temporary interruption – backlog cleared < 1 day	Compliance: Some temporary non-compliance Legal: Single minor litigation Contract: Results in meeting between parties in which contractor expresses concern	Substantiated, low impact, low news item <i>Example:</i> online post seen by the community	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response <i>Example:</i> pick up trailer of rubbish
Moderate (3)	Lost time injury <30 Days	\$15,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Compliance: Short term non-compliance but with significant regulatory requirements imposed Legal: several minor litigations Contract: Receive verbal advice that if breaches continue, a default notice may be issued	Substantiated, public embarrassment, moderate news profile <i>Example:</i> local paper article, online post taken up by people outside of Shire	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies <i>Example:</i> Contractor removal of asbestos sheets
Major (4)	Lost time injury >30 Days	\$50,000 - \$150,000	Prolonged interruption of services – additional resources, performance affected < 1 month	Compliance: Non-compliance results in termination of services or imposed penalties Legal: Single moderate litigation Contract: Receive written notice from contractor threatening termination if not rectified	Substantiated, public embarrassment, high impact, high news profile, third party actions <i>Example:</i> State wide paper, TV news story, significant online presence	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies <i>Example:</i> truck/train spill of diesel or oil on road reserve
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Compliance: Non-compliance results in litigation, criminal charges or significant damages or penalties Legal: Single major litigation or numerous moderate litigations Contract: Termination of contract for default	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions <i>Example:</i> Au wide paper, TV news,	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Step 3 – Determine the Likelihood of Occurrence

Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)



Figure 8- Likelihood of Risk Occurrence (extracted from Shire of Mingenew Risk Management Policy-1.1)

Measures of Likelihood			
Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Step 4- Determine the Residual Risk Rating

By combining the measures of consequence and likelihood, determine the Residual Risk Rating (Level of Risk). The 'Risk Scores' from both the 'Risk Likelihood' and 'Risk Consequences' are to be multiplied to get the 'Residual Risk Rating' (RL x RX = RR). This is to be determined using Figure 9.

Figure 9- Residual Risk Matrix (extracted from Shire of Mingenew Risk Management Policy-1.1)

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

3.4 Risk Evaluation

Risk evaluation takes the residual risk rating and applies it to the Shires risk acceptance criteria (Figure 10) to determine whether the risk is within acceptable levels to the Shire (Shire's risk tolerance), and what (if any) controls, high level actions or treatments need to be implemented.

The outcome of this evaluation will determine whether the risk is low; moderate; high or extreme.

The Residual Risk rating should be as close as possible to the Council's predetermined Risk Tolerance/Acceptance as defined in Fig 10 ('Acceptable Risk') for that Risk Category. If not, then Risk Treatment needs to occur as per the next step.

Note: Individual Risks or Issues may need to be escalated due to its urgency, level of risk or systemic nature.



Figure 10- Risk Acceptance Criteria (extracted from Shire of Mingenew Risk Management Policy- 1.1)

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW (1-4)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE (5-9)	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH (10-16)	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	CEO
EXTREME (16-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

3.5 Risk Treatment

If the Residual Risk is outside of Council's risk acceptance levels as quantified by figure 10, then Risk Treatment needs to occur. This involves 2 steps:

1. In all cases, regardless of the residual risk rating; controls that are rated 'Partly effective or Inadequate' in (Step 1 of Part C) must have a treatment plan (action) to improve the control effectiveness to at least 'Moderately Effective'.
2. If the residual risk rating (Step 4 of Part C) is high or extreme, treatment plans must be implemented to either:
 - a. Reduce the consequence of the risk materialising.
 - b. Reduce the likelihood of occurrence.
 (Note: these should have the desired effect of reducing the risk rating to at least moderate)

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- I. Cost versus benefit
- II. Ease of implementation
- III. Alignment to organisational values / objectives

Once a treatment has been fully implemented, the Management Team is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (discussed in 3.7)

3.6 Communication & Consultation

Effective communication and consultation are essential to ensure that those responsible for managing risk, and those with a vested interest, understand the basis on which decisions are made and why particular treatment / action options are selected or the reasons to accept risks have changed.

As risk is defined as the effect of uncertainty on objectives, consulting with relevant stakeholders assists in the reduction of components of uncertainty. –Communicating these risks and the information surrounding the event sequence ensures decisions are based on the best available knowledge.

3.7 Monitoring, Review and Reporting

The Shire is to review all Risk Profiles at least six-monthly, or if triggered by one of the following;

- I. changes to context,



- II. a treatment is implemented,
- III. an incident occurs or due to audit/regulator findings.

The CEO (or as delegated) is to monitor the status of risk treatment implementation and report on as per the Risk Management Policy.

The CEO & Leadership Team will monitor significant risks and treatment implementation as part of their normal Team Meeting agenda item on a regular basis with specific attention given to risks that meet any of the following criteria:

- I. Risks with a Level of Risk of High or Extreme
- II. Risks with Inadequate or Partially Effective Existing Control Rating
- III. Risks with Consequence Rating of Major or Catastrophic
- IV. Risks with Likelihood Rating of Almost Certain

The design and focus of Risk Summary report will be determined from time to time on the direction of the CEO & Leadership Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new, emerging risks, control effectiveness and key indicator performance to the Governance Officer.
- Work through assigned actions and provide relevant updates to the Governance Officer.
- Risks / Issues reported to the CEO & Leadership Team are reflective of the current risk and control environment.

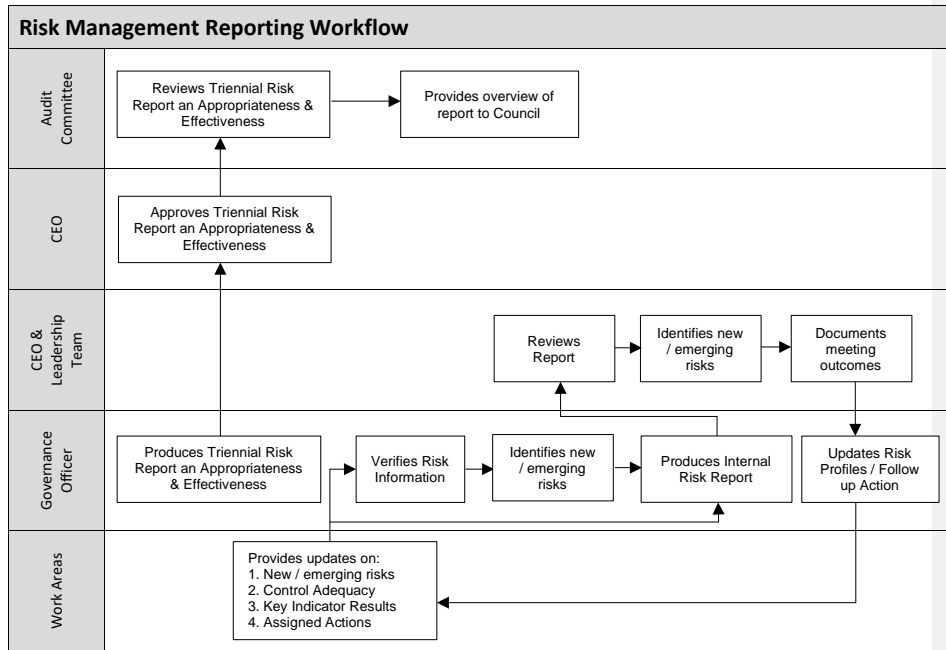
The Governance & Community Manager is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a six-monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Regular Risk Reporting for the CEO & Shire Management Team.
- Annual Compliance Audit Return completion and lodgement.

The following diagram provides a high-level view of the ongoing reporting process for Risk Management.



Figure 11- Risk Management Workflow





COUNCIL POLICY
Administration

1.2.3

Title: 1.2.3 LEGAL REPRESENTATION – COSTS INDEMNIFICATION
Adopted: 21 March 2018
Reviewed: Biennially (last reviewed ~~14 December 2022~~ 30 April 2025)
Associated Legislation: Local Government Act 1995
Associated Documents: Shire of Mingenew Code of Conduct for Council Members, Committee ~~& Working Group~~ Members ~~& Candidates~~
Shire of Mingenew Code of Conduct for Shire Employees
Review Responsibility: Chief Executive Officer, Governance & Community Manager
Delegation: Nil.

Previous Policy Number/s 2002

Objective:

To set out the circumstances under which the Shire will indemnify elected members and employees against legal costs.

Policy Statement:

The Shire of Mingenew is committed to ensuring that in performing their duties in a fair and objective manner, the interests of council members and staff are protected from civil legal proceedings.

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

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1.2.3 LEGAL REPRESENTATION – COSTS INDEMNIFICATION MANAGEMENT PROCEDURE

Relevant Council Policy	Relevant CEO Directive
1.2.3 Legal Representation- Cost	N/A
Indemnification	

Adoption Date: 16 March 2018

Review: ~~Annual~~ Biennial

Appendix:

Objective:

To set out the circumstances under which the Shire will indemnify elected members and employees against legal costs.

Policy Statement:

The Shire of Mingenew are committed to ensuring that in performing their duties in a fair and objective manner, the interests of council members and staff are protected from civil legal proceedings.

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

Legislation:

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

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Definitions:

Approved Lawyer	Approved lawyer is to be – (a) a 'certified practitioner' under the Professions Act 2008; (b) from a law firm on the Shire's panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and (c) approved in writing by the council or the CEO under delegated authority
Council Member or Employee	Council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire of Mingenew.
Legal Proceedings	Legal proceedings may be civil, criminal or investigative.



Legal Representation	Is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of (a) a matter or matters arising from the performance of the functions of the council member or employee; and (b) legal proceedings involving the council member or employee that have been, or may be, commenced.
Legal Representation Costs	The costs, including fees and disbursements, properly incurred in providing legal representation.
Legal Services	Includes advice, representation or documentation that is provided by an approved lawyer.
Payment	payment by the Shire of legal representation costs may be either by – (a) a direct payment to the approved lawyer (or the relevant firm); or (b) a reimbursement to the council member or employee

Procedures:

1 Payment Criteria

- a) There are four major criteria for determining whether the Shire will pay the legal representation costs of a council member or employee. These are –
 - I. 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;
 - II. the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - III. 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
 - IV. the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- a) If the criteria in clause 1 of this policy are satisfied, the Shire may approve the payment of legal representation costs –
 - I. where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
 - II. 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
 - III. 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.
- b) The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.



3. **Application for Payment**

- a) A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.
- b) The written application for payment of legal representation costs is to give details of –
 - I. the matter for which legal representation is sought;
 - II. how that matter relates to the functions of the council member or employee making the application;
 - III. the lawyer (or law firm) who is to be asked to provide the legal representation;
 - IV. the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
 - V. an estimated cost of the legal representation; and
 - VI. why it is in the interests of the Shire for payment to be made.
- c) An application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- d) As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
- e) The application is to be accompanied by a signed written statement by the applicant that he or she:
 - I. Has read, and understands, the terms of this policy;
 - II. Acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - III. Undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7.
- f) In relation to clause 3.e(III), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.
- g) An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

4. **Legal Representation Costs – Limit**

- a) The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- b) A council member or employee may make a further application to the council in respect of the same matter.



5. Council's Powers

- a) The council may –
 - I. refuse;
 - II. grant; or
 - III. grant subject to conditions, an application for payment of legal representation costs.
- b) Conditions under clause 5.a may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- c) In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members 'or employees' insurance policy or its equivalent.
- d) The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- e) The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
 - I. Not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - II. Given false or misleading information in respect of the application.
- f) A determination under clause 5e may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- g) Where the council makes a determination under clause 5e, the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with clause 7.

6. Delegation to Chief Executive Officer

- a) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
- b) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

7. Repayment of Legal Representation Costs

- a) A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire –
 - I. All or part of those costs – in accordance with a determination by the council under clause 5.7;
 - II. As much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.
- b) The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this procedure.



COUNCIL POLICY

Administration

1.2.4

Title:	1.2.4 TEMPORARY EMPLOYMENT OR APPOINTMENT OF CEO
Adopted:	15 September 2021
Reviewed:	Biennially (last reviewed 14 December 2022 30 April 2025)
Associated Legislation:	Local Government Act 1995 Local Government (Administration) Regulation 1996
Associated Documents:	Nil
Review Responsibility:	Manager Governance & Community Manager
Delegation:	N/A

Objective:

To establish policy, in accordance with Section 5.39C of the Local Government Act 1995 ('the Act'), that details the Shire of Mingenew's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office.

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Policy Statement:

1. Definitions:

- (1) **Acting CEO** means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.
- (2) **Temporary CEO** means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

2. Acting and Temporary CEO Requirements and Qualification

- (1) When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the Local Government Act 1995, and other duties as set out in the Act and associated Regulations.
- (2) Through this policy and in accordance with section 5.36(2)(a) of the Act, the Council determines that employees appointed to the substantive position(s) of ~~Finance and Administration Manager~~ Corporate Services, Manager Governance and Community ~~Manager~~, or Works Manager are considered suitably qualified to perform the role of Acting or Temporary CEO.
- (3) A person appointed to act in the position of ~~Manager Corporate Services, Manager Governance and Community, Finance and Administration Manager, Governance and Community Manager~~, or Works Manager is not included in the determination set out in Clause 3 (2).

3. Appoint Acting CEO – Planned and unplanned leave for periods up to 6 weeks

- (1) The CEO is authorised to appoint the ~~Manager Corporate Services, Manager Governance and Community, Finance and Administration Manager, Governance and Community Manager~~, or Works Manager in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 6 weeks, subject to the CEO's consideration of the Manager's



performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.

- (2) The CEO must appoint an Acting CEO for any leave periods greater than 48 hours and less than 6 weeks.
- (3) The CEO is to immediately advise all Council Members when and for what period of time the Manager is appointed as Acting CEO.
- (4) If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (2), then the following line of succession shall apply:
 - a) The ~~Finance and Administration Manager~~ Corporate Services will be appointed as Acting CEO; or
 - b) If the ~~Finance and Administration Manager~~ Corporate Services is unable to act, the ~~Manager~~ Governance and Community ~~Manager~~ will be appointed as Acting CEO; or
 - c) If the ~~Manager~~ Governance and Community ~~Manager~~ is unable to act, the Manager Works will be appointed as Acting CEO.
- (5) Council may, by resolution, extend an Acting CEO period under subclause (4) beyond 6 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties.

4. *Appoint Acting CEO for extended leave periods greater than 6 weeks but less than 12 months.*

- (1) This clause applies to the following periods of extended leave:
 - Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and
 - Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- (2) The Council will, by resolution, appoint an Acting CEO for periods greater than 6 weeks but less than 12 months, as follows:
 - a) Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
 - b) Conduct an external recruitment process in accordance with clause 5(1)(c)(iii).
- (3) The President will liaise with the CEO, or in their unplanned absence the ~~Manager~~ Governance and Community ~~Manager~~ to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
- (4) Subject to Council's resolution, the President will execute in writing the Acting CEO appointment with administrative assistance from the ~~Manager~~ Governance and Community ~~Manager~~.

5. *Appoint Temporary CEO – Substantive Vacancy*

- (1) In the event that the substantive CEO's employment with the Shire of Mingenew is ending, the Council when determining to appoint a Temporary CEO may either:
 - a) by resolution, appoint ~~Finance and Administration Manager~~ Corporate Services, ~~Manager~~ Governance and Community ~~Manager~~, or Works Manager as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
 - b) by resolution, appoint ~~Finance and Administration Manager~~ Corporate Services, ~~Manager~~ Governance and Community ~~Manager~~, or Works Manager as the interim Temporary



CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or

- c) following an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.

- (2) The President will liaise with the Manager Governance and Community ~~Manager~~ to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
- (3) The President is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the Governance and Community Manager.

6. *Remuneration and conditions of Acting or Temporary CEO*

- (1) Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated at 100% of the cash component only of the substantive CEO's total reward package.
- (2) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- (3) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.



COUNCIL POLICY Administration

1.2.5

Title:	1.2.5 WORK HEALTH AND SAFETY POLICY
Adopted:	21 March 2018
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Work Health and Safety Act 2020 Work Health and Safety (General) Regulations 2022 Workers Compensation and Injury Management Act 1981 <u>2023</u>
Associated Documents:	Contractor Management Policy Fitness for Work Policy Health Safety Environment and Quality Policy HSE Consultation, Education & Communication Policy Occupational Rehabilitation and Workers' Compensation Policy Operational Risk Management Policy Approved Codes of Practice
Review Responsibility:	<u>Manager</u> Governance & Community Manager
Delegation:	N/A

Objective:

The Shire of Mingenew is committed to protecting the health and safety of all persons in its workplace including employees, contractors, volunteers and visitors (or any other person defined as a 'worker'). The Shire demonstrates this commitment by providing safe systems of work and work instructions with the aim of creating a safe work and community environment to minimise risk of illness or personal injury.

Policy Statement:

The Shire of Mingenew is committed to providing a safe and healthy workplace for employees, contractors, visitors, volunteers and any other person whose health or safety could be affected. It aims to maintain an effective Safety Management System that incorporates a continuous improvement philosophy and provides as far as is reasonably practicable for maintenance of work, safety and health standards to protect the wellbeing of staff, stakeholders and the environment.

The Shire will endeavour to:

- As far as practicable, provide the necessary resources, both human and financial, to achieve safety outcomes and maintain a safe work environment;
- Comply with all applicable health and safety laws, regulations, standards and codes of practice where reasonably practical;
- Foster a positive health and safety culture;
- Continuously review and improve its safety systems and monitor performance;
- Provide workers, including contractors and volunteers, with the necessary information, instruction and training to increase knowledge and skills in order to work safely;
- Promote reporting mechanisms to identify hazards, assess risk and implement control measures in an effective and timely manner;



- g) Consult and cooperate with workers (including contractors and volunteers) on health, safety and wellbeing matters and systems;
- h) Respond to and investigate incidents, events or issues for the purpose of continuous safety improvement.

The application of this policy is to be in conjunction with the Shire of Mingenew Code of Conduct for Employees (applying to volunteers and contractors).

Responsibilities

Council is responsible for appropriate resourcing of work health and safety through the Annual Budget adoption and establishing strategic direction that is considerate of work health and safety principles.

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

All senior management (defined as 'officers') are responsible for compliance to this policy by their employees, contractors and volunteers (workers).

All workers are responsible and accountable for the health and safety of themselves and others in the workplace through safety-led behaviour and work practices.

Review Date: ~~11~~December ~~2024~~2027



1.2.6 GRATUITY MANAGEMENT PROCEDURE

Relevant Council Policy

1.2.6 Gratuity

Adoption Date: 21 November 2018 - CEO

Appendix:

Relevant CEO Directive

N/A

Review: Biennially

Objective:

To provide clarity around Council's position with regard to the entitlement and calculation methodology for the payment of gratuities to departing employees, and to ensure compliance with the provisions of the Local Government Act and Local Government (Administration) Regulations.

Legislative Provisions:

When an employee leaves the Shire of Mingenew, the Shire may (within the parameters set by the Local Government Act 1995 and the associated Regulations) be given a good or service as a token of appreciation for their commitment and service to the district.

Section 5.50 of the Local Government Act 1995 provides that a Local Government may, but only if it has an adopted policy on the matter, make payments to departing employees in addition to their contract or award. Regulations 19A the Local Government (Administration) Regulations 1996 prescribes the maximum value of payment(s) able to be made.

Procedures:

Introduction - To enable reasonable time for a financial provision to be made, the Policy will come into effect on 1 July 2019.

Employee Service Records - The Payroll Officer is to, for the purposes of this policy, maintain accurate service records of all permanent and part time staff (noting that the policy does not apply to casual or contract staff).

Entitlement - Any gratuity paid is in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy whilst outlining the intention and circumstances in which a gratuity payment may be made, does not however, form a contractual entitlement for any employee.

The policy entitlement does not apply to casual or contracted staff (irrespective of length of service).

An employee who has been dismissed by the Shire of Mingenew for any reason other than redundancy, will also not be eligible to receive any Gratuity Payment.

Continuous service - shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or



- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.

Continuous service shall not include (unless the ~~Shire of Mingenew~~CEO determines otherwise):

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

Gratuity Make-up and Taxation - The value of the calculated gratuity can be in the form of cash, a gift, or shire property, or combination thereof. The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Shire of Mingenew in relation to any claims or liabilities for taxation in relation to the gratuity payment.

Budget - The officer responsible for payroll, in consultation with the Finance and Administration Manager, should calculate a suitable anticipated budget allocation, to be incorporated into each financial year's budget, for anticipated gratuity payments over the coming 12 months.

Coordination of Calculation and Payment – The officer responsible for payroll is to liaise with the relevant staff member (either directly or via their supervisor) upon the notification of an entitled staff member announcing their departure, confirming the calculated amount of the gratuity and seeking confirmation from the employee as to the desired payment make-up. The gratuity would, barring exceptional circumstances, be included within the final payroll payment for that employee.



COUNCIL POLICY Administration

1.2.6

Title:	1.2.6 GRATUITIES <u>TO EMPLOYEES</u>
Adopted:	21 November 2018
Last Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Sections 5.50 of the Local Government Act 1995. Regulations 19A of the Local Government (Administration) Regulations 1996
Associated Documents:	Nil.
Review Responsibility:	Chief Executive Officer
Delegation:	Nil.

Objective:

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 of Mingenew (Local Government), only when the employee is finishing their employment with the Local Government. This policy outlines the circumstances in which gratuity payments may be made to an employee.

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 Local Government 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 (WA) (Act) and regulation 19A of the Local Government (Administration) Regulations 1996 (WA) (Administration Regulation).

Policy Statement:

The Shire of Mingenew acknowledges that its employees regularly commit more in their staff roles to supporting the Shire and its community than many employees in larger local government organisations. The Council is therefore committed to suitably recognising that value-add benefit, as provided by its long serving employees.

A gratuity payment entitlement is subject to completed years of continuous service as detailed in clause 4 below and is only payable at the time an employee finishes their employment with the Local Government 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 prescribed maximum amounts for Gratuity Payments, and means for their presentation is outlined in the below table:

Number of Years' Service (in either full-time or part time employment only)	Maximum amount of Gratuity and means of presentation
1. Continuous service less than two years	Nil.
2. Continuous service of greater than two completed years, and up to 10 years.	\$25 for each completed year of service (e.g. three years @ \$25/year = \$75).
3. Continuous service greater than 10 completed years and up to 20 years.	\$25 for each completed year of service (e.g. 12 years @ \$25/year = \$300). To be presented to the employee by the CEO or nominated representative at a function to be determined by the CEO.
4. Above 20 completed years of service.	\$25 for each completed year of service (e.g. 22 years @ \$25/year = \$550). To be presented to the employee by the President or nominated representative, at a function to be determined by the CEO.

The value of the calculated gratuity can be in the form of cash, a gift, or shire property, or combination thereof. The employee accepts full responsibility for any taxation payable on a gratuity payment and agrees to fully indemnify the Shire of Mingenew in relation to any claims or liabilities for taxation in relation to the gratuity payment.

An employee who has been dismissed by the Shire of Mingenew for any reason other than redundancy, will not be eligible to receive any Gratuity Payment.

The Chief Executive Officer (CEO) is authorised to approve payments in accordance with the limits prescribed by this policy, and to define continuous service within the accompanying procedure.

Suitable funds will be allocated as part of the Local Government's annual budget.

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.



Policy Review Communications

This policy may be cancelled or varied from time to time, however, the Shire of Mingenew will take reasonable steps (by the normal correspondence method) to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.



COUNCIL POLICY Administration

1.2.8

Title:	1.2.8 Information & Communications Technology (ICT) Usage
Adopted:	18 September 2019
Last Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act 1995
Associated Documents:	Code of Conduct
Review Responsibility:	Chief Executive Officer and Finance & Administration Manager <u>Corporate Services</u>
Delegation:	Nil

Objective:

To ensure the security and integrity of the Shire's ICT environment and set out the rights and obligations of Shire staff (including contractors, volunteers and any person performing work for or with the Shire of Mingenew in any capacity).

Policy Statement:

Effective security is a team effort involving the participation and support of every Shire of Mingenew employee who deals with information and/or information systems and devices. Every digital device user must understand this policy and carry out their use of digital devices in accordance with this policy. For the purposes of this policy the term "employee/s" shall extend to cover contractors, volunteers and any person performing work for or with the Shire of Mingenew in any capacity.

General Use of ICT Equipment

- While the Shire of Mingenew's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remain the property of the Shire. Because of the need to protect the Shire's network, the confidentiality of personal (non-work-related) information stored on any network device belonging to the Shire cannot be guaranteed; and
- A degree of personal use is allowed on the Shire of Mingenew's equipment/devices/systems. Employees should exercise conservative judgment regarding the reasonableness of personal use but should be guided by the following principles:
 - Personal use should be conducted either before or after contracted hours of work or authorised breaks;
 - Personal use should be limited and brief, avoiding excessive download or transmission. An example of acceptable personal use would be conducting brief transactions through internet banking;

- Personal use should not breach anything in this policy, particularly relating to the downloading of offensive or copyrighted materials;
 - Managers/Supervisors will determine the specific acceptable personal use for their respective business areas as this will differ according to the needs of each group; and
 - If there is any uncertainty regarding acceptable personal use then employees should consult their supervisor or manager for guidance.
- For security and network maintenance purposes, authorised individuals within the Shire of Mingenew may monitor equipment, systems and network traffic at any time, according to the specific nature and requirements of their roles.
 - The Shire of Mingenew reserves the right to audit networks and systems on a periodic basis to ensure system integrity and compliance with this policy.
 - All emails sent by Shire of Mingenew staff should include their 'signature' in the format specified by the Shire of Mingenew's style guide or as otherwise advised by the CEO.
 - Computers should be locked when stepping away from the works station to prevent unauthorised access.
 - Computers to be shut down when leaving the workplace for the day.

Security and Proprietary Information

- All information stored on the Shire of Mingenew's corporate systems should be regarded as confidential and care must be exercised before sharing or distributing any information. If there is any uncertainty regarding the level of confidentiality involved then employees should consult their supervisor or manager for guidance;
- Passwords should be kept secure and accounts must not be shared. Authorised users are responsible for the security of their passwords and accounts. Passwords should be changed regularly, in accordance with Shire of Mingenew's advice from the person responsible for ICT (presently the ~~Finance & Administration~~ Manager Corporate Services);
- All devices connected to the Shire of Mingenew's computing systems/networks, regardless of ownership, must be running approved and up to date virus-scanning software; and
- People must use caution when opening files received from unknown senders.

Unacceptable Use

The information in this policy provides a framework for activities which fall into the category of unacceptable use, but do not represent an exhaustive list. Some users are exempted from these restrictions during the course of carrying out responsibilities related to their role. Under no circumstances is any user authorised to engage in any activity that is illegal under local, state, federal or international law while connected to or utilising Shire of Mingenew ICT systems or resources.

System and Network Activities

The following activities are not permitted:

- Violations of the rights of any person or company/organisation protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the duplication, installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Shire of Mingenew or the end user;
- Unauthorised copying or digitising of copyrighted material and the installation of any copyrighted software for which the Shire of Mingenew or the end user does not have an active license;
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. The appropriate manager should be consulted prior to export of any material where status is unclear;
- Introduction of malicious programs or code into the network or onto devices connected to the network;
- Revealing your account password to others or allowing use of your account by others;
- The Shire of Mingenew's equipment is not be used for the downloading or distribution of any material that could be considered as offensive. If a user receives such material they should notify their supervisor and also the ~~Finance & Administration~~ Manager Corporate Services;
- Making fraudulent offers of products, items, or services, or running private business interests via any Shire of Mingenew equipment, device or account; and
- Undertaking private work.

The following activities are not permitted unless they are within the scope of regular responsibilities for an expressly authorised role/position:

- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorised to access;
- Executing any form of network monitoring which will intercept data not intended for the user's host;
- Attempting to avoid or bypass Shire of Mingenew's network security measures;
- Interfering with any other user's account, by whatever means; and
- Using the system in a way that could damage or affect the performance of the network in any way.

Email and Communications Activities

The following activities are not permitted:

- Except in the course of normal business notifications, sending or forwarding unsolicited electronic messages, including the sending of "junk mail" or other advertising material, jokes, or chain communication to individuals who did not specifically request such material;

- Any form of harassment via electronic/ICT means;
- Unauthorised use, or forging, of email header information;
- Solicitation of communication for any other electronic address, other than that of the poster's account, with the intent to harass or to collect replies;
- Creating or forwarding "chain letters" or "pyramid" schemes of any type;
- Use of any of the Shire of Mingenew's network or systems for the purpose of generating unsolicited communications;
- Providing information about, or lists of the Shire of Mingenew's employees to parties outside Shire of Mingenew or to personal email addresses;
- Communicating in a manner that could adversely affect the reputation or public image of Shire of Mingenew; and
- Communicating in a manner that could be construed as making statements or representations on behalf of Shire of Mingenew without the Shire of Mingenew's express permission to do so; and

Users should also endeavor to clean out their Inbox, Sent Items, Deleted Items and other email boxes on a regular basis, by either deletion or saving in the central record system. A size limit per mailbox may be implemented to ensure that the system is functioning optimally.

Remote Access

Users with remote access should be reminded that, when they are connected to the Shire of Mingenew's network, their machines are an extension of that network, and as such are subject to the same rules and regulations that apply to the Shire of Mingenew's corporate equipment and systems. That is, their machines need to connect and communicate reliably with the Shire of Mingenew's network and servers to ensure the security and integrity of data and records.

Users are reminded of the following conditions relating to remote access to the Shire of Mingenew's system:

- Family members must not violate any of the Shire of Mingenew's policies, perform illegal activities, or use the access for outside business interests;
- The device that is connected remotely to the Shire of Mingenew's corporate network should be secure from access by external non-Shire of Mingenew parties and should be under the complete control of the user;
- The use of non-Shire of Mingenew email accounts (e.g. Yahoo, Hotmail, Gmail etc.) or other external resources is not permitted for the conduct of Shire of Mingenew business, thereby ensuring official business is not confused with personal business; and
- All devices (whether personal or corporate) connected to the Shire of Mingenew's networks via remote access technologies should have up-to-date anti-malicious-code software.

Provision and Use of Mobile Phones and Information/ Communication Devices

Some ~~people~~ employees will be supplied with a mobile phone and/or other mobile computing device if it is deemed necessary to their position. All mobile devices supplied remain the property of the Shire of Mingenew and users must not change service providers unless permitted to do so.

Where a mobile device provides an email service, all emails sent or received or otherwise processed via the mobile device that are classified as a record of the Shire of Mingenew should be through the Shire of Mingenew's server, to ensure the integrity of the recordkeeping system.

Where the device includes a digital camera, users are to use the technology in a sensible manner. A failure to do so may lead to disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

It is unlawful for drivers to operate a mobile phone and/or other mobile computing device whilst driving. Phone calls may otherwise be made or received providing the device is accessible while mounted/fixed to the vehicle or does not need to be touched by the user. An employee who operates a mobile phone and/or other mobile computing device whilst driving may face disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

Consequences of Breaching This Policy

- Any user found to have breached this policy may be subject to disciplinary action including possible termination of employment. The Shire of Mingenew may also be obligated to refer any breach of this policy to an external agency where an employee may be held criminally liable for their actions.
- Private/personal or unauthorised use of corporate ICT systems and/or devices may result in the user being obligated to pay any extra costs incurred.

Variation to This Policy

This policy may be cancelled or varied from time to time. All the Shire of Mingenew s employees will be notified of any variation to this policy by the normal correspondence method. All users of the organisations ICT are responsible for reading this policy prior to accessing the organisations ICT.



COUNCIL POLICY Administration

1.2.9

Title:	1.2.9 PRE-QUALIFIED SUPPLIERS POLICY
Adopted:	18 September 2019
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Associated Documents:	Purchasing Procedure Code of Conduct
Review Responsibility:	Finance and Administration Manager <u>Corporate Services</u>
Delegation:	N/A

Objective:

The Shire will consider establishing a Panel for purchasing activity when all of the following factors apply:

- It determines that a range of similar goods or services are required to be purchased on a continuing and regular basis;
- The purchases are considered vital, but of low value, and may be needed prior to a purchase order being completed;
- There are numerous potential suppliers in the local and regional procurement-related market sector(s) that offer 'value for money';
- The purchasing activity under the intended Panel is considered to be of a low risk;
- The Panel will streamline and improve procurement processes; and
- It has the capacity to establish, manage the risks and achieve the benefits expected of the proposed Panel.

Policy Statement:

The Shire is committed to developing and operating efficient, effective, economical and sustainable procedures for the procurement of all goods and services and adopting a value for money approach, which allows the best possible procurement outcome to be achieved.

The application of this policy is to be in conjunction with the Shire of Mingenew Code of Conduct and in compliance with the Shire's Purchasing Policy.



1.2.9 PRE-QUALIFIED SUPPLIERS PROCEDURES

Relevant Council Policy

1.2.9 Pre-Qualified Suppliers Policy

Approval Date: ~~14 December 2022~~ 30 April 2025

Appendix: Nil

Relevant CEO Directive

N/A

Review: Annual

Objective:

The Shire will consider establishing a Panel for purchasing activity when all of the following factors apply:

- It determines that a range of similar goods or services are required to be purchased on a continuing and regular basis;
- The purchases are considered vital, but of low value, and may be needed prior to a purchase order being completed;
- There are numerous potential suppliers in the local and regional procurement-related market sector(s) that offer 'value for money';
- The purchasing activity under the intended Panel is considered to be of a low and medium risk;
- The Panel will streamline and improve procurement processes; and
- It has the capacity to establish, manage the risks and achieve the benefits expected of the proposed Panel.

Panel Establishment

Should the Shire determine it is advantageous to establish a Panel, it must do so in accordance with Part 4, Division 3 of the *Local Government (Functions and General) Regulations 1996* and its internal procurement procedures.

- A Panel may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.
- Panels may be established for a minimum of 1 year and a maximum of 3 years or other length of time deemed appropriate by the Shire. Consideration of Regulation 24AJ must be had, noting that a contract term must not exceed 12 months or contain an option to renew or extend its term.
- Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.
- Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to the Panel, or to each category within the Panel, on the basis of best 'value for money'.
- In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.
- 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) when establishing the Panel.

Panel Purpose

The Shire may establish a Panel for the purpose of:



Trades Panel

to allow sub-contract assistance in operational requirements on an as-needed basis. Establishment of a Panel in this instance negates the requirement for quotes. A Trades Panel may include such categories as electrician, plumber or similar.

Purchasing from a Panel

Each pre-qualified supplier appointed to the Panel (Supplier) provides a schedule of rates (Schedule) accepted by the Shire as part of their appointment to the Panel. This Schedule will be fixed for the term of the Panel and will ensure that each Supplier has been afforded an identical opportunity to quote for the supply requirements.

The Shire may award any quantity of work to any Supplier on the basis of their schedule and availability. A purchase order will be issued before works commence except urgent purchases for which a purchase order will be issued after works commence.

An urgent purchase is defined as an unanticipated purchase which is required in response to an urgent situation with immediate attention.

Distributing Work Amongst a Support Panel

In considering the distribution of work amongst a Trades Panel, the Shire will consider the Supplier's:

- Accepted Schedule;
- Performance during the term of the Panel;
- Capability relative to the particular item of work;
- Response time and/or availability; and
- Vicinity to the work location.

Panel Communication Agreement

The Shire will ensure clear, consistent, and regular communication between all parties to a Panel.

Panel Record Keeping

All documentation and communication relating to the establishment of, and subsequent procurement from a Panel shall be processed through the Shire's internal record management system, as appropriate, to ensure an identifiable audit trail exists. This will include such items as the initial request for applications, all invitations to quote, clarification correspondence, responses received, and all procurement documentation.



ACCESS AND INCLUSION POLICY Administration

1.2.10

Title:	1.2.10 Access and Inclusion Policy
Adopted:	15 July 2020
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act (1995) as amended; Disability Services Act 1993 (WA)
Associated Documentation:	Shire of Mingenew Disability Access and Inclusion Plan 20 19 -2024 <u>25</u> - <u>2029</u>
Review Responsibility:	Council

Previous Policy Number/s – Nil

Objective:

To ensure that the Shire of Mingenew is an accessible community for people with disability, their families and carers.

Policy:

The Shire of Mingenew is committed to ensuring that the community is an accessible community for people with disability, their families and carers, via the following;

- The Shire of Mingenew believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice.
- The Shire of Mingenew is committed to consulting with people with disability, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.
- The Shire of Mingenew is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire is also committed to achieving the seven standards of its disability access and inclusion plan which are as follows;

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



ACCESSIBLE INFORMATION POLICY Administration

1.2.11

Title:	1.2.11 Accessible Information Policy
Adopted:	15 July 2020
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act (1995) as amended; Disability Services Act 1993 (WA)
Associated Documentation:	Shire of Mingenew Disability Access and Inclusion Plan 2019- 2024 <u>2025-2029</u>
Review Responsibility:	Council

Previous Policy Number/s – Nil

Objective:

To ensure people with disabilities have the same opportunities as other community members to access public documents and information relating to Council's functions, services and facilities.

Policy:

People with disabilities have the same rights as other community members to access public information about Council's functions, services and facilities. In accordance with existing legislative responsibilities, it is recommended that, wherever possible, Councils provide:

1. printed and electronic public information in clear and easy to understand formats;
2. on request from people with specific communication requirements, information in alternative formats such as audio tape or large print; and
3. accessible public consultation processes and venues for people with disabilities.



REASONABLE ADJUSTMENT POLICY Administration

1.2.12

Title: 1.2.12 Reasonable Adjustment Policy
Adopted: 15 July 2020
Reviewed: Biennially (last reviewed ~~14 December 2022~~ 30 April 2025)
Associated Legislation: Local Government Act (1995) as amended;
 Disability Discrimination Act (1992),
Associated Documentation: Shire of Mingenew Disability Access and Inclusion Plan ~~2019-~~
~~2024~~2025-2029

Review Responsibility: Council

Previous Policy Number/s – Nil

Objective:

The objectives of this policy and procedure are to:

- a) Ensure that the Shire of Mingenew is inclusive of people with disability in its employment practises;
- b) Enable appropriately skilled people with disabilities to perform the inherent requirements of their positions;
- c) Provide an opportunity for employees who acquire a temporary or permanent disability to continue their employment at the Shire, where possible;
- d) Create an inclusive environment that ensures that equal employment opportunities are available to all staff, including those with a disability;
- e) Provide staff who have a disability with the opportunity to participate in a safe, equitable, discrimination and harassment free working environment;
- f) Actively facilitate the employment of people with a disability in all suitable areas of employment;
- g) Ensure that people with a disability are treated equitably during all stages of employment, including recruitment, selection, promotion, training, and termination;
- h) Ensure that the needs of people with a disability, such as effective interaction, management and supervision, are recognised in the performance management process;
- i) Understand that some people with a disability may choose not to involve their supports in their employment matters;
- j) Ensure that people with a disability have the means to contribute to and participate in the work environment; and
- k) Make reasonable adjustments to the work area to accommodate staff with a disability.

Policy:

People with disabilities have the same rights as other community members to access public information about Council's functions, services and facilities. In accordance with existing legislative responsibilities, it is recommended that, wherever possible, Councils provide:

1. printed and electronic public information in clear and easy to understand formats;
2. on request from people with specific communication requirements, information in alternative formats such as audio tape or large print; and
3. accessible public consultation processes and venues for people with disabilities.



The Shire is committed to ensuring an accessible and inclusive work environment to enable people with disability to participate fully in all aspects of employment in keeping with the requirements of the *Disability Discrimination Act (1992)*.

The Shire seeks to apply the principle of reasonable adjustment to remove barriers to participation in work by people with disability. Reasonable adjustments will be made to enable appropriately skilled people with disabilities to perform the inherent requirements of their positions.

Application

This policy applies to, but is not limited to, the following areas:

- a) Recruitment, selection, and appointment;
- b) Induction and orientation;
- c) Participation in projects and committees;
- d) Training and career development;
- e) Performance management;
- f) Opportunities to enjoy all Shire supported social or recreational activities;
- g) Promotion, transfer, or any other employment benefit.

The rights of people with disability are safeguarded by the *Disability Discrimination Act (1992)* by which the Shire must abide. While this policy provides overall guidance on handling staff with disability, more detailed information is incorporated throughout the policies and procedures of the Shire.

People with disability are obliged to abide by all other policies of the Shire including those relating to bullying and harassment, staff conduct and discrimination. Where exceptions or other considerations apply, detailed information is incorporated throughout other policies and procedures of the Shire.

This policy also applies to those involved in the recruitment and management of staff.



CHRISTMAS PERIOD CLOSURE POLICY Administration

1.2.13

Title:	1.2.13 Christmas Period Closure Policy
Adopted:	17 March 2021
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act 1995
Associated Documentation:	
Review Responsibility:	Council

Previous Policy Number/s – Nil

Objective:

The objective of this policy is to facilitate efficient management of the Shire's Administration Centre and Depot over the Christmas period and provide guidance on closures to appropriately inform and support the community during times when service levels are suspended or reduced.

Policy:

The Shire of Mingenew shall close operations each year for a maximum two-week period over the Christmas and New Year holiday period commencing no earlier than five working days prior to Christmas Day and up to Christmas Eve (i.e. closure commencing 21 December would require operations to recommence by 5 January).

The CEO is to determine the closure starting and end date and notification must be provided to Councillors and employees at least 8 weeks prior to Christmas Day. Employees shall use festive leave, annual leave, RDOs, leave without pay or other eligible leave entitlements to cover any ordinary working days during the closure period that are not a public holiday. There will be a maximum of seven ordinary working days during the closure period. The CEO may determine some services to be essential during the closure period and authorise employees to work during the closure or be on call, in accordance with the relevant employee conditions/industry award.

The Shire will comply with Local Public Notice requirements for advertising the Christmas period closure in accordance with the *Local Government Act 1995* to ensure the community is made aware of the shutdown and after hours/emergency contacts, no later than 4 weeks prior to Christmas Day.



COUNCIL POLICY Administration

1.2.14

Title:	1.2.14 PUBLIC INTEREST DISCLOSURES POLICY
Adopted:	16 February 2022
Reviewed:	Biennially (last reviewed 14 December 2022 <u>30 April 2025</u>)
Associated Legislation:	Local Government Act 1995 Public Interest Disclosure Act 2003
Associated Documents:	Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates Shire of Mingenew Code of Conduct for Employees PSC Code of Conduct and Integrity
Review Responsibility:	<u>Manager</u> Governance & Community Manager
Delegation:	Chief Executive Officer

Previous Policy Number/s -

Objective:

The Shire of Mingenew will receive disclosures of public interest information in accordance with the provisions of the *Public Interest Disclosure Act 2003*.

Scope

This policy applies to all employees, elected members, contractors and volunteers.

Policy Statement:

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

The Shire of Mingenew is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). The Shire recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

As a proper authority, the Shire of Mingenew is responsible for:

- receiving disclosures;
- investigating disclosures;
- taking appropriate action; and
- reporting.

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

The persons responsible for receiving disclosures of public interest information designated under s. 23(1)(a) of the PID Act will abide by the Public Sector Commission's (PSC) Code of Conduct and Integrity in performing their duties.



The Shire of Mingenew is also committed to responding to the disclosure thoroughly and impartially and will treat all people in the disclosure process fairly, including those who may be the subject of a disclosure.

PID Officer Responsibilities

The Shire of Mingenew's designated PID Officer is the Chief Executive Officer in accordance with s.23(1)(a) of the PID Act.

The PID Officer's responsibilities include:

- Providing protection from detrimental action or the threat of detrimental action for any employee of the Shire of Mingenew who makes a public interest disclosure (s. 23(1)(b)).
- Ensuring the Shire of Mingenew complies with the PID Act and the Code of Conduct and Integrity established by the Public Sector Commissioner (ss. 23(1)(c) and (d)).
- Preparing and publishing internal procedures, consistent with those prepared by the Public Sector Commission, detailing how the Shire will meet its obligations under the PID Act (s.23(1)(e)). May have a role in enabling an investigation to be undertaken or taking disciplinary action against individual.
- Providing information (s. 23(1)(f)) to the Public Sector Commissioner on the:
 - a) Number of disclosures received by the Shire of Mingenew;
 - b) Results of any investigations conducted as a result of the disclosures;
 - c) Action, if any taken, as a result of each disclosure; and
 - d) Any matters as prescribed.
- Providing information to potential disclosers about their rights and responsibilities consistent with the code of conduct and integrity established under s. 20(1).
- Receiving and managing public interest disclosures in accordance with the PID Act (s. 5(3)).
- Notifying the discloser within three months of the disclosure being made about what action is planned in dealing with the disclosure (s. 10(1)).
- Where appropriate, investigating or causing an investigation of, the matters in the disclosures (s. 8(1)).
- Where appropriate, providing information to subjects of a disclosure about their rights, responsibilities, duties and potential offences (s.9(2), s. 14, s. 15, s. 16 and s. 24).
- Where appropriate, taking such action as is necessary and reasonable, within their functions and powers in accordance with s.9.
- Maintaining confidentiality of the identity of the discloser and subject(s) of disclosures, in accordance with the requirements of the PID Act (s. 11 and s. 16).
- Providing progress reports, where requested, and a final report to the discloser in accordance with s. 10.
- Creating and maintaining proper and secure records in relation to the disclosures in accordance with the code of conduct and integrity established under s. 20(1) and the State Records Act 2000.
- Completing a PID Register for each disclosure lodged (s. 23(1)(f)).
- Acting in accordance with the rules of natural justice (s. 9(2) and s.16(1)(b)).
- Acting in accordance with the code of conduct and integrity established by the Public Sector Commissioner (s. 20(1)) and any authority-specific code of conduct established separately from the PID Act.



The PID Officer may engage an appropriately qualified and/or experienced person to assist or conduct an investigation on their behalf. A paid engagement for services must have regard to Budget allocations and approvals, and an appropriate procurement process.

Discloser Responsibilities

- Makes a public interest disclosure to a proper authority or our PID Officer if the matter relates to the Shire of Mingenew (s. 5(1)).
- Believes on reasonable grounds that the information in their disclosure is, or may be, true (s. 5(2)).
- Does not disclose information subject to legal professional privilege (s. 5(6)).
- Does not knowingly and recklessly make a false or misleading disclosure (s. 24(1)).
- Maintains confidentiality of the information disclosed and the identity of the person(s) to whom the information relates, in accordance with the requirements of the PID Act (s. 16 and s. 17(1)(b)).
- Assists any person investigating the matter to which the disclosure relates by supplying the person with any information requested (s.17(1)(a)).

Subject of a Disclosure under the PID Act

- Is afforded the opportunity to make a submission, either orally or in writing, in relation to the matter before preventative or disciplinary action is taken (s. 9(2)).
- Maintains confidentiality of the identity of the discloser, in accordance with the requirements of the PID Act (s. 16(1)).
- Is to be treated in accordance with the rules of natural justice (s.16(1)(b)).
- Does not take or threaten to take detrimental action (defined in s. 3) against a person because they have made or intend to make a disclosure (s. 14(1)).
- Does not incite another person to take detrimental action against another because they have made or intend to make a disclosure (s.14(2)).
- Does not commit an act of victimization by taking or threatening to take detrimental action against the person making or intending to make a disclosure (s. 15(1)).



1.2.14 PUBLIC INTEREST DISCLOSURES PROCEDURE

Relevant Council Policy

1.2.14 PID Policy

Approval Date: ~~14 December 2022~~ 30 April 2025

Relevant CEO Directive

Nil

Review: Biennially

Appendix – PSC Code of Conduct and Integrity

Objective:

For Shire of Mingenew to manage disclosures of public interest information effectively, efficiently and in accordance with the provisions of the *Public Interest Disclosure Act 2003*.

Legislation:

Public Interest Disclosure Act 2003 (PID Act)

Procedures:

Managing Public Interest Disclosures

The following procedures describe how the Shire of Mingenew will manage the public interest disclosure process.

Overarching requirements of the Public Interest Disclosure Act 2003

The PID Act has some overarching requirements for handling disclosures. These requirements separate the public interest disclosure process from other reporting or complaint handling processes. The PID Act does not, however, displace the notification or reporting requirements of the Corruption, Crime and Misconduct Act 2003, which are paramount. The following section outlines how we will meet these requirements, as well as expectations of you, as a discloser, and any subject(s) of your disclosure.

What is 'public interest information'?

The PID Act only applies to disclosures of public interest information (defined in s. 3). Public interest information means information that:

1. Relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act); and
 2. Shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in:
 - a) improper conduct; or
 - b) an act or omission that constitutes an offence under a written (State) law; or
 - c) substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or
 - d) an act done or omission that involves a substantial and specific risk of:
 - i. injury to public health; or
 - ii. prejudice to public safety; or
 - iii. harm to the environment; or
- e) a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia).

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Confidentiality

Maintaining confidentiality is an important part of managing a disclosure. The confidentiality requirements of the PID Act (s. 16) not only protect the discloser, but also any other people affected by the disclosure.

The confidentiality requirements do not apply to all information in a disclosure, although we are committed to maintaining confidentiality around:

1. Any information that may identify the discloser or any person who may be the subject of a disclosure, including the fact a disclosure has been made; or
2. Information relating to a disclosure that, if known, may cause detriment.

Throughout the disclosure process and after its completion, the PID Act provides for the discloser's identity, and the identity of any person that is the subject of the disclosure to be kept confidential except in certain circumstances. Disclosing information which might identify, or tend to identify, the discloser (s. 16(1)) or any person that is the subject(s) (s. 16(3)) of your disclosure, except in accordance with the PID Act, is an offence punishable with a penalty of a \$24 000 fine or imprisonment for two years.

Confidentiality regarding the discloser

Maintaining confidentiality is an important part of protecting the discloser from any detrimental action in reprisal for making or intending to make a disclosure.

If the discloser consents to having their identity revealed to assist us in dealing with the disclosure, our PID Officer will record this using the Consent to Disclosure of Identifying Information form.

Sometimes we may need to identify the discloser without the discloser's consent (s. 16(1) (b)-(f)) but only where:

1. It is necessary to do so having regard to the rules of natural justice;
2. It is necessary to do so to enable the matter to be investigated effectively;
3. We are ordered to do so by a court or any other person or body having authority to hear, receive or examine evidence; or
4. We are required to do so by ss.152 or 153 of the Corruption, Crime and Misconduct Act 2003.

Before we identify the discloser for any of the reasons above, our PID Officer will take all reasonable steps to inform the discloser that this will happen and the reasons why. Our PID Officer will use the Notification of Disclosure of Identifying Information form to do this.

If we need to provide information about the identity of the discloser to another person for the reasons above, our PID Officer will inform the other person that further disclosure to a third person may put them at risk of committing an offence.

Our PID Officer will also consider whether it is necessary to inform any external investigator about the identity of the discloser. Where it is necessary to provide this identifying information, our PID Officer will notify as described above.



Confidentiality Plan

If your confidentiality cannot be maintained, we will develop a plan to support and protect you from any potential risks of detrimental action. You will be involved in developing this plan.

Confidentiality regarding the person that is the subject of the disclosure

The subject of a disclosure may consent to having their identity revealed to assist with the disclosure process s. 16(3)(a). Our PID Officer will use the Consent to Disclosure of Identifying Information form to record this.

Additionally, we may need to reveal identifying information about the subject(s) of a disclosure without their consent (ss. 16(3)(b)-(g)) where:

1. It is necessary to do so to enable the matter to be investigated effectively;
2. It is necessary to do so in the course of taking action under s. 9;
3. There are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property;
4. We are ordered to do so by a court or any other person or body having authority to hear, receive or examine evidence; or
5. We are required to do so by ss. 152 or 153 of the Corruption, Crime and Misconduct Act 2003.

There is no obligation to advise the subject of a disclosure that identifying information will be released.

Protections

The PID Act provides a range of protections for disclosers (Part 3). It also requires that our Chief Executive Officer provides protection for any employees who make disclosures (s. 23(1(b))).

[Don't be Afraid to Speak Up](#) (a publication issued by the Public Sector Commission) contains general information about the protections provided by the PID Act.

Field Code Changed

We are committed to ensuring that no detrimental action, including workplace reprisals by managers or other employees, occurs as a result of a person making a disclosure. If any of the above does occur, the discloser can request that we take action to protect them. Tell the PID Officer who is handling the disclosure immediately.

The PID Act also provides that the discloser may lose the protections provided in s. 13 in some circumstances, including where they on-disclose information or fail, without reasonable excuse, to assist any person investigating the matters of the disclosure.

Notification requirements

The Shire's PID Officer will ensure that we complete all reporting in accordance with the legislative and administrative requirements of the PID Act.

Provided it is not an anonymous disclosure, our PID Officer will provide the following reports:

1. Within three months of making a disclosure, the action taken, or proposed to be taken, in relation to the disclosure (s. 10(1)); and



2. When the disclosure process has concluded, the outcome of the investigation and the reasons for taking any action following the investigation (s. 10(4)).

Our PID Officer may also provide a progress report during any investigation, either on their initiative or upon your request (ss. 10(2) and (3)).

Our PID Officer has some limits on what they can include in their reports. Section 11 prevents provision of information that would be likely to adversely affect:

1. Any person's safety (s(1)(a));
2. The investigation of an offence or possible offences (s(1)(b)); or
3. Confidentiality as to the existence or identity of any other person who made a public interest disclosure (s(1)(c)).

Our PID Officer is also prevented from giving any information they must not disclose under ss. 151, 152 or 153 of the Corruption, Crime and Misconduct Act 2003.

Record keeping

During the investigation our PID Officer may make comprehensive and contemporaneous records of any discussions and interviews. These records along with any other documentation or files relating to the disclosure, whether paper or electronic, will be stored securely and only accessed by authorised persons.

PID Register

To assist with annual reporting to the Public Sector Commissioner we will maintain a public interest disclosure register. We will assign a unique register number to each disclosure and record key information about your disclosure, any investigation and the outcome in the public interest disclosure register. This register (paper and/or electronic) is kept strictly confidential and maintained in a secure location.

How to Make a Public Interest Disclosure

Before you make a disclosure

We strongly encourage anyone thinking about making a public interest disclosure to seek advice from our PID Officer ('proper authority') before they do. A disclosure must be made to a proper authority for it to be covered by the PID Act.

A number of other requirements apply to the discloser, so it is important to understand the rights and responsibilities in the process. This information is outlined generally in *Don't be Afraid to Speak Up*, available from the Public Sector Commission website and the Shire of Mingenew website.

At the Shire of Mingenew, the Chief Executive Officer is the designated person responsible for receiving disclosures of public interest information in accordance with s. 23(1)(a). For the purposes of this procedure a PID Officer(s) is the proper authority designated under s. 5(3)(h) for dealing with information that falls within the sphere of responsibility for the Shire of Mingenew.



Their names and contact details are:

Name	Position	Contact Details
Matt Fanning	Chief Executive Officer	(08)9928 1102 0419 647 661 ceo@mingenew.wa.gov.au
Erin Greaves	Governance & Community Manager	(08)9928 1102 0477 287 144 governance@mingenew.wa.gov.au

Initial discussions between the discloser and the PID Officer should be general in nature and should not discuss the specific details of the disclosure until the discloser understands their rights and responsibilities under the PID Act. Our PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously – we will never force a person to make a disclosure. This is because they cannot withdraw the disclosure once it is made. Once we receive your disclosure, our PID Officer is obliged to take action and we may continue to look into the matters within your disclosure irrespective of your continued approval.

These initial discussions with our PID Officer may help in deciding whether to make a public interest disclosure and also enable the PID Officer to ascertain if the information would be covered by the PID Act. If the information appears not to be the type covered by the PID Act, our PID Officer will discuss other mechanisms through which issues may be made, for example, our general complaints or grievance resolution process.

You can also contact the Public Sector Commission Advisory Line on (08) 6552 8888 (or 1800 676 607 for country callers) for general information about the disclosure process.

What is 'sphere of responsibility'?

Under s. 5(3)(h) the PID Officer for an authority can receive information relating to a matter which falls within the 'sphere of responsibility' for their public authority. 'Sphere of responsibility' is not defined in the PID Act but may include:

1. Matters that relate to the Shire of Mingenew; or
2. A public officer or public sector contractor of the Shire of Mingenew; or
3. A matter or person that the Shire of Mingenew has a function or power to investigate.

The proper authority to which you need to make the disclosure depends on the type of disclosure information. Where the information is outside of our PID Officer's sphere of responsibility, it may need to be made to another proper authority for it to be considered as a public interest disclosure and for the discloser to receive the protections of the PID Act. A list of proper authorities and the information they can receive is covered in [Don't be Afraid to Speak Up](#).

Making the disclosure

A discloser needs to clearly identify that they are making a public interest disclosure. For the purposes of accountability and certainty, persons wishing to make a disclosure of public interest information under the PID Act are encouraged to do so in writing. As we expect that most disclosures will be made in writing,



the Shire of Mingenew has developed a form which can be used for the purpose of making such a disclosure which is available from the [Shire's website](#). There is no requirement to use the form, but it will help to define the details of the disclosure. It may be completed by the discloser, or our PID Officer may complete the form if they are speaking with the discloser and then have them sign the form to acknowledge they are making a disclosure voluntarily and consciously.

We must accept anonymous disclosures, but if a discloser decides to make an anonymous disclosure they should understand that it may be more difficult for our PID Officer to investigate or take action about the disclosure. This is because they cannot come back to seek any further information. We are also not required to provide any reports about the progress or final outcome of the disclosure if the discloser chooses to remain anonymous.

An anonymous disclosure may not prevent the discloser from being identified during an investigation. Additionally, if our PID Officer does not know who made the disclosure, it will be difficult for them to ensure the discloser is protected and to prevent any reprisal or detrimental action.

Determining whether your matter is an appropriate disclosure

Once our PID Officer has received the disclosure they will assess whether it meets the requirements under the PID Act. It may be that our PID Officer undertakes initial inquiries and decides not to take the matter any further, as it does not constitute an appropriate public interest disclosure.

If the disclosure is not one to which the PID Act applies, our PID Officer will let the discloser know the reasons for their decision (unless you made an anonymous disclosure) and make proper and adequate records about it. Some matters raised within the disclosure may not be matters to which the PID Act applies and the PID Officer may discuss with the discloser other pathways to report these matters.

If the disclosure is one to which the PID Act applies, our PID Officer will ensure proper and adequate records are made and will communicate with the discloser further, unless it is an anonymous disclosure.

Our PID Officer will notify the discloser within three months about what we plan to do in dealing with the disclosure, unless it is an anonymous disclosure.

Determining whether your public interest disclosure will be investigated

After assessing the disclosure as one to which the PID Act applies, our PID Officer will consider whether it will be investigated, guided by the requirements in s. 8. The reasons a PID Officer may not investigate the disclosure include:

1. The matter is trivial;
2. The disclosure is vexatious or frivolous;
3. There is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the matter(s) occurred; or
4. The matter is being or has been adequately or properly investigated by another proper authority (s. 5(3)).

Our PID Officer will make proper and adequate records of their decision and reasons about whether to investigate or not.



Referring public interest matters

Where our PID Officer assesses the disclosure as one to which the PID Act applies, but they do not have the functions or power to investigate one or more matters within the disclosure, they will refer the information to the appropriate authority for investigation as provided for under the PID Act. Alternatively, a discloser may also be able to make a disclosure directly to this new authority, if they wish to receive reports from them about the disclosure. For example, our PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

Investigating the Disclosure

Our PID Officer will investigate, or cause to be investigated, any matters in the disclosure within the sphere of responsibility. Our PID Officer may cause the disclosure to be investigated by engaging a suitably skilled staff member within the Shire of Mingenew or an externally contracted investigator.

If causing the disclosure to be investigated, our PID Officer will ensure that the person undertaking the investigation understands the requirements of the PID Act, in particular the confidentiality requirements and protections for disclosers. Our PID Officer will only provide the name of the discloser and that of the subject of the disclosure to the investigator in accordance with s. 16 of the PID Act.

When investigating the disclosure, our PID Officer or investigator is limited by the functions and powers derived from our operating legislation. The PID Act does not provide for any additional investigative powers.

If you are an employee, you are expected to cooperate with any investigation into the disclosure to maintain the protections under the PID Act. A discloser is also expected to act in accordance with our Code of Conduct at all times.

Employees who are the subject of the disclosure can clarify the process and what to expect with our PID Officer.

Our PID Officer may also decide to discontinue an investigation, in accordance with s. 8(2). If this happens, they will give the discloser reasons for their decision in accordance with s. 8(3), unless they made an anonymous disclosure. The PID Officer may also notify any subject(s) of the disclosure if they discontinue the investigation.

To ensure the disclosure is adequately and properly investigated our PID Officer, or other investigator, will be guided by the procedures below. Internal investigation procedures In conducting an investigation, typical steps may include:

1. Drawing up terms of reference, identifying the key issues in the disclosure;
2. Ensuring the objectives of the investigation include collecting and collating information relating to the disclosure, considering the information collected and drawing conclusions objectively and impartially;
3. Specifying a date by which the investigation should be completed and a report provided to the discloser about the final outcome;
4. Informing the subject of the disclosure about their rights and obligations under the PID Act, the Shire's Code of Conduct and the law;



5. Maintaining procedural fairness for the person who is the subject of the disclosure;
6. The investigator making contemporaneous notes of discussions and interviews and, where practical and appropriate, recording discussions and interviews as an audio or video record; and
7. Ensuring strict security to maintain the confidentiality requirements of the PID Act.

What are your responsibilities if you are the subject of a disclosure?

A subject of a disclosure is a person of interest about whom an allegation of a public interest disclosure has been made.

We will treat the person fairly and impartially throughout the process and inform them of their rights and obligations. We will generally keep the parties involved informed during any investigation, although we cannot release any information to the person that may prejudice our investigation. As an employee it is expected that they will act in accordance with our Code of Conduct at all times.

The PID Act provides the person with some rights and obligations as a person subject to a disclosure. Firstly, the subject has a right to have their identity kept confidential under s. 16(3), unless one of the following conditions apply:

1. You consent to your identity being disclosed;
2. It is necessary to enable the matter to be investigated effectively;
3. It is necessary to do so in taking action within s. 9;
4. There are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property;
5. A direction to disclose your identity is made in accordance with a court order or other body having authority to hear evidence;
6. Disclosure is required in accordance with ss. 152 or 153 of the corruption, Crime and Misconduct Act 2003.

We will also provide appropriate natural justice. This means that, before we take any disciplinary or other action against the person under s. 9, we will give you the opportunity to:

1. Be informed of the substance of the allegations; and
2. Make a submission either verbally or in writing in relation to the matter.

If you are the subject of a disclosure, you must not identify or tend to identify the identity of the discloser or a person who they think might be the discloser, as they also have rights to confidentiality under the PID Act. It is an offence under s. 16 to identify or tend to identify any person who has made a disclosure under the PID Act.

Also, you must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action on your behalf because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person you believe has made the disclosure even if they were not the individual who actually made the disclosure. This is an offence under s. 14(1) of the PID Act.



Taking Action

Our PID Officer will take action where they form the opinion that a person may be, may have been or may in the future be involved in conduct which may be the subject of a public interest disclosure. Usually, our PID Officer will form this opinion at the conclusion of an investigation, although there may be instances where they need to take immediate action and the PID Act enables them to do this.

Action our PID Officer may take under s. 9 includes, but is not limited to:

1. Preventing the matter disclosed from continuing or occurring;
2. Referring the matter to the Western Australia Police Force or other appropriate body; or
3. Taking disciplinary action against a person responsible for the matter.

The options above are not mutually exclusive. Our PID Officer may take more than one action depending on the circumstances. For example, our PID Officer may seek to terminate the employment of an employee caught stealing and refer the matter to the Western Australia Police Force.

In taking action our PID Officer and/or the Shire of Mingenew is limited by the powers and functions derived from our operating legislation. The PID Act does not provide for any additional powers to take action. We are also guided by what is necessary and reasonable in the circumstances.

Before taking any action we will give the person against whom the action is to be taken (the subject of the disclosure) an opportunity to respond, either verbally or in writing, to ensure procedural fairness.

Confidentiality and record keeping when taking action

We will maintain confidentiality in accordance with the PID Act when taking action.

Our PID Officer will keep appropriate records about any action taken, as well as recording a summary of this action [in the public interest disclosure register].

After the Public Interest Disclosure Process has been Finalised

The PID Act places no further obligations on the Shire of Mingenew or our PID Officer(s) after the disclosure process is complete. The confidentiality requirements of the PID Act, however, continue to apply to you and all other people involved with the disclosure.

The PID Act does not provide for you to appeal the outcome of the disclosure process. You may be able to make another disclosure to another proper authority, if the information relates to their functions or sphere of responsibility (s. 5). See Don't be afraid to speak up for the correct proper authority for your disclosure.

However, this 'new' proper authority may be able to decline to investigate the disclosure under s. 8, if they consider the matter(s) has already been properly or adequately investigated (as a public interest disclosure).

Making a Disclosure to a Journalist

The PID Act provides for certain circumstances where a discloser may be able to make a protected disclosure to a journalist (s. 7A(d)). These circumstances apply where the discloser has first made a



disclosure to the PID Officer or another proper authority named in the PID Act (outlined in How to Make a Public Interest Disclosure (above) or [Don't be Afraid to Speak Up](#)).

Importantly, the PID Act states that to attract the privileges and protections of the PID Act when disclosing to a journalist, the discloser must disclose information that is substantially the same as what was disclosed in the original disclosure and it must be the case that the PID Officer who received the original disclosure:

1. Did not notify the discloser within three months of making the disclosure about actions they propose to take or have already taken; or
2. Refused to investigate, or discontinued the investigation of, a matter raised in the disclosure; or
3. Did not complete an investigation within six months of the discloser making the disclosure; or
4. Completed an investigation but did not recommend that action be taken; or
5. Did not provide the discloser with a report stating the outcome of any investigation or any action proposed or taken and the reasons for those actions.

We are committed to ensuring that we provide the notifications required under the PID Act and that the discloser understands the reasons for our decisions and actions. If a discloser is considering making a disclosure to a journalist because they believe their circumstances meet one or more of the requirements outlined above, we would encourage the discloser to discuss this with the PID Officer prior to disclosure to a journalist.

It is also recommended that the discloser seek their own legal advice before taking any action in relation to matters that have been disclosed under the PID Act.

If a discloser makes an anonymous disclosure, they may not be able to demonstrate they meet the above requirements and we are not obliged to provide the discloser with any notifications about what happens to the disclosure.



COUNCIL POLICY

Administration

1.2.15

Title:	1.2.15 USE OF COMMON SEAL POLICY
Adopted:	14 December 2022
Reviewed:	Biennially (NEW 14 December 2022 <u>last reviewed 30 April 2025</u>)
Associated Legislation:	Local Government Act 1995
Associated Documents:	Shire of Mingenew Standing Orders Local Law 2017
Review Responsibility:	<u>Manager</u> Governance & Community Manager
Delegation:	

Previous Policy Number/s -

Objective:

The objective of this Policy is to establish, in accordance with the requirements of Part 9, Division 3 of the *Local Government Act 1995* (the Act), protocols and procedures for the execution of documents and the affixing and administration of the Shire of Mingenew's Common Seal.

Scope

This Policy applies to all officers preparing documents for execution and/or who have been authorised to execute documents on behalf of the Shire.

Documents and correspondence which relate to day-to-day routine communications or transactions (Category 3 documents) do not require specific authorisation through Council, as they are the subject of Section 5.41(d) of the Act, which provides that it is the CEO's duty to manage the day-to-day operations of the Shire. Such duties are undertaken by officers "acting through" another person, in accordance with section 5.45 of the Act.

Policy Statement:

This Policy covers four categories of documents as outlined below and is supported by clause 18.1 of the *Shire of Mingenew Standing Orders Local Law 2017*, and any Authorisations made in regard to the Execution of Documents.

The Shire of Mingenew authorises the Shire President and the Chief Executive Officer to sign and affix the Common Seal to documents using the execution clauses shown on page 4 of this policy.

Category 1(A) Documents

Category 1(A) documents require a specific resolution of Council to enter into an agreement as well as an authority to affix the seal. In accordance with s9.49A(2), these documents will be executed by having the common seal affixed under the specific authorisation of Council in the presence of, and attested by, the Shire President (or in their absence the Deputy Shire President) and CEO. Pursuant to s9.49A(3)(b) of the Act, the Shire President and a senior employee (if authorised by the CEO) can also affix and attest the common seal.

The following is a list of Category 1(A) documents:

- Deeds of Agreement and Release in respect to sale or purchase relating to Shire land including equitable interests;
- Town Planning Schemes and Scheme Amendments;



- Local Laws;
- Documents of a ceremonial nature;
- Land transactions, including but not limited to sale, assignments, consent to mortgage, surrenders, transfers and memorials as resolved by Council (this does not include Category 2 land transactions i.e. disposal via leasing or licencing of land or properties and execution of Landgate documents);
- Licensing contracts where the Shire is the Licensor; and
- Documents specified by resolution of Council to be executed by the Common Seal.

Category 1(B) Documents

Category 1(B) documents are those of a general form or category and which may be subject to time constraints for execution. These documents are to be sealed as part of a "class of documents" authorised by Council to be executed under the common seal without a specific Council resolution to affix the seal.

Please note that the document may not require a Council resolution (being a Category 1(B) document) however, the decision to undertake a particular course of action may still require Council approval.

The following list of documents are Category 1(B) documents:

- Agreements relating to grant funding when the funder requires that the agreement be signed under seal;
- Debenture documents for loans which Council has resolved to raise;
- General Legal and Service Agreements not already listed in this policy; and
- Any document stating that the Common Seal of the Shire of Mingenew is to be affixed provided it is not a Category 1(A) document.

In accordance with s9.49A(2), the attachment of the Common Seal requires attesting by both the Shire President (or in their absence the Deputy Shire President) and the Chief Executive Officer (or the person acting in that position). Section 9.49A(3)(b) of the Act, provides that the Shire President and a senior employee (if authorised by the CEO) can also affix and attest the common seal.

Category 2 Documents

Category 2 documents do not require the Common Seal to be affixed.

The execution of a document must not be inconsistent with a Council Policy or resolution.

Documents may only be executed where the funds are available and allocated for the proposed purpose in the approved budget.

The following are examples of Category 2 documents:

- Documents and/or deeds required in the management of land as a landowner or where land is a Reserve vested to the Shire of Mingenew;
- Documents required to enact a decision of Council or the Development Assessment Panel (e.g. contractual documents resulting from a tender process or a memoranda of understanding);
- Documents required to enact a decision made under delegated authority or as a condition or approval given under delegated authority;



- Legally binding contracts (other than tenders) that are required to engage services or purchase products when these documents are inconsistent with the Shire's purchasing and procurement terms and conditions;
- Contracts for incoming grant funding
- Other legally binding contracts outside of the normal course of business (e.g. confidentiality, indemnity, licensing, novation and sponsorship agreements); and
- Documents and/or deeds related to leases and licences of Shire land and properties. This category includes any arrangements relating to the disposal of property via a lease or licence (but not sale), and includes but is not limited to:
 - agreement to lease or licence;
 - variation of lease or licence;
 - assignment of lease or licence;
 - subleases; and
 - surrender of lease or licence.
- The following Landgate documents and/or deeds including lodgement, removal, withdrawal, surrender, cancel or modification:
 - Notifications in accordance with Section 70A of the Transfer of Land Act 1893; Covenants, easements and caveats under the Transfer of Land Act 1893
 - Reciprocal easements and/or parking agreements
 - Rights of carriageway agreements
 - Amalgamations
 - Easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.

Category 3 Documents

Category 3 documents are documents that are created in the normal course of business to discharge the duties of an Officer's position in a manner consistent with Shire policies and procedures.

Category 3 documents are to be executed by the CEO, a Manager, or a Shire officer, where the authority and accountability has been extended through an authorisation, policy, procedure, or a position description. It is therefore important to have a good knowledge of the documents that relate to the team that is responsible for the document.

These documents include but are not limited to the following:

- Agreements in the normal course of business for the purchase of goods or services identified within the business unit's budget (other than for tenders) and conforming to the requirements of the Shire's Purchasing Policy and other relevant policies (e.g. Contracts for outgoing grant funding);
- General correspondence required to discharge the duties of your position;
- Grant applications;
- Documents to authorise funding allocations for community groups; and
- Regular hire arrangements.

Common Seal Register

1. The Chief Executive Officer shall maintain a register of all documents executed with the Common Seal;



2. The register is to record each Common Seal transaction and include the date, the nature of the document and the parties to the document being executed.

Execution Clauses

If the legislation is silent on the wording of the Common Seal clause, then the following shall apply:

THE COMMON SEAL of)
SHIRE OF MINGENEW)
(ABN 41 454 990 790))
in accordance with the provisions of the)
Local Government Act 1995 (WA))
in the presence of)

Date
by:

Signature of President

Print name of President

Signature of Chief Executive Officer

Print name of Chief Executive Officer



1.2.16 FRAUD AND MISCONDUCT MANAGEMENT POLICY

Administration

1.2.16

Title:	1.3.12 FRAUD AND MISCONDUCT MANAGEMENT POLICY
Adopted:	14 December 2022 (NEW)
Reviewed:	<u>Biennially (last reviewed 30 April 2025)-</u>
Associated Legislation:	Local Government Act 1995 Public Interest Disclosure Act 2003 Corruption, Crime and Misconduct Act 2003
Associated Documentation:	Nil
Review Responsibility:	<u>Manager</u> Governance and Community Manager
Delegation:	Chief Executive Officer

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Previous Policy Number/s N/A

Objectives:

The purpose of this policy is to demonstrate and communicate the Council's commitment to the prevention, deterrence, detection and investigation of all forms of fraud and corruption.

Scope:

This policy applies to all Shire employees, contractors, volunteers and elected members.

Policy Statement:

1.1. Fraud

As fraud constitutes a significant risk to any organisation, it is appropriate that a culture of ethical conduct be developed to recognise and avoid fraud and to deal appropriately with any cases of fraud. Fraud can lead to financial loss, reputational damage and loss of public confidence in the way that public money and other resources are being used. It is therefore important that the Shire has robust systems and procedures in place to ensure that the risk of impropriety is minimised, as far as possible, that there is a process in place to enable fraud to be adequately reported and that where instances of fraud do occur, there is a prompt and effective response to them.

1.1.1. *Fraud* is defined as "wrongful or criminal deception intended to result in financial or personal gain". Fraud is a deliberate act by an individual or group of individuals and is therefore always intentional and dishonest.

1.1.2. *Internal fraud* refers to fraudulent acts undertaken by Councillors and employees. Examples of such fraud would include falsification of expenses and wages claims, theft of cash and alteration of records to conceal the deficiency, falsification of invoices for payment, failure to account for monies collected, falsification of timesheets and timecards, dealing inappropriately with benefits claims of friends or relatives.

1.1.3. It is also worth noting that there may, in some instances, be potential for those in positions of trust within the Shire to perpetrate frauds against third parties. The Shire has the responsibility for the integrity of staff employed in such positions of trust.

1.1.4. *External fraud* is defined as fraud committed against the Shire by persons outside of the organisation. Examples include false statements in applications for Shire programs and applications for grants or false invoices for goods or services.

1.1.5. Fraud and other similar irregularities include:

- Forgery or alteration of cheques, invoices, computer records and other documents;
- Any misappropriation of funds, securities, supplies or any other asset;
- Any irregularity in the handling or reporting of money transactions;
- Misappropriation of furniture, fixtures and equipment;
- Seeking or accepting anything of material value from vendors, consultants or contractors doing business with the Shire;
- Unauthorised use or misuse of Shire property, equipment, materials or records;
- Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software;
- Any claim for reimbursement of expenses that are not made for the exclusive benefit of Shire;
- The intentional distortion of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain;
- Providing false or misleading information related to financial interests and disclosure statements;
- Any similar or related irregularity.

1.2. Corruption

Corruption is dishonest activity in which an employee, or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.

Corruption may also constitute any behaviour that may involve fraud, theft, the misuse of position or authority or other acts which are unacceptable to an organisation, its clients or the general community. It may also include other elements such as breaches of trust and confidentiality.

Corrupt conduct is demonstrated by a deliberate intent or an improper purpose and motivation and may involve conduct such as:

- undertaking, soliciting or accepting the provision of something of value (a bribe) for the purpose of influencing the action or decision of an official in the discharge of their public or legal duties;
- deliberate failure to perform the functions of office properly;
- the exercise of a power or duty for an improper purpose;
- involves a breach of the trust placed in the person as a public officer, either knowingly or recklessly;
- involves a misuse of official information or material; or
- performance of functions or the exercise of powers for the purpose of providing a benefit either to the person or another person or causing a detriment to another person.

Anyone who tries to corrupt a public sector officer can also be guilty of corrupt conduct if the matter involves a criminal offence.

1.3 Misconduct

Section 4 of the Corruption, Crime and Misconduct Act 2003 (CCM) defines misconduct.

Notwithstanding the specific definition of misconduct set out in the CCM Act, misconduct generally occurs when a public officer abuses their authority for personal gain, causes detriment to another person or acts contrary to the public interest. Misconduct also constitutes inappropriate or improper conduct by a public officer that reflects seriously and adversely on the public service.

The CCM Act characterises misconduct to either be serious or minor misconduct with serious misconduct dealt with by the Corruption and Crime Commission (CCC) and minor misconduct dealt with by the Public Sector Commission (PSC).

1.3.1 Minor Misconduct

Section 4(d) of the CCM Act defines minor misconduct for public officers other than WA Police officers.

Minor misconduct is misconduct that is significant enough that it could possibly lead to termination of a public officer's employment if proved. Minor misconduct occurs when a public officer engages in conduct that:

- adversely affects the honest or impartial performance of the functions of a public authority or public officer, whether the public officer was acting in their public officer capacity at the time of engaging in the conduct;
 - involves the performance of functions in a manner that is not honest or impartial;
 - involves a breach of the trust placed in the public officer; or
 - involves the misuse of information or material that is in connection with their functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person;
- AND
- constitutes, or could constitute, a disciplinary offence providing reasonable grounds for termination of a person's office or employment.

Where the Principal Officer (in the case of the Shire, the CEO) has a reasonable suspicion that an instance of minor misconduct has occurred, the Principal Officer must report to the Public Sector Commission (PSC) as soon as practicable.

1.3.2 Serious Misconduct

Serious misconduct refers only to corrupt or criminal conduct as described in sections 4(a), (b) and (c) of the CCM Act.

Serious misconduct is misconduct that involves corrupt intent and/or criminal conduct and occurs when a public officer:

- acts corruptly or corruptly fails to act in the course of their duties; or
- corruptly takes advantage of their position for the benefit or detriment of any person; or
- commits an offence which carries a penalty of two or more years imprisonment.

Where the Principal Officer has a reasonable suspicion that an instance of serious misconduct has occurred, the Principal Officer must report to the Corruption and Crime Commission (CCC) as soon as practicable.

Roles and Responsibilities

1.2.1. Councillors

Councillors have a duty to ensure that Shire assets are safeguarded from fraud and abuse and to ensure that Council's powers, duties and responsibilities are exercised in an open, fair and proper manner to the highest standards of probity. These issues need to be borne in mind when considering reports, making decisions and scrutinising Council's activities. Councillors should endorse and support all policies and measures taken to prevent, deter, detect and resolve instances, or suspected instances, of fraud throughout the Shire.

1.2.2. Chief Executive Officer

The Chief Executive Officer has primary responsibility for the proper management of the Shire's resources and the development and implementation of systems and practices to minimise the risk of fraud. The Chief Executive Officer, under the Corruption, Crime and Misconduct Act 2003 must notify the Corruption and Crime Commission or the Public Sector commission if misconduct is suspected.

1.2.3. Leadership Team

The Leadership Team includes the Chief Executive Officer, ~~Finance and Administration Manager~~ Corporate Services Manager, Governance & Community ~~Manager~~ and Works Manager. The Leadership Team is responsible for implementing fraud control initiatives and in particular:

- Provide leadership, guidance, training and support to employees in preventing fraud and corruption; • Identify high fraud risk areas;
- Participate in fraud and corruption risk assessment reviews which are presented to the Audit & Risk Committee to assess and provide assurance that the 3 entity has appropriate processes and systems in place;
- ~~Monitor~~ the continued operation of controls;
- Conducting or coordinating investigations into allegations of fraud;
- Complying with legislation and Shire policies and practices;
- Ensuring staff understand their responsibilities through adequate communication, supervision, written procedures and job descriptions;
- Responding positively to matters raised and advice given by internal and external audit. Management need to be vigilant in guarding against fraud, be aware of any circumstances which may indicate that there may be a problem and report any such suspicions to the ~~Directors or~~ Chief Executive Officer or another Manager for an independent investigation or advice. In carrying out their responsibilities, all managers (and staff) should be conscious of the fact that they are spending public money collected through rates and taxes. This provides an extra responsibility not only to spend it economically and effectively but also fairly

1.2.4. Staff

Staff are responsible for acting with honesty and integrity in all council activities and must:

- Not use their position with the Council to gain personal advantage or to confer undue advantage, or disadvantage, on any other person or entity.
- Safeguard Council assets against theft, waste or improper use.
- Understand what behaviour constitutes fraud and / or corruption.
- Familiarise themselves with and adhere to Council's policies and procedures.

Staff have a duty to make management aware of any concerns they have about the conduct of the Shire's affairs or the use of Shire assets and resources. Any matters raised by them should be taken seriously and properly investigated.

Staff who suspect that fraud has occurred should advise their Line Supervisor or Manager ~~or Director~~ as soon as possible. The Shire has prepared Operating Procedures following the introduction of the Public Interest Disclosure Act 2003 which protects "whistleblowers" from unjust recrimination where they have an honest and reasonable suspicion of malpractice, and they act on it. The Shire, in the interests of probity and good local government, encourages staff to raise matters so that they can be properly investigated.

1.2.5. Audit & Risk Committee

The Audit & Risk Committee a responsibility to:

- Have oversight of risk management, including fraud, misconduct and corruption control;
- Review governance processes to ensure all matters relating to alleged fraud, misconduct and corruption or unethical conduct are dealt with appropriately
- Review the Shire's Risk Management Framework
- Review the Shire's Internal Audit Plan
- Review the Shire's Risk Register

1.2.6. Internal Auditors

Internal Audit Internal Audit has an important role in assisting management in the prevention and detection of fraud by:

- Independently reviewing systems, procedures and controls to ensure that there are adequate safeguards to prevent, deter and detect fraud with particular attention being paid to the review of contracts and computer systems where there is potentially a significant risk;
- Through specific audits and testing of systems, identifying areas of concern;
- Responding to requests for advice from managers on controls to put in systems;
- Independently investigating suspected frauds and irregularities and reporting conclusions to the Audit Committee, management and, where necessary, the Police;
- Producing, and advising on the production, of rules, regulations and policies which deter fraud.

1.2.7. External Auditors

External Auditors certify that the Shire's accounts represent a true and fair view of the Shire's financial position. In reaching this conclusion, they must satisfy themselves that control systems are sound and that measures are being taken to minimise the chances of fraud. 1.3. Induction Process The elements of fraud and the responsibility of all staff to not participate in and report fraudulent activity will form part of Council's induction process.

1.3. Risk Assessment

Fraud, misconduct and corruption risk assessment is an integral part of the Shires overall risk management framework and provides the Shire with an understanding of its fraud, misconduct and corruption vulnerabilities and possible strategies to eliminate or minimise those risks.

Fraud, misconduct and corruption risk assessments are conducted by the Shire at least annually and incorporated into the Shire's Operational and Strategic Risk Register. The Audit & Risk Committee reviews the Register Annually and the Leadership Team is accountable for monitoring risks and actioning any required controls to remove or reduce the risk.

The Internal Audit Plan is another tool for which more specific risk areas are assessed to determine the effectiveness of risk controls.

1.4. Response to Allegations and Concerns

1.4.1. Allegations and concerns about fraudulent or corrupt activity may come from different sources e.g.

- Members of the public, sometimes anonymously
- Other local authorities
- Councillors
- Council managers or staff
- Internal or external audit reviews

1.4.2. Allegations and concerns about fraudulent activity can be reported to the Chief Executive Officer, ~~Directors~~, Managers and Line Supervisors and those persons making and/or raising allegations and concerns must be either willing to put this in writing and/or have supported evidence to avoid those persons who maliciously and knowingly create a false allegation.

1.4.3. Wherever these concerns come from they must be treated seriously and confidentiality will be respected as far as possible. A thorough investigation will be made of all concerns but the level of resources applied to this will be dependent on the nature of the concern e.g. sums or resources involved, sensitivity of the area, source of concern, evidence provided or available, risk inherent in that area.

- 1.4.4. For cases of internal fraud, investigations should be closely managed and documented in accordance with Shire procedures.
- 1.4.5. At all times confidentiality must be maintained and information disclosed only to those who need to know it, in order not to prejudice any disciplinary or criminal action.

1.5. Actions to be taken when Fraud is Uncovered or Suspected

- 1.5.1. Investigations into suspected fraudulent activity will be comprehensive and will be based on the principles of independence, objectivity and the rules of natural justice.
- 1.5.2. Investigations will be conducted by an appropriately skilled and experienced person who is independent of the area in which the alleged fraudulent conduct occurred.
- 1.5.3. Where there is sufficient evidence of fraud, or there is strong suspicion but internal investigations are unable to obtain further evidence required, the Police should be involved where it is considered in the "Council or public interest".
- 1.5.4. Determination of the "Council or public interest" will include factors such as the sums or resources involved, the strength of the evidence obtained or available, the potential cost to the Council of pursuing the matter, the sensitivity of the area concerned. Referral to the Police will be the normal course of action unless there is a strong case not to do so.
- 1.5.5. Where involvement of the Police is not appropriate, the strongest action possible should be taken. This may involve disciplinary action including dismissal and the recovery of any sums of money or resources misappropriated.
- 1.5.6. At the conclusion of any fraud investigation, systems and procedures will be reviewed and any remedial actions implemented, whether or not there was sufficient evidence to prove any wrongdoing.
- 1.5.7. Any remedial actions identified from this process shall be recorded in the Shire's Risk Register and allocated to the relevant manager through his/her Risk Plan.
- 1.5.8. Monitoring of remedial actions will be undertaken by the Shire's Internal Auditors on an annual basis.
- 1.5.9. A fraud, integrity and conduct register will be maintained by the Governance and Community Manager.

1.6. Training

Biennial training will be given to all staff in the principles of fraud, the reporting of fraud and the process involved in investigating suspected fraud.

1.7. Insurance

The Shire shall maintain a fidelity guarantee insurance policy that provides insurance against the risk of loss arising from internal fraudulent conduct.



COUNCIL POLICY

Administration

1.2.17

Title:	Energy & Resource Industry – Community Benefits Policy
Adopted:	17 July 2024
Reviewed:	Nil <u>Biennially (last reviewed 30 April 2025)</u>
Associated Legislation:	Local Government Act 1995, State Planning Policy 3.6 Infrastructure Contributions
Associated Documents:	
Review Responsibility:	Manager Governance and Community
Delegation:	Chief Executive Officer

Previous Policy Number/s Nil

Objective:

The Energy & Resources Industry Community Benefit Policy will support the promotion of benefit sharing strategies associated with the development of State Significant and Regionally Significant Energy and Resource sector projects in the Shire of Mingenew Local Government Area. 'Projects' may include activities including but not limited to exploration, extraction, generation, processing, transport/ transit and or related infrastructure associated with any of these activities that have transit impact or are located in the Shire of Mingenew.

The purpose of the Energy & Resources Industry Community Benefit Policy is to:

- Secure off-site benefits for the community so that Energy and Resource Industry developments deliver a net community benefit;
- Ensures that the wider community shares in the benefits resulting from Energy and Resource Industry development in (and/or impacting) the Local Government Area; and
- Ensures that the costs and benefits of Energy and Resource Industry development will be equitably distributed within the community and inter-generationally.

The Energy and Resource Industry Community Benefit Policy will be updated as required so that it is suitable to deliver on the Shire of Mingenew's Community Strategic Goals and provides clear expectations to Energy and Resource Industry developers.

Policy Statement:

The Shire of Mingenew supports the development of Energy and Resource Industry projects within our Shire and across our region, which will attract significant investment and opportunities for the local community. The Shire of Mingenew's focus is ensuring developments, and their related activities result in positive socio-economic impacts for the people of Mingenew and contribute to local population growth, employment and training opportunities, promote local business procurement and improve the standard of living (including servicing).

Council is engaging deeply with developers, community, businesses, farmers, experts, State and Federal Government entities and other Councils, to understand the process, challenges and opportunities of Energy and Resource Industry developments.



Through this ongoing work, Council will help to lead and support the development of Energy and Resource Industries in a way that minimises / negates negative impacts and delivers prosperity for our community.

Key to success is a coordinated and strategic approach whereby all members of the Mingenew Community and all developers that are active in the region are aware of the community's co- designed, overall vision for the future and how it can be supported by the economic benefits associated with Energy and Resource Industry development and its flow-on effects.

Council considers this coordinated and strategic approach to be essential to capitalise on the opportunity that the clean energy transition and associated resources sector growth presents.

Policy Principles:

The Fundamental Principles for Successful Energy and Resource Industry Development in the Mingenew LGA (The Principles), are ensuring real and purposeful community acceptance and support. This Policy is the first step in an ongoing partnership between the Energy and Resource Industry Developers and our community to minimize the impacts and maximise the opportunities for Mingenew.

The Principles identifies key community projects and programs that will deliver tangible community legacy and benefits through the strategic use of Community Benefit Funding.

The Principles deliver the following message from the Mingenew Community to the WA Government, Developers and other stakeholders:

- We are supportive of the Energy and Resource Industry transition
- We want to keep the overall experience for our community positive, to remain supportive
- We will ensure the Energy and Resource Industry transition happens with us, not to us.
- Assist us to deliver a coordinated and consultative approach to our community.
- Follow our Fundamental Principles for Successful Energy and Resource Industry Development, to maximise collaboration and strategic outcomes.
- We want to ensure that Energy and Resource Industry developments maintain or enhance our existing economy and industries.
- We want to ensure changes in population and land use result in long-term social benefit and empower our community.
- We have a long-term plan for our economic transition, which includes the Energy and Resource Industry transition, and we invite you to support it.

PLANNING AGREEMENTS

The Shire of Mingenew will use a Voluntary Planning Agreement (VPA) also known as Developer Agreements to establish Community Benefit sharing as it has no Development Contribution Plan incorporated into its local planning scheme. In addition, at the time of implementing this policy the State of WA has no legislative mechanism to enshrine a Voluntary Planning Agreement into the planning framework other than that of being via the use of discretion.

A voluntary planning agreement is defined as an agreement between Council and a developer, who has made, or proposes to make, a development application, under which the developer is required to dedicate



land free of cost; pay a monetary contribution; provide any other material public benefit to be used for or applied towards a public purpose.

Developer Agreements may be formulated with direct reference to, or in consideration of, this Policy. However, this Policy does not bind Council or otherwise prevent Council from entering into Developer Agreements that do not strictly adhere to the Policy, should the Agreements otherwise provide alternative and equivalent community benefit sharing, and are supported by the community.

Where there is a disparity between the conditions of a developer VPA and the requirements of this Policy (which may change over time), the VPA will be adhered to.

COMMUNITY BENEFIT SHARING

Community benefit sharing excludes that which is required to mitigate adverse impacts of development including, but not limited to, host and adjoining landowner payments required to obtain consent or prescribed by legislation, or acute impacts to Council assets e.g. damage to local road infrastructure.

The public purpose that funds will be applied to includes works to embellish public spaces, the provision of spaces for public recreation and community facilities, initiatives to support affordable housing and/or development activity, works to rehabilitate or conserve biodiversity values, new or upgraded community infrastructure, provision of new or improved services for community (particularly those that target vulnerable groups, children and young people), support of local volunteer or community group activities or some other public purpose if the Council reasonably considers that the public interest would be better served by applying the funds towards that purpose.

Community benefit sharing does not include using funds as a financial off-set or subsidy to Council operational activities whereby a direct link from the funds to the prescribed community benefit cannot be defined. For example, the funds could be used to implement new and or improved infrastructure at the Mingenew Recreational Centre but could not be used to off-set operational costs of the facility.

GOVERNANCE AND INTER-GENERATIONAL EQUITY

Council will ensure a governance structure that, as far as possible, reflects the needs and concerns of the immediate communities of impact and the broader Local Government Area to assist with determining the public purpose for funds.

A Community Benefit Advisory Committee will be established and provide advice and recommendation to Council on the projects to which community benefit funds may be allocated. The Community Benefit Advisory Committee will be governed by a Terms of Reference and its members will be selected via an Expression of Interest process and with view to ensuring a diversity of representation.

While project proposals and community initiatives may come from any source, the Community Benefit Advisory Committee will have the opportunity to provide feedback and/or endorsement for any and all uses of the Community Benefit Fund.

Developer representatives from where the community benefit funds are derived will not form part of the Committee but will have the ongoing opportunity to present to the Committee in regard to specific projects or initiatives and have access to recommendations and minutes which will also be made public.



Council has the final say in regard to the use of the funds. The Community Benefit Advisory Committee has no delegated authority to spend monies from the Community Benefit Fund and can only advise on its use to Council.

COMMUNITY BENEFIT FUND

The financial value of community benefit will vary from project to project and over time, however, the minimum community threshold for the Shire of Mingenew will be based on the industry standard Benefit Sharing Guidelines and benchmarks produced by many State Governments across Australia and other countries.

Globally there is a move to establish benchmark rates for community benefits sharing through Government Policy. By way of example some European countries have established rates of between \$2,000 - \$8,000 /megawatt/annum for the life of the project generally 25 years which is significantly higher than the current Australian benchmarks.

The states of New South Wales, Victoria, Queensland and Tasmania have established or are in the process of establishing legislation which will facilitate strong Community Benefit Sharing for community investment resulting from Energy Transition projects. The policy presented intends to use the same methodology across all Energy and Resource Industry partners.

Some examples of the proposed benefit sharing benchmarks are:

Narrogin WA – 1.5% of CIV annualised over the life of the project – LPP WindFarm/Turbines
Warrumbungle, Dubbo, and Mid-Western councils LPP NSW – 1.5% of CIV
NSW Govt - \$850/MW/annum Solar
- \$1,050/MW/annum Wind
Tas Govt - \$1,800/MW of installed capacity per year for Tasmania north west REZ

These benchmarks generally are derived from the long term 1.5% of CIV (Capital investment Value) which is considered equitable. This figure however, would need to be descaled for projects of significant CIV for example projects valued over \$5B. The development of a social impact assessment would then be used to determine what benefit sharing arrangement would required.

The unit of benefit may be by product or output for example Tonne of product transported, ~~Energy~~Energy generating capacity, % of CIV or even set \$ amounts for specific projects or programs all of which would be identified in a Development Agreement or common law Agreement.

Funds will be held by the Shire of Mingenew as externally restricted funds. The use of funds from individual developer contributions, or other sources, will be monitored and form part of the annual reporting process, such that the specific funding breakdown for each community project or initiative is clear.

Council will manage funds to ensure that they benefit future generations as well as the present generation, and that ongoing depreciation and maintenance costs (whole of life costs), or any other unforeseen impacts, are taken into account for project proposals. Council will not apply a management fee for the administration and management of these funds.



LEGISLATIVE CONTEXT

State Planning Policy 3.6 Infrastructure Contributions - April 2021

The Policy provides a system for local governments to plan and charge for community infrastructure items that are not included in the standard provisions through development contribution plans and introduces a framework for the requesting of contributions for community infrastructure.

State Planning Policy 3.6 Infrastructure Contributions - April 2021

6.9 Developer Agreements

Contributions may also be implemented in limited circumstances through Developer Agreements or by a voluntary agreement between a landowner or developer and the relevant local government, pursuant to a request from the landowner or developer.

Circumstances include large-scale, single ownership projects with a long development timeframe, or in regional areas where a formal DCP is not considered by local government and contributing owners to be necessary to achieve desired infrastructure delivery outcomes.

Notwithstanding that Developer Agreements do not form part of a local planning scheme, infrastructure contributions prepared under this arrangement should be consistent with the principles outlined in this policy and any decision to deviate from these principles, including the provision of facilities of a higher quality or specification than standard, should be a voluntary decision by all parties to the agreement.

State Planning Policy 3.6 Infrastructure Contributions Guidelines - April 2021

2.3 Imposition of infrastructure contributions

(iii) Developer Agreements

Developer Agreements may be considered in limited circumstances – usually large-scale projects under single ownership – and pursuant to a request from the landowner or developer, or in regional areas where a formal DCP is not considered by local government and contributing landowners to be necessary to achieve the desired infrastructure delivery outcomes.

Developer Agreements are voluntary and fall outside the formal infrastructure contributions system, and do not require State Government assessment or approval. Any agreement for infrastructure contributions via a Developer Agreement should be consistent with the principles outlined in SPP 3.6 and any decision to deviate from these principles, including the provision of facilities of a higher-quality or specification than standard, should be a voluntary decision by all parties to the agreement.

National Legislative Framework/Policy Development

The 2024 National General Assembly of Local Government endorsed motion "to implement a nationwide compulsory community benefit sharing framework. This framework would eliminate the need for individual councils to negotiate separate voluntary planning agreements for each project proposal within their respective Local Government Area."

DEFINITION

Energy and Resource Industry - Proponents identified to form part of the Energy and Resource Industry may include, but are not limited to:

- Critical Minerals Projects



- Mineral Sands Projects
- Gas Projects
- Wind Projects
- Solar Projects
- Geo-thermal Projects
- Carbon Offsetting Schemes and
- Carbon Sequestration Schemes
- Battery Energy Storage System (BESS) Schemes
- Any other emerging technologies relating to the Energy and Resource Industry sector

Projects - may include activities including but not limited to exploration, extraction, generation, processing, transport/ transit and or related infrastructure associated with any of these activities that have transit impact or are located within the Shire of Mingenew.



1.2.18 DEALING WITH CHALLENGING BEHAVIOUR POLICY

Administration

Title:	1.2.18 DEALING WITH CHALLENGING BEHAVIOUR POLICY
Adopted:	12 December 2024
Reviewed:	New Policy Biennially (last reviewed 30 April 2025)
Associated Legislation:	Local Government Act 1995 Freedom of Information act 1994 Public Interest Disclosure Act 2003
Associated Documents:	Shire of Mingenew Customer Service Charter Code of Conduct for Employees
Review Responsibility:	Manager Governance & Community Manager
Delegation:	Nil.

Previous Policy Number/s N/A

Objective:

This policy explains how the Shire of Mingenew staff will deal with persons who:

- are aggressive complainants;
- are rude, abusive, and harassing complainants;
- cannot be satisfied despite the best efforts of the Shire;
- constantly raise the same issue with different staff; and/or
- make unreasonable demands on the Shire where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other customers).

Scope

All workers (including employees, volunteers and contractors) with potential customer interaction.

Policy Statement:

The Shire of Mingenew is committed to delivering excellence in customer service however, at times, a customer's demands or expectations may exceed the Shire's ability to deliver.

As a general rule, when a person approaches the Shire with a request, application, concern or complaint they first need to be heard, understood and respected. These expectations are outlined within the Shire's Customer Service Charter.

Customers have a right to:

- be given an apology if required;
- be given information or an explanation;
- have action taken to address their concerns or fix their problem; and
- have the matter dealt with quickly, fairly and properly.

A. Customers who cannot be satisfied:



Customers who cannot be satisfied include members of the public or groups who do not accept that the Shire is unable to assist them, provide any further assistance or level of service than has been provided already and/or disagree with the action the Shire has taken in relation to their complaint or concern.

If, in the opinion of the Chief Executive Officer, a person cannot be satisfied and all appropriate avenues of internal review or appeal have been exhausted and the customer continues to write, telephone, email and/or visit, the following actions may be taken:

- The Chief Executive Officer may write to the customer, restating the Shire's position on the matter if necessary, advising that if the customer continues to contact the Shire regarding the matter, the Shire may:
 - not accept any further phone calls from the customer;
 - not grant any further meetings;
 - require all further communication to be put in writing; and
 - continue to receive, read and file correspondence but only acknowledge or otherwise respond to it if:
 - o the customer provides significant new information relating to their complaint or concern; or
 - o the customer raises new issues which in the Chief Executive Officer's opinion warrant fresh action.
- The Chief Executive Officer shall advise Councillors of a person who is deemed to be '*a person who cannot be satisfied*', the person's concerns, and any proposed management strategy by Shire Officers.

B. Customers who make unreasonable demands:

Customers who make unreasonable demands include members of the public whose demands on the Shire start to significantly and unreasonably divert Shire resources away from other functions or create an inequitable allocation of resources to other customers. Such demands may result from the amount of information requested, the nature or scale of services sought or the number of approaches seeking information, assistance or service.

If in the opinion of the Chief Executive Officer a customer is making unreasonable demands on staff and the customer continues to write, email, telephone and /or visit the offices the following actions may be taken:

- The Chief Executive Officer may write to the customer advising them of the Shire's concern and requesting that they limit and focus their requests and that if the customer continues to place unreasonable demands, staff may:
 - Not respond to any future correspondence and only take action where, in the opinion of the Chief Executive Officer the correspondence raises specific, substantial and serious issues; or
 - Only respond to a certain number of requests in a given period.
- If the customer continues to contact staff after being advised of the proposed course of action, the Chief Executive Officer may, after considering representations from the customer, advise the customer that either or both of the points listed above will now apply.

C. Customers who constantly raise the same issue with different staff:



If, in the opinion of the Chief Executive Officer, a customer is constantly raising the same issues with different staff or elected members, the Chief Executive Officer may notify the customer that:

- only a nominated staff member will deal with them in the future;
- they must make an appointment with that person if they wish to discuss a matter; or
- all future contact with Shire must be in writing.

The customer may wish to make a formal complaint in accordance with the Shire's Customer Service Charter.

D. Customers who are rude, abusive or aggressive:

The Shire of Mingenew will not tolerate or condone intimidating or offensive behaviour toward staff members by members of the public under any circumstances. Any staff member who is the victim of such behaviour may, at their own discretion, refuse service and if warranted, report the matter to Police for further action.

Rude, abusive or aggressive behaviour may include rude or otherwise vulgar noises, expressions or gestures, verbal abuse of a personal or general nature, threatening or offensive behaviour, physical violence against property or physical violence against a person.

If, in the opinion of any staff member, rude, abusive or aggressive comments or statements are made in telephone conversations, in written form, including email, or in person, the staff member may:

- warn the caller/customer that if the behaviour continues the conversation or interview/meeting will be terminated;
- terminate the conversation or interview/meeting if the rude, abusive or aggressive behaviour continues after a warning has been given.

Where a conversation or interview/meeting is terminated, the staff member must notify their relevant Line Manager of the details as soon as possible.

Where a member of the public has displayed inappropriate behaviour towards a worker, and a worker is required to enter the person's property for a valid reason in the course of Shire business, and is authorised to do so, the worker may be accompanied by another more senior, experienced worker or the police, as appropriate. This may also be appropriate where the Shire business is in response to a non-compliance matter, where the likelihood of inappropriate behaviour increases.

If in the opinion of the Chief Executive Officer any correspondence to the Shire contains personal abuse, inflammatory statements or materials clearly intended to intimidate, it will be returned to the sender and not otherwise acted upon.

Violence, damage to property or threatening behaviour may be reported to the Police, depending on the severity of the actions

E. Documentation and reporting:

In all of the situations referred to in this policy, adequate documentary records must be made and maintained on the appropriate file.



If an elected member feels that a customer is being difficult in a manner specified in this policy, they may notify the Chief Executive Officer who will consider taking action as per avenues described above.

Where the Chief Executive Officer determines to limit a customer's access in any of the ways specified in this policy, the Chief Executive Officer will advise Councillors as soon as possible of the relevant circumstances and the action taken and forward such advice, where appropriate, to the Department of Local Government and the Western Australian Ombudsman for information.

Right of Appeal

Customers are entitled to one appeal of a decision to change/ restrict their access to Council's services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the customer's access. This staff member will consider the customer's arguments along with all relevant records regarding the customer's past conduct. They will advise the customer of the outcome of their appeal by letter which must be signed off by the ~~General Manager~~ Chief Executive Officer. The staff member will then refer any materials/ records relating to the appeal ~~to the Public Officer~~ to be kept in the appropriate file.

If a customer continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that ~~Council the Shire has~~ acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

Managing health and safety

Dealing with customers who are demanding, abusive, aggressive or violent can be extremely stressful and at times distressing or even frightening for Councillors and staff – both experienced and inexperienced. It is perfectly normal to get upset or experience stress when dealing with difficult situations.

As an organisation, Council has a health and safety responsibility to support workers who experience stress as a result of situations arising at work and will do its best to provide Councillors and staff with debriefing and counselling opportunities, as needed. The Employee Assistance Program is also available on an as needs basis.



1.2.19 RECORDING OF MEETINGS POLICY

Administration

1.2.19

Title: 1.2.19 RECORDING OF MEETINGS POLICY

Adopted:	19 February 2025 (NEW)
Reviewed:	-Biennially (last reviewed 30 April 2025)
Associated Legislation:	Local Government Act 1995 Local Government (Administration) Regulations 1996 State Records Act 2000
Associated Documentation:	Nil
Review Responsibility:	Manager Governance and Community
Delegation:	Chief Executive Officer

Previous Policy Number/s N/A

Objectives:

To define the purpose for which recordings of Council meetings are made and provide direction as to the creation, usage, access and disposal of the recordings. There is no legislative requirement for committee meetings to be recorded however, the Committee may choose to and if so, the procedure is to be in accordance with this policy.

Definitions

Recording: Any recording made by an electronic device capable of recording visual and/or sound.

Council Meeting: Any meeting that is convened as per Section 5.3, *Local Government Act 1995*.

Policy Statement:

The audio of the proceedings of all Council meetings within the scope of this policy are to be recorded.

A recording of proceedings shall be made using available technology to record audio from the Council Chambers or any other venue as resolved for holding a council meeting.

The recording of the meeting will be conducted by Shire Officers.

The recording of the meeting will be published as a single audio stream from the Council Chambers. The quality of the recording and the capacity to differentiate who is speaking at any one time cannot be guaranteed. Audio outside of the range of the Council Chambers microphones may not be recorded.

Technical difficulties may prevent recording and the publication thereof.

The recording of the meeting will continue in the event that the meeting goes behind closed doors but may be paused/stopped if the meeting is adjourned and recording restarted when the meeting is opened or recommenced.

The recordings of the meeting, excluding any portion of the meeting that is closed to the public, will be published on the Shire website at the time that the unconfirmed minutes is published.

Other than in accordance with this Policy, a person must not use any electronic, visual or audio recording device, or instrument to record the proceedings of a meeting.

Members of the public attending Council meetings will be advised that an audio recording of the meeting will be made via the notice paper for the meeting, notices displayed in Council Chambers and Shire's website.

1. Creation of Recordings

All Ordinary and Special Council meetings be recorded (as a minimum audio recorded but may be video recorded).

Should Council resolve to close a meeting to the public as per Section 5.23 (2) of the *Local Government Act 1995* the recording of the meeting, or relevant portion of meeting, will not be published but the full recording will be kept in accordance with retention and disposal requirements under the Administration Regulations and the *State Records Act 2000*.

Meetings of committees and meetings that are not open to the public may not be recorded but Council reserves the right to. If recorded, meeting recordings will not be published but all recordings will be kept in accordance with retention and disposal requirements under the Administration Regulations and the *State Records Act 2000*.

2. Usage and Access of Recordings

- a) Recordings are for minute taking purposes and for any other purpose deemed necessary by the Council.
- b) The recording will be available until Council confirms the minutes of the meeting, after which they will be kept in accordance with the General Disposal Authority for Local Government (GDA).
- c) Recordings will be available on the Shire's website no later than the publishing of unconfirmed meeting Minutes, and will not be copied for individuals.
- d) The Shire retains copyright over its recordings of its Council and Committee Meetings. Video, images and audio contained in a recording must not be altered, reproduced or republished without express permission of the Shire.

3. Technology Requirements

In the event of a technology failure for recording, local governments are to make an improvised recording or otherwise publish the reasons why they were unable to make a recording.

4. Electronic and remote attendance

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. Notification of Recording

The public will be notified of any proposed audio or video recording of the meeting in the meeting Agenda and to members of the public attending at the commencement of the meeting. The following wording may be utilised to notify the meeting will be recorded:

"This meeting is being recorded in accordance with Council Policy and legislative requirements."

"By attending this meeting, members of the public agree to being recorded and acknowledge that the gallery may be picked up on the recording even if not formally participating in the meeting."

5. Protections

Opinions expressed or statements made by persons during the course of Council or Committee Meetings and contained within meeting recordings, are the opinions or statements of those individual persons, and are not opinions or statements of the Shire. The recording is not, and shall not be taken to be, a confirmed official record of Council, or of any meeting or discussion to which it relates or may appear to relate.

The official record of the Meeting will be the written Minutes prepared in accordance with the requirements of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996.

Attendance at Council Meetings does not provide any elected member, employee or member of the public with absolute privilege. Section 9.57A of the Act and r.14K of the Regulations provides local governments with protections from liability for defamation in relation to broadcasts of council meetings. It does not protect individuals from defamation in relation to behaviour or statements made.

Images of elected members, relevant officers and members of public participating during Public Question Time or Deputations will appear in recordings of relevant meetings. By participating in a Council Meeting, those members of the public in attendance agree to being recorded.

6. Retention and Disposal of Records

Recordings of council meetings will be retained for a period of 5 years in accordance with Regulation 14I of the Administration Regulations and the *State Records Act 2000*.



1.2.20 PRIVACY AND RESPONSIBLE INFORMATION SHARING POLICY

Administration

1.2.20

Title: 1.2.20 PRIVACY AND RESPONSIBLE INFORMATION SHARING

Adopted:	30 April 2025 (NEW)
Reviewed:	Biennially
Associated Legislation:	Local Government Act 1995 Privacy and Responsible Information Sharing Act 2024
Associated Documentation:	Freedom of Information Statement
Review Responsibility:	Manager Governance and Community
Delegation:	Chief Executive Officer

Previous Policy Number/s N/A

Objectives:

To provide clear guidelines for the responsible management of data, ensuring the Shire of Mingenew (Shire) handles personal information lawfully and ethically. It aligns with privacy laws and supports public administration while protecting individual privacy.

The policy also outlines how information is collected, stored, and managed, as well as providing guidance for responding to and preventing breaches, supporting responsible information sharing to enhance services and community outcomes.

Scope

This policy applies to all Council members, employees, external partners, contracted service providers, and volunteers who have access to, and are responsible, for the management of information on behalf of the Shire.

Definitions

Personal Information - refers to both Personal Information and Sensitive Information as defined below;

Personal Information: Any information or opinion about an identifiable individual, regardless of its truth or format.

Sensitive Information: A subset of Personal Information, including details about an individual's:

- Racial or ethnic origin
- Political opinions or affiliations
- Religious or philosophical beliefs
- Membership in associations or unions
- Sexual orientation or practices
- Criminal record
- Health, genetic, or biometric information (e.g., biometric templates or data used for verification).

Cookies - A small data file stored on a device's browser. Its purpose is to help a website keep track of the user's visits and activity.

Unique Identifiers - Numbers, codes, or data used to identify and track an individual, entity, or object within a system, such as:

- Personal Identifiers (Tax File Number, Driver's Licence Number, Passport Number);
- Digital Identifiers (IP Address, MAC Address)
- Organisational Identifiers (Employee ID, Customer ID)

- Object and Asset Identifiers (Barcode, QR Code, VIN (Vehicle Identification Number))
- Health Identifiers (Medicare Number, Health Record Number)

Automated Decision-Making - The process where systems or algorithms make decisions based on data and predefined criteria, without human involvement, often used to improve efficiency and service delivery.

De-identification - The process of removing personal details or replacing them with alpha-numerical codes, allowing data to be used for analysis while protecting privacy.

Policy Statement:

1. Information and Data Collection

The Shire collects information to deliver services and meet operational needs, including:

- Contact details (name, email, phone, addresses)
- Physical details (signature, image, voice)
- Identification details (birth certificates, driver's licence, passports, Medicare and concession information)
- Electronic details (bank information, TFNs, police clearance and workplace medicals)
- Vehicle and licensing data (as an agent of Department of Transport)

Information is gathered in different formats when engaging with the Shire for business purposes, including:

- Information provided in forms, applications, surveys and feedback channels
- Data on customer interactions with the Shire's website and online services
- Audio and visual content including phone calls, voicemails, CCTV, recorded meetings and transcripts

Information is only collected when necessary, with legal justification. The Shire notifies individuals when providing information is voluntary, and withholding non-essential data does not affect service access.

2. System-generated Information

The Shire's website uses cookies to collect anonymous traffic data to improve user experience. By using the website, individuals consent to receiving electronic messages at their provided contact address.

The Shire may review collected data and statistics to assess server activity, access to individual pages, and applications, with the aim of improving the delivery of information to its visitors. No effort is made to identify users or trace their online behaviour, except in the rare case of an investigation or to address issues related to a security breach or inappropriate activity.

The Shire's website may also include links to external sites that may be owned and controlled by third parties. Links to these sites do not indicate affiliation or endorsement by the Shire. Accessing third-party sites may be subject to terms and conditions that differ from those of the Shire, and using these links is at each individual user's own risk.

Information collected when interacting with the Shire-managed social media accounts, may be used to compile statistics that help focus communications. Users should be aware that these platforms handle personal information according to their own privacy policies, and users are encouraged to familiarise themselves with these policies.

3. Use and Disclosure

The Shire uses personal information exclusively for the purpose it was collected, or for purposes that can be lawfully anticipated, including:

- Managing assessment records (rates) and other local government documentation
- Providing and sharing information about the Shire's current and future services and facilities

- Overseeing processes such as approval submissions, animal registration, financial administration, land use evaluations, and compliance with local laws and regulations

The Shire may disclose customer and stakeholder information to third parties under specific circumstances including legal requirements, consent, or public interest. Disclosure may occur for law enforcement, research, service improvement, or to fulfil the intended purpose of the information.

Information may also be shared to prevent serious threats to individuals or public safety, address family violence, or comply with child protection obligations.

The Shire takes reasonable steps to ensure that any third party receiving personal information adheres to privacy and confidentiality requirements.

The Shire uses personal information in automated decision-making to improve services, operations, or provide targeted content within the community, ensuring these processes are transparent, fair, and compliant with legal requirements.

4. Unique Identifiers

The Shire manages unique identifiers securely and only collects them when necessary to perform its functions or meet legal requirements with access limited to authorised personnel.

When the Shire generates unique identifiers, it uses them exclusively for internal purposes and ensures they are neither shared nor applied beyond the systems where they are created.

When identifiers are no longer required, the Shire de-identifies personal information by removing or replacing details with codes or general data. This ensures privacy while allowing the data to be used for analysis or other purposes.

5. Data Storage and Protection

The Shire is committed to securely storing and protecting personal information, ensuring it is accessed only for approved purposes. The Shire actively works to safeguard against misuse, loss, unauthorised access, and disclosure, with storage and protection methods complying with the *State Records Act 2000* and relevant standards.

When personal information is no longer needed, the Shire takes appropriate steps to securely destroy or de-identify it, unless required by law to retain it. Personal information is kept only as long as necessary to fulfil its purpose and legal requirements, after which it is securely destroyed or anonymised.

If personal information is transferred or stored outside Australia, the Shire ensures it is protected using secure methods such as encryption and compliance with relevant data protection laws. Any third parties involved are also required to adhere to strict privacy standards to safeguard the information and prevent unauthorised access.

6. Safeguarding Transactions

Security measures employed by the Shire include encryption, multi-factor authentication, and risk assessments, put in place to protect information.

The Shire website may contain links to third-party websites which are outside of the Shire's control and are therefore not covered by these conditions. The Shire accepts no responsibility for the security, content accuracy, or privacy practices of external sites.

Whilst the Shire takes all reasonable steps to protect details held, as with all information transmitted over the internet, complete security is not guaranteed.

7. Accessing Personal Information

To manage access to personal information, the Shire implements strict controls, ensuring only authorised personnel can view or handle the data. Access is granted based on roles and responsibilities, with regular reviews to ensure compliance with privacy policies. Security measures such as encryption and secure login protocols are also in place to protect personal information.

The Shire, in line with Australian privacy law, allows individuals to request amendments to their personal information if it is deemed inaccurate, outdated, incomplete, irrelevant, or misleading. This includes updating superseded details or rectifying inaccuracies, deficiencies, or false information.

Individuals can also request annotations to clarify or challenge their records.

All requests are to be submitted in writing and may require formal identification before changes are made. Requests and applications can be directed to the Freedom of Information Officer (FOI):

- By email: enquiries@mingenew.wa.gov.au
- By post: PO Box 120 Mingenew WA 6525, or
- In person: 21 Victoria Road, Mingenew WA 6525

Further information can be obtained from the Shire's Freedom of Information Statement.

8. Complaints and Breaches

The Shire addresses complaints promptly, following established procedures to resolve them, and ensures privacy law compliance if personal information is involved. The designated FOI Officer manages and records complaints, committed to responding promptly once all necessary information is received. Any unavoidable delays should be communicated to the complainant.

The Chief Executive Officer oversees compliance with privacy obligations and ensures the Shire meets statutory requirements, reinforcing the commitment to privacy protection and transparent responses.

The Shire acts swiftly to minimise harm and protect affected individuals during a data breach, notifying them immediately and investigating the cause. The Shire strengthens data protection measures and ensures compliance with relevant laws to prevent future breaches.

A privacy interference may lead to a notifiable breach, including unauthorised access, disclosure, or loss of information. Individuals can escalate concerns to the Information Commissioner of Western Australia, who assists in submitting privacy complaints.



COUNCIL POLICY

1.5.6

Works

Title:	1.5.6 VOLUNTARY CONTRIBUTIONS TO ROADWORKS
Adopted:	19 June 2024 (NEW)
Reviewed:	30 April 2025
Associated Legislation:	Local Government Act 1995
Associated Documents:	N/A
Review Responsibility:	Works Manager
Delegation:	Chief Executive Officer

Previous Policy Number/s: Nil

Objective:

1. To recognise and support the contribution the community can make by providing in-kind support for upgrading of Council's assets within the roads network, and
2. To set guidelines for community contribution towards upgrading of roads and associated infrastructure.

Policy Purpose:

This policy was developed in response to requests from the public for upgrading of road assets which provide a benefit to individuals as well as to the broader community, but which cannot be fully funded from funds available to Council. This policy provides the opportunity to combine public funds with private contributions to enable worthwhile projects to proceed.

Policy:

Council will consider applications from certain organisations or individuals to contribute to budgeted / scheduled Shire road projects or works on Council's road network. This may include the contribution of:

- Water, gravel and other road base material (including carting to the site)
- Plant

The CEO may grant approval for the reimbursement of fuel for carting services which must be outlined within a written agreement / form.

See *Council Policy 1.5.1 Road Building Materials Acquisitions* for compensation for materials extracted for construction and maintenance purposes.

The CEO reserves the right to exclude any party acting under the agreement from entering a roadwork site for safety reasons, as the 'person conducting a business or undertaking' (PCBU). The PCBU has a primary duty under the *Work, Health and Safety Act 2020* to ensure the health and safety of workers while they are at work in the business or undertaking and others who may be affected by the carrying out of work, such as visitors, volunteers and contractors.

Procedure:

The contributor must meet the following requirements:



1. Be a registered business owner or individual working in a field that relates to the kind of work or material being donated
2. Complete the application form
3. Comply with any requests for evidence of appropriate insurance or qualifications and/or training
4. Complete the Shire's Contractor Safety Induction
5. Sign an agreement clearly defining the proposed works or contribution and standards of work or material, before commencing any work
6. Comply with any direction provided by the Contract Manager (the Shire) when undertaking in-kind work

Delegation/Authority

- A Council resolution is required for any works which result in a reimbursement of greater than \$5,000 – this generally equates to the gravel resheeting of ~ 1km
- The CEO has delegated authority to approve works which fall below this threshold (maximum \$5,000 total reimbursement ~ 1km of resheeting 150mm x 8m made up of \$2,500 Gravel Royalty and Fuel contribution of ~\$2,500 depending on the haul length).