

DOWERIN ROAD VERGE MANAGEMENT ADVISORY COMMITTEE

NOTICE OF MEETING - AGENDA

Tuesday 18 August 2020 at 12.00pm

To be held in Council Chambers, 13 Cottrell Street, Dowerin

1. Welcome, Attendance & Apologies
2. Minutes of Previous Meeting
Officer's Recommendation:
That the minutes of the Road Verge Management Advisory Committee Meeting held on 11 March 2019 be confirmed as a true and correct record of proceedings.
([Attachment 2.1A](#))
3. Business Arising
Nil
4. General Business
 - 4.1 Terms of Reference - the Committee are reminded of the Terms of Reference for the Committee which were adopted by Council at its January 2020 meeting (CMRef 0128). The Committee is to operate within the parameters of the Terms of Reference. ([Attachment 4.1A](#))
 - 4.2 Code of Conduct - the Committee are reminded of the requirement for all members to abide by and adhere to the Shire's Code of Conduct (CoC). Members are required to sign the Acknowledgement & Commitment contained on the last page of the CoC. The signed certifications are to be signed and returned to staff at this meeting. ([Attachment 4.2A](#))
 - 4.3 New Population of Threatened Flora - notification was received from the Department of Biodiversity, Conservation & Attractions on 13 June 2019 of a new population of threatened flora on Moonijin West Rd, 3.75km west of intersection with Clinic Rd. Departmental staff have installed roadside markers to indicate the extent of the population and provided a map of the location. The Committee are advised for information only. ([Attachment 4.3A](#))
 - 4.4 Road Verge Management Program - Council has allocated funds within its 2020/21 Budget for verge maintenance on numerous roads within the Shire. Works scheduled are in line with typical cross sections drawings from the bottom of the batter and end of the table drain back towards the road surface. ([Attachment 4.4A](#))
 - 4.5 Road Program - the Shire of Dowerin's Roads to Recovery (R2R) program for 2020/21 was lodged with R2R and accepted. Advice was later received that there was a cap on the expenditure which has meant a reduction to the roads program. The original allocation was \$1,007,858 and the new allocation is \$346,929, a reduction of \$660,929. ([Attachment 4.5A](#))
 - 4.6 Regional Road Group Program 2021/22 - applications for Regional Road Group (RRG) projects close at the end of August 2020. Attached is a copy of the Shire of Dowerin's 5 Year RRG Strategy for proposed submissions and information. ([Attachment 4.6A](#))
 - 4.7 North Koomerkine Road Scheduled Works - *Eremophila sub floccose* - detail design plans for the project are currently being completed. Any identified species and locations should be considered.
 - 4.8 Any other General Business
5. Next Meeting
6. Close

**NB* The meeting is to finish no later than 1.20pm in readiness for Council to commence at 1.30pm*



MINUTES

**Road Verge Management
Advisory Committee Meeting**

11 March 2019

4.00pm

Committee Members

Mr R Boase

Cr L Hagboom

Cr L Holberton

Mrs L Phillips

Mr J Sewell

Mr A Turriff

Observers

Rebecca McCall – Chief Executive Officer

Glen Brigg – Manager Works and Asset

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1. DECLARATION OF OPENING

The Acting Chair, Cr L Hagboom opened the meeting at 4.10pm

2. ATTENDANCE

Members

Cr R Boase

Cr L Hagboom

Cr L Holberton

Ms L Phillips

Mr A Turriff

Staff

Ms R McCall - Chief Executive Officer

Mr G Brigg - Manager Works & Assets

3. DISCLOSURE OF INTEREST

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Office for inclusion in the Corporate Financial Disclosures Register.

4. CONFIRMATION OF MINUTES

RECOMMENDATION – 4.1

THAT THE MINUTES OF THE ROAD VERGE MANAGEMENT ADVISORY COMMITTEE MEETING HELD ON 1 MAY 2018 TO BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

COMMITTEE DECISION – 4.1

MOVED: MR R BOASE

SECONDED: MS LYN PHILLIPS

CARRIED: 5/0

THAT THE MINUTES OF THE ROAD VERGE MANAGEMENT ADVISORY COMMITTEE MEETING HELD ON 1 MAY 2018 TO BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

5. PRESENTATIONS

5.1 NIL

6. ITEM FOR DISCUSSION

6.1 ROAD VERGE MANAGEMENT ADVISORY COMMITTEE – ELECTION OF A CHAIR

Date:	7 March 2019
Location:	No Applicable
File Ref:	Organisation/Governance/Committees
Author:	Rebecca McCall – Chief Executive Officer
Responsible Officer:	As Above
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY

For the Committee to elect a Chair for the Shire of Dowerin Road Verge Management Advisory Committee.

BACKGROUND

At the Committee Meeting dated 1 May 2018 it was resolved to elect Mr A Turriff as the Chair of the Shire of Dowerin Road Verge Management Advisory Committee for the initial meeting and this matter be relisted on the agenda of the next meeting of the Committee.

COMMENT

The Chief Executive Officer will oversee the nomination and election process on the behalf of the Committee.

CONSULTATION

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs.

Outcome: 1

Reference: L1

Asset Management Plan

Nil

Long Term Financial Plan

Nil

STATUTORY IMPLICATIONS

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

OFFICER RECOMMENDATION – 6.1

THAT THE COMMITTEE ELECTS _____ AS CHAIR OF THE SHIRE OF DOWERIN ROAD VERGE MANAGEMENT ADVISORY COMMITTEE.

COMMITTEE DECISION – 6.1

MOVED: MR A TURRIFF

SECONDED: CR L HOLBERTON

CARRIED: 4/0

THAT THE COMMITTEE ELECTS CR L HAGBOOM AS CHAIR OF THE SHIRE OF DOWERIN ROAD VERGE MANAGEMENT ADVISORY COMMITTEE.

6.2 PROPOSED ENGINEERING POLICY

Date:	7 March 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Committees
Author:	Rebecca McCall – Chief Executive Officer
Responsible Officer:	As Above
Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Adopted Street Tree Policy 2. Suggested Street Tree Species 3. Adopted Gravel Supplies and Rehabilitation Policy 4. Draft Engineering Policy 5. Draft Road Verge Vegetation Policy 6. Council Policy Manual 2007-Extract 7. Council Policy Manual 2007-Appendice Extracts

SUMMARY

For the Committee to provide advice for consideration relating the review of Council's engineering policies and procedures.

BACKGROUND

The Shire of Dowerin's Risk Management Framework provides outline to ensure the Shire of Dowerin undertakes best practice governance. The Framework identifies the requirement to review policies every two years to ensure policies remain relevant and consistent with associated guidelines, legislation and regulation. As a result, a comprehensive review of the Policy Manual commenced in 2017.

COMMENT

It is noted that the policies relating to transport, roads, roadworks and associated code of practices have not been reviewed since 2007. The timeframe of twelve years has resulted in policies that are not consistent and to some extent not relevant.

Management is committed to reviewing the engineering policies as a priority. This process commenced in 2018 and the current status is as follows:

1. *At its Ordinary Meeting of Council dated November 2018 it was resolved to adopt the Street Tree Policy and the suggested Street Tree Species list.*
2. *At its Ordinary Meeting of Council dated December 2018 it was resolved to replace the Road Network Supplies from Landholders in Exchange for Work Policy with the Gravel Supplies and Rehabilitation Policy.*
3. *The draft Road Vegetation Policy was presented to Council at a workshop for comment. It is proposed to merge the context of the policy into an overall Engineering policy.*
4. *The draft Engineering policy is yet to be finalised. It is proposed to dissolve the following Transport and Economic policies and develop an overall Engineering policy that encompasses all guidelines:*

- *School Bus Signs*
- *Signs – Road and Street Names and Directional*
- *Street Renaming*
- *Road Inspections*
- *Traffic Signs*
- *Maintenance Grading Regularity*
- *Road Maintenance*
- *Entry on Private Land*
- *Rare Flora*
- *Picking of Wildflowers*
- *Road Maintenance – Roadside Clearing*
- *Gravel Supplies*
- *Land Resumption for Gravel*
- *Tree Planting on Road Verges*
- *Trees – Removal from Council Property*
- *Trees Felled and Prunings*
- *Heavy Vehicle Permits*
- *Chemicals*
- *Chemical Spraying*
- *Roadside Weed Spraying*

Supporting the need for a review the Road Verge Management Advisory Committee at its meeting dated May 2018 resolved to:

1. *Considers the petition seeking ban of tree slasher/mulcher as a part of the discussion regarding an overall policy for management of road verges.*
2. *Develops a map that identifies road usage patterns along with biodiversity value to assist with prioritisation and to act as a guide to the policy development.*

Management seeks input from the Committee to the development of the draft Engineering policy to be presented to Council for consideration.

CONSULTATION

Councillors

Glen Brigg – Manager Works and Assets

POLICY IMPLICATIONS

Should Council adopt the proposed policy, it will be included in the Shire's Policy Manual.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs.

Outcome: 1

Reference: L1

Asset Management Plan

Nil

Long Term Financial Plan

Nil

STATUTORY IMPLICATIONS

Environmental Protection Act 1986

Environment Protection (Clearing of Native Vegetation) Regulations 2004

Section 9.1, Clause 7(3) of the Local Government Act 1995

Wildlife Conservation Act 1950

Wildlife Conservation Regulations 1970

RISK IMPLICATIONS

If policies are not reviewed at a minimum every two years there is a risk that policies are not relevant and consistent with guidelines, legislation and regulations.

FINANCIAL IMPLICATIONS

Nil

COMMITTEE RECOMMENDATION – 6.2

(To be determined by the Committee.)

COMMITTEE DECISION – 6.2

MOVED: MR A TURRIFF

SECONDED: MR R BOASE

CARRIED: 5/0

THAT THE ROAD VERGE MANAGEMENT ADVISORY COMMITTEE RECOMMEND TO COUNCIL TO ADOPT THE DRAFT ENGINEERING POLICY.

7. QUESTIONS FROM MEMBERS

Question Raised: Mr R Boase – Suggested/Recommended Street Tree Species

Could the list include appropriate local native species?

Response: Ms R McCall – Please forward a list of recommended species for consideration.

Question Raised: Ms L Phillips – Draft Road Verge Policy

Who prepared the Draft Road Verge Policy?

Response: Ms R McCall – The draft policy was prepared by Mr G Brigg, Manager Works & Assets

Question Raised: Mr R Boase – Road Verge Vegetation Clearing Consultation

The Committee in the past was consulted prior to clearing of road verge clearing to identified possible solutions to minimise the loss of vegetation. Can the consultation process be re-introduced?

Response: Mr G Brigg – There is a need to be mindful of required legislation, regulations and guidelines regarding vegetation clearing.

Response: Ms R McCall – The request will be taken on notice to investigate an appropriate consultation process that aligns with legislation, regulations and guidelines.

8. URGENT BUSINESS

Mr G Brigg advised the Committee that the Mapping of Flora will take place as part of the overall development of the Road Strategy and associated policies (ie. Engineering Policy).

9. DATE OF NEXT MEETING

Date: The Chief Executive Officer to convene a meeting in March 2020.

Items for next meeting: Nil

10. CLOSURE OF MEETING

The Chair closed the meeting at 5.04pm.



Road Verge Management Advisory Committee

Terms of Reference

OBJECTIVES

To provide advice to Council on the management of road verges that considers:

1. Road Safety;
2. Environmental value and conservation of native flora and fauna;
3. Economic impacts; and
4. Aesthetic and social impacts.

To provide assistance and advice to the Shire Administration in the development of draft policies on road verge management for Council consideration.

To assist with community liaison on matters relating to road verge management.

Reports from the Road Verge Management Advisory Committee will assist Council in discharging its legislative and social responsibilities.

POWERS

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions and does not have any delegated financial responsibility.

MEMBERSHIP OF THE COMMITTEE

The Committee will consist of up to six members, made up of elected members and external community representatives. Elected members may elect to have a proxy.

Membership will be reviewed biennially immediately following local government elections unless, by a decision of Council, an interim appointment is required.

Appointment of external persons shall be made by Council by way of an open invitation to Community members.

All members shall have full voting rights.

The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.

The Committee can invite officers from relevant government and non-government agencies to attend on an ex-officio basis to provide advice and discipline knowledge as required.

The CEO and Manager Assets and Works will attend meetings in an advisory role only as needed.

Secretarial support will be provided to the Committee by the Shire.

MEETINGS

The Committee shall meet as required. Additional meetings and site visits can be arranged as the Committee deems necessary.

MINUTES

Minutes of each Committee meeting shall be presented to the next Ordinary Meeting of Council.

Where a Committee recommendation requires a decision or action by Council or has a resource implication, a separate agenda item will be prepared and presented to Council for consideration.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee will be to:

- a) Provide guidance and assistance to Council within the remit of these Terms of Reference; and
- b) Act in accordance with the Shire of Dowerin Code of Conduct.

REVIEW OF THE COMMITTEE

This Committee and its Terms of Reference will be reviewed by Council at least every two years immediately following the Ordinary Local Government Elections.



Code of Conduct

July 2020

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PREAMBLE

The Code of Conduct provides Councillors, Committee Members and Employees with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual local governments.

The Code is complementary to the principles adopted in the *Local Government Act 1995* and Regulations which incorporates four fundamental aims to result in:

1. *“better decision-making by local governments;*
2. *greater community participation in the decisions and affairs of local governments;*
3. *greater accountability of local governments to their communities; and*
4. *more efficient and effective local government.”*

The Code provides a guide and a basis of expectations for Councillors, Committee Members and Employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective local government responsibilities may be based.

STATUTORY ENVIRONMENT

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

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

ROLES

Role of Council

The Role of the Council is in accordance with Section 2.7 of the *Local Government Act 1995* which states:

“(1) The council –

- (a) governs the local government’s affairs; and*
- (b) is responsible for the performance of the local government’s functions.*

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

- (a) oversee the allocation of the local government’s finances and resources;*
and
- (b) determine the local government’s policies.”*

Role of Councillor

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

The Role of Councillors as set out in Section 2.10 of the *Local Government Act 1995* follows:

"A Councillor –

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

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

1. achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
2. ensuring that the wider goals and priority outcomes of the broader community are the focus of decisions, despite any impact on personal circumstances;
3. achieving sound financial management and accountability in relation to the local government's finances;
4. ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
5. working with other governments and organisations to achieve benefits for the community at both a local and regional level; and
6. having an awareness of the statutory obligations imposed on Councillors and on local governments.

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

Role of Employees

The role of Employees is determined by the functions of the Chief Executive Officer as set out in Section 5.41 of the *Local Government Act 1995* which states:

"The Chief Executive Officer's functions are to –

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*

- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to Section 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the Chief Executive Officer.”*

Principles affecting the Employment of Employees by the Shire

The following principles, set out in Section 5.40 of the *Local Government Act 1995*, apply to the Shire’s Employees:

- “(a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) employees are to be treated fairly and consistently; and*
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
- (f) such other principles, not inconsistent with this Division, as may be prescribed.”*

Relationships between Councillors and Employees

As mentioned above, the roles of Councillors and Employees are prescribed in the *Local Government Act 1995*. In summary:

1. Councillors, through their membership of Council, are responsible for the strategic leadership of the Shire; and
2. the Chief Executive Officer is responsible for implementing the decisions of Council and managing Employees.

Consequently, Councillors and Committee Members shall not direct or instruct employees and are specifically prohibited from involvement in the Shire Administration by the *Local Government (Rules of Conduct) Regulations 2007*, unless authorised by the Council or the Chief Executive Officer.

Councillors and Committee Members shall undertake their day-to-day communications with the Shire Administration directly through the Chief Executive Officer or relevant Managers, unless the Chief Executive Officer has established a protocol for communications on particular matters to occur directly with specified Employees.

Employees may only undertake direct communications with Councillors where they are acting within the functions and responsibilities of their position or are acting under the direction of the Chief Executive Officer or Manager.

Councillors, Committee Members and Employees will ensure that in their dealings with each other, they:

1. work together as part of the Shire's corporate team;
2. maintain an environment of mutual respect and cooperation; and
3. are respectful, frank and honest in their communications.

The President and the Chief Executive Officer will ensure that, in their dealings with each other, they:

1. maintain open and frank communications;
2. maintain regular contact;
3. exchange information in a timely manner;
4. have regard for their individual leadership responsibilities; and
5. understand each other's views and opinions.

Councillors, Committee Members and Employees will endeavour to fairly and quickly resolve any serious conflict that arises between themselves and either another Councillor, Committee Member or Employee, promptly and directly with that party in the first instance.

CONFLICT AND DISCLOSURE OF INTEREST

Conflict of Interest

Councillors, Committee Members and Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the local government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

Councillors, Committee Members and Employees shall notify the Chief Executive Officer (or the President in the case of the Chief Executive Officer) in writing, prior to either themselves or a closely associated person (as defined within the *Local Government Act 1995*) undertaking a dealing in land within the Shire (other than purchasing the principal place of residence).

Councillors, Committee Members and Employees who exercise a regulatory, recruitment, management or other discretionary function will make disclosure to the Chief Executive Officer (or in the case of the Chief Executive Officer, to the President) before dealing with relatives or close friends and wherever possible will disqualify themselves from dealing with those persons.

Employees will refrain from partisan political activities which could cast doubt on their neutrality and ability to act in a professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

Financial Interest

Councillors, Committee Members and Employees will adhere to the disclosure of interest requirements as prescribed in Division 6 of the *Local Government Act 1995*.

Impartiality Interest

Councillors & Committee Members

Regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* prescribe the provisions relating to Councillors and Committee Members disclosing impartiality interests.

Employees

An Employee who has an impartiality interest (as defined in the *Local Government (Administration) Regulations 1996*) in any matter to be discussed at a Council or Committee Meeting attended by that person must disclose the nature of the impartiality interest:

1. in a written notice given to the Chief Executive Officer before the meeting; or
2. at the meeting immediately before the matter is discussed.

In addition, an Employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee Meeting not attended by the Employee must disclose the nature of any impartiality interest he or she has in the matter:

1. in a written notice given to the Chief Executive Officer before the meeting; or
2. at the time the advice is given.

However, an interest referred to in Section 5.60 of the *Local Government Act 1995* is excluded from the above impartiality interest disclosure requirements.

An Employee is also excused from the requirement to disclose an impartiality interest if the failure to disclose occurs because the person:

1. did not know he or she had an impartiality interest in the matter; or
2. did not know the matter in which he or she had an impartiality interest would be discussed at the meeting and the person discloses the nature of the impartiality interest as soon as possible after becoming aware of the discussion of that matter.

Where an impartiality interest is disclosed in a written notice given to the Chief Executive Officer before a meeting, then:

1. before the meeting the Chief Executive Officer is to ensure that the notice is given to the person presiding at the meeting; and
2. at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matter to which the disclosure relates is discussed.

Where an impartiality interest is disclosed or brought to the attention of the persons present at a meeting, the nature of the impartiality interest must be recorded in the minutes of the meeting.

PERSONAL BENEFIT

Use of Information

Councillors, Committee Members and Employees shall not use information, whether assigned confidential status or not:

1. to gain improper advantage for themselves or for any other person or body;
2. in ways which are inconsistent with the requirement to treat others with respect and fairness and the obligation to act impartially and in good faith; and
3. to avoid improperly causing harm, detriment or impairment to any person, organisation, or the Shire.

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Councillors and/or Employees of the Shire (and in the case of Employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a Councillor or Employee from disclosing confidential information:

1. to a legal practitioner for the purpose of obtaining legal advice; or
2. if the disclosure is permitted by law.

Intellectual Property

'Intellectual Property' is defined as all present and future rights to each of the following used by or on behalf of the Shire, or developed in connection with the business or operations of the Shire, before, during or after the employment:

1. know-how;
2. trade marks, whether registered or unregistered;
3. inventions and improvements;
4. domain or business names;
5. confidential information;
6. concepts, ideas and information;
7. processes, data and formula;
8. copyright, moral rights, inventions, patents, patent applications, designs; and
9. any other intellectual property.

The title to Intellectual Property in all official duties will be assigned to the Shire upon its creation unless otherwise agreed by separate contract. Councillors, Committee Members and Employees shall not make unauthorised use of information and other intellectual property, produced or registered by Employees or other external contractors for the Shire.

Improper or Undue Influence

Councillors, Committee Members and Employees will not take advantage of their position to improperly influence other Councillors, Committee Members or Employees in the

performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Councillors, Committee Members and Employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.

Similarly, Councillors, Committee Members and Employees shall not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

Gifts and Benefits

Councillors, Committee Members and Employees must be mindful of the legislative requirements to disclose gifts and contributions to travel and comply with these. This includes completing the relevant forms prepared by the Shire.

The Chief Executive Officer is to maintain a register of gift notifications in accordance with the legislative requirements, and to publish an up-to-date version of the register on the Shire's website.

Councillors, Committee Members and the Chief Executive Officer

The obligation of Councillors, Committee Members and the Chief Executive Officer to disclose gifts is prescribed in Sections 5.87A and 5.87B of the *Local Government Act 1995*.

Employees

An Employee is to refrain from accepting a prohibited gift (as defined in the *Local Government (Administration) Regulations 1996*) from a person who:

1. is undertaking or seeking to undertake an activity involving a local government discretion; or
2. it is reasonable to believe is intending to undertake an activity involving a local government discretion.

An Employee who accepts a notifiable gift (as defined in the *Local Government (Administration) Regulations 1996*) from a person who is undertaking or seeking to undertake an activity involving a local government discretion, or it is reasonable to believe is intending to undertake an activity involving a local government discretion, is to notify the Chief Executive Officer within 10 days of accepting the gift, of the acceptance.

The notification of the acceptance of a notifiable gift must be in writing and include:

1. the name of the person who gave the gift;
2. the date on which the gift was accepted;
3. a description and the estimated value of the gift;
4. the nature of the relationship between the Employee and the person who gave the gift; and
5. if the gift is a notifiable gift under paragraph (b) of the definition of "notifiable gift" (whether or not it is also a notifiable gift under paragraph (a) of that definition) a description, the estimated value and the date of acceptance of each other gift accepted within the 6 month period.

Gifts and benefits with a value of less than \$50 received from a person or business undertaking, or who may, in the future, seek to undertake an activity which involves a local

government discretion are not required to be declared by law. However, Employees are encouraged to submit a gift declaration form voluntarily in these circumstances.

In addition, Employees must:

1. refuse all offers of money, gift vouchers or items easily converted to money, such as shares, which are made as a result of their position with the Shire; and
2. refuse bribes and report bribery attempts to the Chief Executive Officer and to the West Australian Police and/or the Corruption and Crime Commission.

CONDUCT REQUIRED

Personal Behaviour

The following behaviours are to be adopted by Councillors, Committee Members and Employees:

1. act with reasonable care and diligence;
2. act with honesty and integrity;
3. act lawfully and in accordance with this Code, Council policies and any applicable delegation;
4. act in the interests of the Shire and the community;
5. avoid damage to the reputation of the local government;
6. be open and accountable to the public;
7. base decisions on relevant and factually correct information and avoid bias;
8. be polite and treat others with respect and fairness avoiding behaviour which may harass or intimidate;
9. not be impaired by mind affecting substances while conducting Shire business;
10. make no allegations which are improper or derogatory;
11. avoid causing any reasonable person unwarranted offence or embarrassment;
12. respect decisions made;
13. refrain from publicly criticising either a Councillor, Committee Member or an Employee in a way that casts aspersions on competence or credibility;
14. be mindful of their behaviour in public, particularly where it is easy to ascertain the person is associated with the Shire of Dowerin;
15. maintain the confidentiality of documents and information assigned with this status;
16. report any suspected misconduct or breaches of this Code in accordance with the requirements in Section 8 of the *Local Government Act 1995*;
17. be innovative and take risks where the consequences of those risks are understood and accepted at an appropriate level; and
18. challenge the status quo and traditional approaches in a considerate and respectful manner.

These principles mirror, and expand on, those contained in the *Local Government (Rules of Conduct) Regulations 1996* which apply to Councillors.

Councillor and Committee Member Obligations

Legislation obligates Councillors and Committee Members to act in certain ways. Key legislative obligations include, but are not limited to the following:

1. representing the interests of the community as a whole and not just special interest groups;
2. participating in local government decision making and voting; and
3. acting in a quasi-judicial manner when considering planning applications and other requests for approvals and licences.

To ensure Councillors and Committee Members are acting in the interests of the Shire, and basing decisions on relevant and factually correct information, they must:

1. read agendas and associated meeting papers to be adequately informed;
2. treat matters on their individual merits; and
3. act impartially.

Honesty and Integrity

Councillors, Committee Members and Employees will:

1. observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
2. bring to the notice of the President any dishonesty or possible dishonesty on the part of any other Councillor, and in the case of an Employee to the Chief Executive Officer; and
3. be frank and honest in their official dealings with each other.

Performance of Duties

While on duty, Employees will give their time and attention to the local government's business and ensure that their work is carried out efficiently, economically and effectively in accordance with Council policies, and that their standard of work reflects favourably on both themselves and the Shire.

Employees will deal with customers courteously, objectively and impartially.

Councillors and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Councillors and Committee Members will be as informed as possible about the functions of the Council and treat all members of the community honestly and fairly.

Compliance with Lawful Orders

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

Councillors, Committee Members and Employees will give effect to the lawful decisions and policies of the local government, whether they agree with and/or approve of them, or not.

When a decision has been effected by a majority decision of Council, all Councillors, whether they supported the decision or not, must respect the decision of Council.

Administrative and Management Practices

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

Corporate Obligations

Standard of Dress

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

1. Councillors and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the local government in an official capacity; and
2. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual Employees.

Communication and Public Relations

All aspects of communication by Employees (including verbal, written or personal), involving the local government's activities should reflect the status and objectives of the local government. Communications should be accurate, polite and professional.

As a representative of the community, Councillors need to be not only responsive to community views, but also adequately communicate the attitudes and decisions of the Council. In doing so Councillors should acknowledge that:

1. as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
2. information of a confidential nature ought not be communicated until it is no longer treated as confidential;
3. information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council; and
4. information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

Committee Members accept and acknowledge it is their responsibility to observe any direction the local government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

Record Keeping Responsibilities

Councillors, Committee Members and Employees shall comply with the *State Records Act 2000*, the Shire's Record Keeping Plan and any other policies on Information and Record Management to ensure adequate records are kept to evidence the performance of their duties.

Appointments to Committees

As part of their representative role Councillors are often asked to represent the Council on external organisations. In doing so it is important that Councillors:

1. clearly understand the basis of their appointment; and

2. provide regular reports on the activities of the organisation.

DEALING WITH COUNCIL PROPERTY

Use of Local Government Resources

Councillors and Employees will:

1. be scrupulously honest in their use of the local government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
2. use the local government resources entrusted to them effectively, economically and lawfully in the course of their duties; and
3. not use the local government's resources (including the services of Employees during normal working hours) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

Travel and Sustenance Expenses

Councillors, Committee Members and Employees will only claim or accept travel and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Shire in accordance with Council policy, relevant industrial awards and the provisions of the *Local Government Act 1995*.

Access to Information

Employees will ensure that all Councillors are given equal access to all information necessary for them to properly perform their functions and comply with their responsibilities.

Councillors will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

BREACHES AND MISCONDUCT

Breaches of this Code will be treated seriously.

Councillors and Committee Members

Complaints will be managed in accordance with the *Local Government (Rules of Conduct) Regulations 2007* if they relate to a breach of a Rule of Conduct. A Councillor or Committee Member who is suspected of breaching the Rules of Conduct may be reported to the Shire's Complaints Officer. Investigations will be conducted in accordance with Part 5, Division 9 of the *Local Government Act 1995*.

Complaints will be managed in accordance with natural justice and procedural fairness if the complaint relates to a breach of this Code but the breach is not, at the same time, a breach of the Rules of Conduct (note: as this Code is not a law, no penalty can apply in such circumstances).

Employees

A complaint alleging that an Employee has breached this Code shall be made in writing. Complaints regarding:

1. an Employee will be made to the Employee's relevant Manager;
2. a Manager will be made to the Chief Executive Officer; or
3. the Chief Executive Officer will be made to the President.

The complaint will be investigated in a manner that is in accordance with the Shire's Complaint Handling Procedure, Disciplinary Policy, Public Interest Disclosure Procedures and the principles of procedural fairness and natural justice.

Misconduct

For the purposes of this Code, misconduct is defined in accordance with Section 4 of the *Corruption, Crime and Misconduct Act 2003*.

The Chief Executive Officer has a statutory obligation to report reasonable suspicion of serious misconduct to the Corruption and Crime Commission and reasonable suspicion of minor misconduct to the Public Sector Commission.

As public officers, Councillors, Committee Members and Employees are required to immediately report to the Chief Executive Officer any instance where there is a reasonable suspicion that misconduct has occurred.

Public Interest Disclosure

The Shire has a Public Interest Disclosure Guideline, available on the Shire's website, that provides confidential mechanisms for reporting and investigating misconduct allegations or improper conduct in accordance with the *Public Interest Disclosure Act 2003*.

ACKNOWLEDGEMENT & COMMITMENT

I certify that I have read and understood this Code of Conduct and commit to adhering to and upholding its principles. I understand that a breach of this Code of Conduct may have serious implications.

Signed: _____

Name: _____

Date: _____

Gastrolobium appressum new pop Moonijin Rd: 19/03/2019

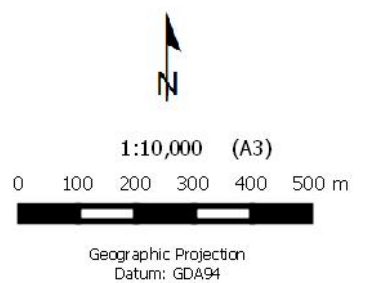
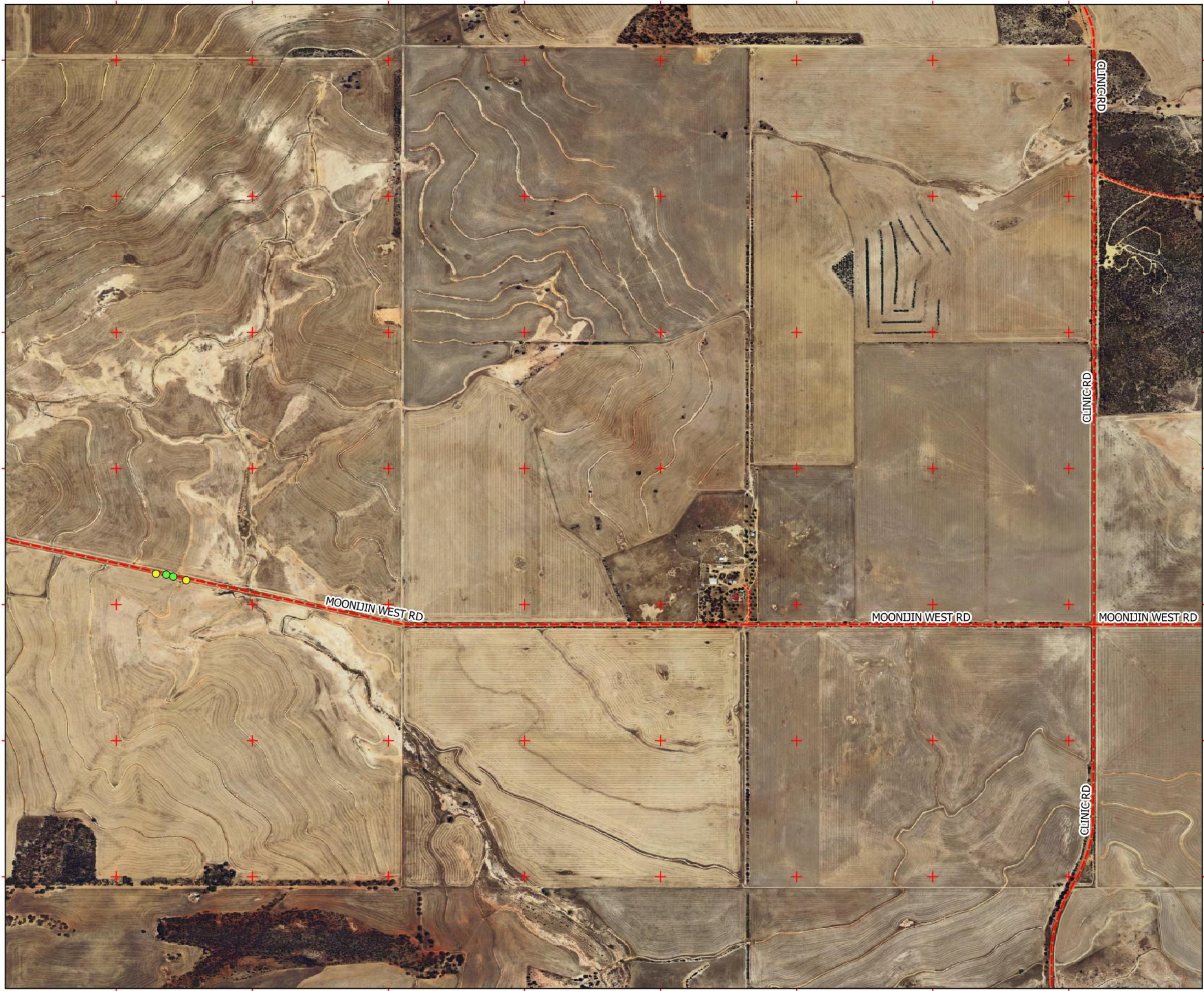
Legend

20190319_Gas_app_new_Moonijin_WV_rd

- Gastrolobium appressum
- marker only for gastrolobium appressum

TGDB Roads - All

- Minor road unsealed
- Track

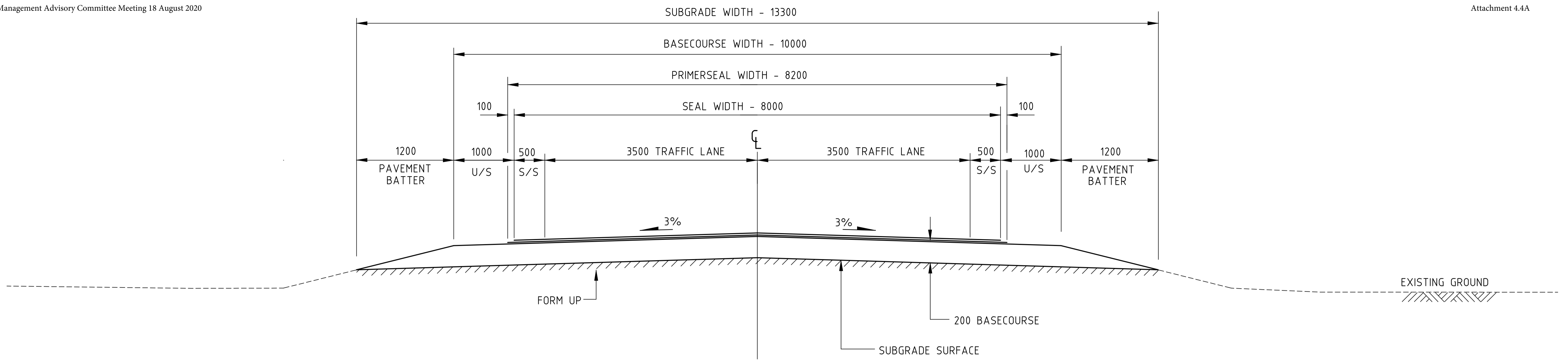


Produced by B. Phillips,
Department of Biodiversity,
Conservation and Attractions



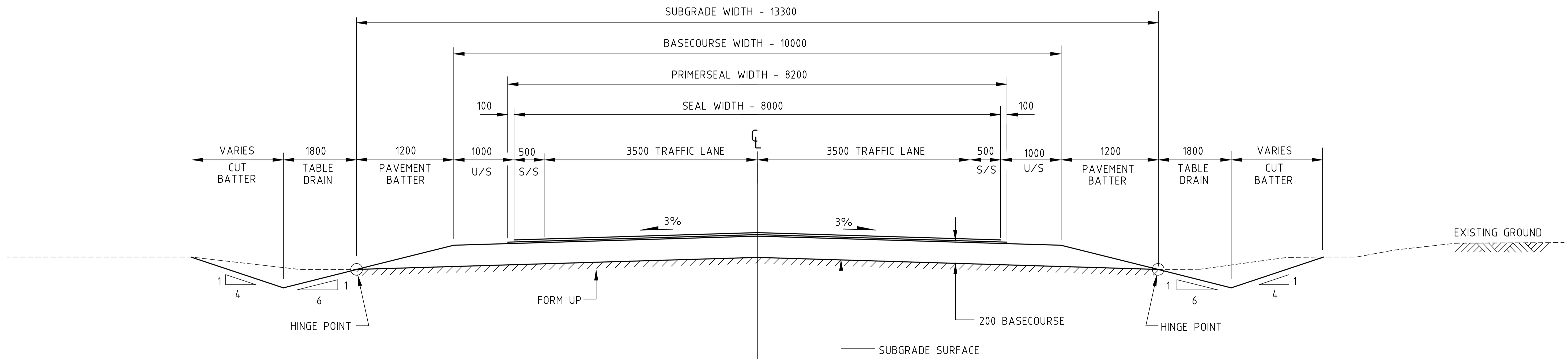
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TYPICAL CROSS SECTION GOLDFIELDS HIGHWAY - NO DRAIN

N.T.S



TYPICAL CROSS SECTION GOLDFIELDS HIGHWAY - CUT DRAIN

N.T.S

TREATMENT 2

- FORM UP / PREPARE SUBGRADE FULL WIDTH / 200mm PAVEMENT / SEAL

PROPOSED 2020 - 21 ROADWORK BUDGET

ROAD	WORK	TOTAL SLK	WAGES	PWO	POC	MATERIALS	TOTAL
Koomberkine Road RRG Funding	Reconstruct and 2 coat seal	2.29	\$53,000	\$53,000	\$42,000	\$236,000	\$384,000
Dowerin Kalannie Road - RRG Funding	Stabilize patches and reseal	various 3,600m ²	\$18,140	\$18,140	\$15,000	\$45,720	\$97,000
Koorda Wongan Hills Road - R2R Funding	Reconstruct and gravel sheet	10.00kms	\$58,800	\$58,800	\$47,040	\$81,000	\$245,640
Dowerin Koorda Road junction with Dukin Road R2R	Reconstruct junction	3000ml ²	\$24,000	\$24,000	\$18,000	\$21,000	\$87,000
R2R Old Koorda Road	Reconstruct gravel sheet	6kms	\$36,960	\$36,960	\$29,568	\$40,500	\$143,988
R2R Hindmarsh Back Road	Reconstruct and gravel sheet	4kms	\$26,800	\$26,800	\$21,440	\$27,000	\$102,040
R2R Hindmarsh Road	Reconstruct and gravel sheet	4kms	\$32,800	\$32,800	\$26,240	\$27,000	\$118,840
R2R Sanders Road	Reconstruct and gravel sheet	4kms	\$42,000	\$42,000	\$36,600	\$27,000	\$147,600
Koomberkine North Road R2R	Reconstruct and gravel sheet	5km	\$46,000	\$46,000	\$37,000	\$33,750	\$162,750
Road Maintenance	Includes re grades, vision clearing, culvert repairs, guide post and sign replacement		\$220,000	\$222,000	\$142,000	126,000	\$710,000

R2R Allocation reduced to \$346,929; removal of red projects

Original allocation \$1,007,858
Now \$346,929

Reduction \$660,929

Total	\$2,198,858
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WHEATBELT NORTH RRG SHIRE OF DOWERIN 6 YEAR STRATEGY

Road	Work Description	P/I	Rating	Fund Source	2020/21 (\$)	2021/22 (\$)	2022/23 (\$)	2023/24 (\$)	2024/25 (\$)	2025/26 (\$)	Comments
Koomberkine	Reconstruct Road from Type 4 to Type 5 from SLK 0.00 to 2.28	p		POOL	256,129						Seal is 3.7m wide with broken edges narrowing the bitumen below 3m in areas.
				LG	124,065						
				TOTAL	380,194						
Dowerin Kalannie	Stabilize patches and reseal from SLK 27.75 to 29.75	P		POOL	65,085						Seal is oxidised and failing with bad edge breaks with outer wheel rutting
				LG	32,543						
				TOTAL	97,628						
Dowerin Kalannie	Stabilize patches and reseal from 40.00 to 41.72	P		POOL	60,648						Seal is oxidised, failing with bad edge breaks
				LG	30,324						
				TOTAL	90,972						
Koombekine	Reconstruction from type 4 to type 5 from SLK 2.28 to 3.80	p		POOL		181,046					Seal is 3.7m wide with broken edges narrowing the bitumen below 3m in areas.
				LG		90,524					
				TOTAL		271,570					
Minnivale Cunderdin	Reconstruct failed section from SLK 7.12 to 8.25	P		POOL		131,833					
				LG		65,917					
				TOTAL		197,750					
Dowerin Meckering	Reconstruction from type 4 to type 5 from SLK 13.38 to 16.13	P		POOL			271,833				Severe outer wheel rutting on old widenings with edge breaks narrowing seal.
				LG			135,917				
				TOTAL			407,750				
Minnivale Cunderdin	Stabilize patches and reseal from 8.25 to 10.91	P		POOL			84,000				
				LG			42,000				
				TOTAL			126,000				
Koombekine	Reconstruction from type 4 to type 5 from SLK 3.80 to 4.85	p		POOL				130,933			Seal is 3.7m wide with broken edges narrowing the bitumen below 3m in areas.
				LG				65,467			
				TOTAL				196,400			
Dowerin Kalannie	Stabilize patches and reseal from SLK 36.36 to 40.00	P		POOL				152,440			
				LG				76,220			
				TOTAL				228,660			
Minnivale Cunderdin	Stabilize patches and reseal from SLK 22.70 to 24.20	P		POOL				45,000			
				LG				22,500			
				TOTAL				67,500			
Dowerin Meckering	Stabilize patches and reseal from SLK 9.40 to 11.20	P		POOL				55,200			
				LG				27,600			
				TOTAL				82,800			
Dowerin Meckering	Reconstruction from type 4 to type 5 from SLK 16.13 to 18.46	P		POOL					273,333		Severe outer wheel rutting on old widenings with edge breaks narrowing seal.
				LG					136,667		
				TOTAL				410,000			
Dowerin Kalannie	Stabilize patches and reseal from SLK 0.00 to 2.50	P		POOL					108,893		
				LG					54,447		
				TOTAL				163,340			
Koombekine	Reconstruction from type 4 to type 5 from SLK 4.85 to 6.62	p		POOL						206,666	
				LG						103,334	
				TOTAL					310,000		
Dowerin Kalannie	Stabilize patches and reseal from SLK 2.50 to 5.69	P		POOL						117,333	
				LG						58,667	
				TOTAL					176,000		