



Shire of Dardanup

APPENDICES

ORDINARY MEETING

To Be Held

Wednesday, 28 June 2017
Commencing at 5.00pm

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [disk or emailed]
Upon request.

8th June 2017

ATTN: Mark Chester
Chief Executive Officer
Shire of Dardanup
PO Box 7016
EATON WA 6232

Dear Mark

**REQUEST TO REVIEW COUNCIL DECISION – 29TH MARCH 2017
BUSINESS SOUTH WEST FINANCIAL SUPPORT 2017/2018**

Thank you for the opportunity for our Chairman, Beth Ferguson, and myself to present to the council yesterday (7th June 2017) to provide an overview of our service delivery and programs to date as they relate to the business community of the Shire of Dardanup.

We would like to request that the decision made at the Ordinary Meeting of Council on the 29th of March to decline the request to provide a contribution of \$7,000 per annum for the next four years due to budgetary restraints be reconsidered.

Sponsorship from our Local Government Authorities are integral to our organisation, both financially to assist in operational and program specific delivery, but also to highlight to our funding bodies and the small business community that our services and programs are acknowledged and supported at a council level.

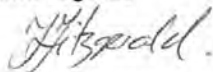
The services delivered to the Shire of Dardanup businesses for the past 5 months are 79, compared with 82 for the whole of last year, indicating an increased demand for our expertise and assistance.

We are willing to quarantine the funds to deliver a program or event specific to the Shire of Dardanup businesses to ensure the funds received directly benefit your business community.

I have attached the screen shots as distributed yesterday so the Councillor's not present are able to see the updated number of services and testimonials.

We look forward from hearing back from you and welcome any further questions or request for information that may assist in your decision.

Kind regards



Fiona Fitzgerald
CEO






We live and breathe small business






Australian Government

Business AUSTRALIAN SMALL BUSINESS ADVISORY SERVICES PROGRAMME (Delivered by AusnetSurf)

Business Local A not-for-profit, Council funded, community organisation funded by the Government of Western Australia



Our Services



- Free Business Advisory Services
- Training and Workshop Delivery
- South West Small Business Awards
- Mentoring Program for new business
- Business Disruption Program




Australian Government

Business AUSTRALIAN SMALL BUSINESS ADVISORY SERVICES PROGRAMME (Delivered by AusnetSurf)

Providing low cost workshops and business services to new and existing business in 5 business streams

- Funding avenues and financial analysis
- Building your business
- Making the most of your talent and team
- Management capabilities
- Digital engagement implementation

Providing free business advice for start-up and existing small business owners.



Business Local A not-for-profit, Council funded, community organisation funded by the Government of Western Australia




Statistics to Date

From 1st January 2016 to 31st December 2016

Outcome	Total	Shire of Dardanup
Number of Individual Businesses Serviced	1,268	82
The number of positions created	44	2
New Business Start-ups as a result of our assistance	143	11
Number of Action Plans done for clients	1,434	91
Workshop attendees	1,377	27
Number of new businesses assisted	523	18

Growth areas: Other services, Construction, Retail & Accommodation & Food




Statistics to Date

From 1st January 2017 to 31st May 2017

Outcome	Shire of Dardanup
Number of Individual Businesses Serviced	79
The number of positions created	10
New Business Start-ups as a result of our assistance	12
Number of Action Plans done for clients	82
Workshop attendees	17
Number of new businesses assisted	16

Registered Sole Traders in the Dardanup Shire (small business)

Active ABN's	Registered for GST	Cancelled ABN's in last 6 months
3,429	690	83




Testimonials

Lynda provided some **much needed direction, control and remedial influences** to our fledgling business, recognising the pressures and dynamics that were effecting the way the business was operating and addressed areas that needed priority.

Business Impact: Improvement in relationships between all stakeholders (including family, extended family and outside parties), stabilising effect on the weekly operation and management while continuing to challenge the business to improve for viability reasons. Influencing management to be more refined on the products and services being offered and justifying expenses, promotion and general business issues.

Lynda's contribution to our business has been valuable, worthwhile and much appreciated. We hope to continue our dealings with her and benefit from her guidance.

Local Business Owner – Shire of Dardanup



Testimonials

I received information on what I needed to start a business. With Lindas background in cleaning, Linda helped me with along the lines of what i will need to be aware of, pros and cons.. the importance of marketing... why insurance is important if there is an incident at my workplace ..help with my finances for tax purposes.. and courses that business South West offer that may help us become a better business
Reassurance that there is support if i am ever in need of help.

*Carpet Cleaning, High Pressure Cleaning, Domestic Cleaning services.
Shire of Dardanup*

The information I received from you was first class as I have not chased any events and are happy just street trading at the moment. When I bought the van it looked like I would not have had full time employment, as it's turned out I still have a job and am happy only running the van when convenient with no stress.
Your information was very helpful and I would recommend the service to anyone thinking of starting any business. Once again thank you!

Business Intender (Shire of Dardanup)



Testimonials

We are relatively new to social media and found Sue to be very knowledgeable in this field of work. I have been very pleased with Sue's great communication skills and being able to adapt her teaching to conform to our level of experience on Social media. She was very flexible in her appointment availability and went out of her way to accommodate us with an after-hours appointment.

" I have found Business South West an **invaluable resource for business**. Running a business doesn't always go to plan. **Having the support provided by a local service is reassuring**, knowing that the solution is being provided by someone that understands our area."
Winery/Café – Shire of Dardanup



Testimonials

Jasmine has helped me with advice on the directions and information I needed to have to start my Business. Thank you Jasmine for your support with follow up PH calls and E-mails. **With out your help I would not of known were to start.** . Business South West is a service our community very much need
Car Hire/Tourism – Shire of Dardanup

"Business South West was able to provide the right business advice for me to make an informed decision regarding a business proposal and make changes to my current situation. I now have the knowledge and understanding to know when will be the right time to move forward with this business proposal. The information that I required is not something that you can get off the internet, the team at Business Southwest provided me with the facts and direction I required" - *Local Business Owner (Shire of Dardanup)*

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP1
DESCRIPTION	USE OF CLOSED CIRCUIT TELEVISION (CCTV)
COUNCIL RESOLUTION	008/08
DATE	30/01/2008

PREAMBLE: : CCTV is a long established technology which has been widely deployed, from corner shops to major city centres. The deployments fall into 2 main types, monitored and un-monitored installations reflecting the 2 main purposes; either to provide real time observation of events so that real time responses can be initiated, or to capture evidence of events which can be acted upon subsequently.

OBJECTIVE : The objective of this policy is to provide a framework for the deployment of CCTV installations in public locations within the Shire of Dardanup.

The available research on CCTV identifies that CCTV does not absolutely prevent crime or anti-social behaviour, but that it can reduce the incidence of opportunistic anti-social behaviour and does provide real forensic evidence when such behaviour occurs. That evidence can be used to identify perpetrators for potential prosecution under the relevant Acts. Research also identifies that CCTV provides real comfort in the context of reducing the fear of crime in public places.

This Policy describes the criteria to be used when a new installation is being considered for deployment.

POLICY : All CCTV installations will meet the requirements of the Shire of Dardanup CCTV Camera Program Code of Practice [Appendix A 2.2]. All installations will be designed to meet the particular needs of the deployment location and the circumstances at the time.

Unmonitored CCTV installations will be used as a preferred deployment type over monitored installations. Unmonitored deployments will require the approval of the Director Corporate Services.

Monitored CCTV will only be deployed where the real time observation of events is deemed essential. Deployment of a monitored CCTV installation requires the approval of the Chief Executive Officer. Monitored CCTV requires the presence of at least one officer at all times, with no other conflicting duties.

CCTV installations will always be of a sufficient standard, including ambient and artificial lighting and image quality for valid forensic evidence to be obtained. Image data may be retained locally to

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Chief Executive Officer



the installation or transferred to another location and stored away from the installation

PROCESS : CCTV installations will be installed where recurrent antisocial or criminal behaviour has generated a sufficient fear of crime or community response that the costs are considered appropriate in the circumstances. CCTV installations will also be deployed where the value of the asset, or the requirement of public perception make it a valid tool within the framework of "Crime Prevention through Environmental Design".

CCTV installations will be clearly signed across the deployment. Case law recognises that persons in public places have extremely limited rights to privacy; however our approach will be to ensure good levels of public awareness that an installation is present.

CCTV installations may be deployed on Council or private land, with the permission of the land owner. Installations may be permanent or temporary or a combination of both.

CCTV installations may be passive or "event activated" by means of motion, heat, sonic or other detectors.

HEAD OF POWER : Security Devices Act 1988
Privacy Act 1998
Australian Government – Australian Institute of Criminology - Open Street in Australia

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

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Chief Executive Officer



**SHIRE OF DARDANUP – CODE OF PRACTICE
CLOSED CIRCUIT TELEVISION CAMERA PROGRAM**

1. OVERVIEW

1.1. Key Principles

1.1.1. *This Code of Practice contains the basic standards in accordance with which Shire of Dardanup's CCTV Camera Program will be operated.*

1.1.2. *The Code of Practice is based on 12 key principles. In each section the key principle is stated, followed by further explanatory information.*

1.1.3. *The key principles are as follows:*

Principle 1

The CCTV Camera Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

Principle 2

The CCTV Camera Program will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the CCTV Camera Program will be recognised by ensuring the security and integrity of operational procedures.

Principle 4

The Shire of Dardanup has primary responsibility for compliance with the purposes and objectives of the CCTV Camera Program, for the maintenance, management and security of the Program, and the protection of the interests of the public in relation to the Program.

Principle 5

The Shire of Dardanup will be accountable for the effective operation and management of the CCTV Camera Program.

Principle 6

Staff employed to work in the CCTV Camera program, whether they be operators or Directors, will meet the highest standards of probity.

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Principle 7

The public will be provided with clear and easily accessible information in relation to the operation of Shire of Dardanup's CCTV Camera Program.

Principle 8

Information recorded will be accurate, relevant and not exceed that necessary to fulfil the purposes of the CCTV Camera Program.

Principle 9

Information will be obtained fairly and in accordance with the privacy provisions of the Code of Practice.

Principle 10

Access to the CCTV Camera data will be restricted to qualified operating staff and their Directors and there will be no unauthorised access to the data.

Principle 11

The retention of, and access to tapes, photographs and recorded material will be only for the purposes provided by this Code of Practice. Tapes, photographs and recorded material will be retained for 28 days unless they are required in relation to the investigation of crime or for court proceedings. They will then be erased, taped over, or destroyed.

Principle 12

Contact related to the CCTV Camera Program between Shire of Dardanup staff and the WA Police, will be conducted strictly in accordance with the Code of Practice.

2 PRELIMINARY INFORMATION**2.1 Introduction**

2.1.1 It is recognised that the threat of violence or antisocial behaviour are important factors in any public perception on how safe residents, visitors and other stakeholders feel in the Shire of Dardanup. As part of its effort to combat the fear of crime and reduce the likelihood of criminal behaviour in public places, the Shire of Dardanup has adopted a Community Safety and Crime Prevention Plan (CS&CPP).

2.2 CCTV Camera Program

2.2.1 The CCTV Camera Program comprises Shire of Dardanup's closed circuit television operations and is one of the initiatives that forms part of the CS&CPP.

2.2.2 The CCTV Camera Program is only one of several initiatives designed to assist in preventing criminal behaviour. It is recognised, however, that such crime will never totally be prevented.

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2.3 Code of Practice

- 2.3.1 *This Code of Practice is to ensure that the principles and purposes on which the CCTV Camera Program is based are realised.*
- 2.3.2 *Involvement in any aspect of the Program by relevant organisations or individuals will depend upon their willingness to comply with this Code of Practice. This Code of Practice is subject to state and federal law.*

2.4 System description

- 2.4.1 *The Program involves a range of reticulated cameras connected to a server control room via IP networks with a planned series of stand-alone camera systems connected to a recording device in the server control room. All images are recorded and retained for 28 days unless they are required in relation to the investigation of crime or for court proceedings.*

2.5 Camera Design

- 2.5.1 *All cameras are of sufficient design quality to enable effective monitoring. Each camera is, or may be housed in a tinted environmental dome, which both protects the camera and ensures that the camera itself is not intrusive in impact.*
- 2.5.2 *State of the art technology will be used to ensure optimum resolution and picture quality for its deployment. The technology used will be regularly reviewed to ensure the most up to date equipment appropriate to the purposes of the CCTV Camera Program is used.*

2.6. Camera locations

- 2.6.1 *Cameras are installed in those areas where there is a demonstrated need to either view activities in real time or capture activities for later reporting to relevant authorities, including the WA or Federal Police.*

- 2.6.2 *Cameras are installed in the following locations at the time of publication: -*

- i) *Eaton Administration Centre (2);*

Investigation is underway to look at up to four (4) further cameras being mounted in and around the Eaton Administration Centre.

Council may also consider cameras being mounted in and around the Eaton Recreation Centre.

2.7 Ownership of the CCTV Camera Program

- 2.7.1 *The Shire of Dardanup is the owner of the CCTV Camera Program. The Shire of Dardanup retains ownership of and has copyright in all equipment, videos, photographs and documentation pertaining to the Program. The responsibilities of the Shire of Dardanup in relation to the system are outlined in section 5.*

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2.8 Partners in the CCTV Camera Program

- 2.8.1 *There are no financial partners in the program at time of publication. The WA Police are considered as partners in the context of their law enforcement role in the state of Western Australia.*

3. CHANGES TO THE CCTV CAMERA PROGRAM AND/OR THE CODE OF PRACTICE

- 3.1.1 *A minor change to the CCTV Camera Program or Code of Practice may be made with the agreement of both the Chief Executive Officer and Director Corporate Services.*

A minor change is such as may be required for the purposes of adjustment of the Program or clarification of the Code of Practice, for example, a change to the wording of a particular section of the Code of Practice where its meaning might otherwise be ambiguous, or a proposal to install further cameras under the prevailing conditions of use.

- 3.1.2 *A major change to the CCTV Camera Program or to the Code of Practice will be brought back to Council for formal approval.*

4. PURPOSE

- 4.1.1 *The primary purpose of Shire of Dardanup's CCTV Camera Program is to assist in the prevention of serious criminal offences, particularly malicious damage to property, including graffiti.*

- 4.1.2 *The secondary purpose of the CCTV Camera Program is to assist in the prevention of crimes against the person.*

- 4.1.3 *The objectives of the CCTV Camera Program are:*

- i) to reduce crime levels by deterring potential offenders;*
- ii) to reduce fear of crime;*
- iii) to assist in the detection and prosecution of offenders; and*
- iv) to help secure a safer environment for those people who live in, work in and visit the Shire of Dardanup.*

- 4.1.4 *The CCTV Camera Program will not be used for general intelligence gathering.*

5. RESPONSIBILITIES OF THE OWNER OF THE PROGRAM

- 5.1.1 *The Shire of Dardanup will be responsible for the introduction and implementation of the Code of Practice and for ensuring compliance with the principles contained within the Code.*

- 5.1.2 *The Shire of Dardanup will comply with the requirements for accountability set out in this Code of Practice.*

- 5.1.3 *The Shire of Dardanup will consult as necessary in connection with the implementation or modification of any part of the CCTV installation.*

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6. RESPONSIBILITIES OF PARTNER TO THE PROGRAM

- 6.1.1 *Incidents that may involve or lead to a crime against the person or other serious threat to public safety, or other serious criminal offence will be reported to the WA Police. The police will assess the situation and determine an appropriate response to the incident.*
- 6.1.2 *It is the responsibility of the WA Police to respond to incidents identified to the extent that its resources and priorities allow.*

7. PUBLIC INFORMATION

- 7.1.1 *Clearly visible signs that CCTV cameras are operating will be displayed at key points covered by cameras. These signs will:*
- i) inform the public that cameras are in operation;*
 - ii) allow people entering the area to make a reasonable approximation of the area covered by the system; and*
 - iii) identify Shire of Dardanup as the owner of the system.*
- 7.1.2 *Copies of the Code of Practice will be made available to the public on request.*
- 7.1.3 *Inquiries in relation to the Shire of Dardanup's CCTV Camera Program and its operation can be made in writing to:*

Chief Executive Officer

Shire of Dardanup

P O Box 7016

EATON WA 6232

or, alternatively, can be made by telephone on (08) 9724 0000.

8. ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE

- 8.1.1 *The Shire of Dardanup will regularly monitor the operation of the CCTV Camera Program and implementation of the Code of Practice.*
- 8.1.2 *The results of the periodic review will be taken into account in the future functioning, management and operation of the Program.*

9. MANAGEMENT OF CAMERA DATA

- 9.1 *The camera data will only be accessed by authorised officers on those occasions when anti-social behaviour has occurred in range of the cameras, this data will then be used in an effort to identify the perpetrators of the anti-social behaviour.*

10 CONTROL AND OPERATION OF CAMERAS

- 10.1.1 *The locations of cameras will be clearly apparent to the public.*
- 10.1.2 *All use of cameras will accord with the purposes of the CCTV Camera Program as outlined in the Code of Practice.*
- 10.1.3 *No sound will be recorded.*

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- 10.1.4. *Operators of camera equipment will act in accordance with the highest standards of probity.*
- 10.1.5. *Only staff with responsibility for using the equipment will have access to operating controls.*

11. TAPES, PHOTOGRAPHS AND RECORDED MATERIAL

- 11.1.1 *Access to and use of videotaped material and photographs will only take place: in compliance with the needs of police in connection with the investigation of crime; or if necessary for the purposes of legal proceedings.*
- 11.1.2 *Videotaped material and photographs will not be sold or used for commercial purposes or the provision of entertainment.*
- 11.1.3 *The showing of videotapes or photographs to the public will be allowed only in connection with the investigation of crime or in any other circumstances provided by law.*
- 11.1.4 *Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.*
- 11.1.5 *Recorded material will be treated according to defined procedures to ensure continuity of evidence.*

12. BREACHES OF THE CODE

- 12.1.1 *Prime responsibility for ensuring the Code of Practice is adhered to rests with the Shire of Dardanup. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of Shire of Dardanup's power to remedy.*
- 12.1.2 *Complaints in relation to any aspect of the management or operation of the system may be made in writing to:*

*The Chief Executive Officer
Shire of Dardanup
P O Box 7016
EATON WA 6232*

The Privacy and Personal Information of individuals will be respected and observed under any written law applicable in Western Australia.

- 12.1.3 *Shire of Dardanup will cooperate with the investigation of any complaint under any written law made to any other empowered Agency.*

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Chief Executive Officer



1. RESPONSIBLE DIRECTORATE

Corporate & Community Services - IT

2. OVERVIEW

CCTV is a long established technology which has been widely deployed, from corner shops to major city centres. The deployments fall into 2 main types, monitored and un-monitored installations reflecting the 2 main purposes; either to provide real time observation of events so that real time responses can be initiated, or to capture evidence of events which can be acted upon subsequently.

3. PROCEDURE

CCTV installations will be installed where recurrent antisocial or criminal behaviour has generated a sufficient fear of crime or community response that the costs are considered appropriate in the circumstances. CCTV installations will also be deployed where the value of the asset, or the requirement of public perception make it a valid tool within the framework of "Crime Prevention through Environmental Design".

CCTV installations will be clearly signed across the deployment. Case law recognises that persons in public places have extremely limited rights to privacy; however our approach will be to ensure good levels of public awareness that an installation is present.

CCTV installations may be deployed on Council or private land, with the permission of the land owner. Installations may be permanent or temporary or a combination of both.

CCTV installations may be passive or "event activated" by means of motion, heat, sonic or other detectors.

GOVERNANCE INFORMATION

Council Policy Link:	CP022 - Draft CP022 - Use of Closed Circuit Television CCTV	Administrative Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services - IT

ADMINISTRATION INFORMATION

History:	CORP1	OCM 30/01/08 Res: 008/08	Synopsis:	Policy created.
Version:	1	Reference: OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP2
DESCRIPTION	INFORMATION TECHNOLOGY MANAGEMENT
COUNCIL RESOLUTION	062/00
DATE	09/02/2000

PREAMBLE: : Senior Management should ensure in conjunction with the Information Technology Officer, that adequate information security management policies are implemented to protect their information asset.

OBJECTIVE : That Departmental Managers should establish and maintain in conjunction with the Director Corporate Services and Information Technology Officer, an awareness and involvement in their departments IT infrastructure, including accountability of IT investments and benefits.

Office wide software and common computer hardware is managed and under the responsibility of the Information Technology Officer who provides computer system support and arranges contracted computer support on a needs basis.

Departmental managers must take responsibility for the effective use of their IT resource ensuring that:

IT requirements are included in their business planning.

IT requisitions are cost and benefit justified and meet budgetary requirements.

Ongoing associated costs are realised and planned for.

The Information Technology Officer is informed of any impending software or hardware change, upgrade or implementation

Threats to data security may come from many areas including malicious intent (internal or external), virus transmittal, unauthorised access, accidental deletion, fire, theft and hard disk failure.

Definition

The Copyright Act 1968 encompasses software through the definition of "computer program". The definition is very wide in scope and for all practical purposes means all software, be it designed application and/or system software by any other name.

Power Of Search

A copyright owner can obtain the right, through the Federal Court,

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to enter business premises, unannounced, and search for evidence of illegal copying of software. Individuals as well as organisations can be fined for breaches of copyright.

Background

It is the responsibility of all users of computers owned or leased by the Shire of Dardanup to comply with this policy.

Duplicating, selling, distributing or otherwise copying computer software (except as permitted by the licensing agreement) is illegal. Accordingly the following practices must be adopted:

- Sufficient licences of software should be purchased to meet the needs of the organisation.
- Shire of Dardanup personnel will not unlawfully copy software licensed by the Shire of Dardanup.
- Shire of Dardanup personnel will not use copies of illegal software or load software not licensed to the Shire of Dardanup. All software will be purchase through the Information Technology Officer.
- Software may only be used on Shire IT equipment when there is no infringement of the software copyright.

POLICY

- : That Departmental Managers are to establish and maintain in conjunction with the Director Corporate Services and the Information Technology Officer an awareness and involvement in their departments IT infrastructure, including accountability of IT investments and benefits.

Disciplinary action will be taken against personnel engaged in the unlawful copying or use of software.

Public domain or shareware may only be used where it meets the performance and other criteria specified by the Director Corporate Services or Information Technology Officer and where these officers specifically load it.

Software licences and disks are to be held by the Information Technology Officer.

PROCESS

- : The following guidelines indicate current safeguards are in place with management to ensure further precautions are taken if deemed necessary:

Computer Access Control - Access to network computer work stations is by user id and passwords.

Network Access Control - Only the Director Corporate Services, Information Technology Officer and Support Contractor have access to all areas of the network and also control user access.

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Data Backups - Automated backups of the main accounting system are run every night and checked the following morning. Backups are stored in the Dardanup Office and . checked by Information Technology Officer

Individual PC Backups of specific data can be saved to the main server, a CD Burner has also been installed in the internet PC to enable saving of specific data.

Internet Access - The internet facilities at the Dardanup and Eaton library is currently run on stand-alone machines, which means there is no access to the Shire's Local Area Network.

Virus Protection - All PC's and the main server have an active virus checker running in memory while the workstation is switched on. When a new file is detected the virus checker automatically scans the contents for viruses before allowing the file to be used. The virus software is upgraded regularly.

Breach of Security

It is the responsibility of the Information Technology Officer to notify management all known breaches of data access security.

The course of disciplinary action to be undertaken must be determined by the Chief Executive Officer (or delegate) on a case by case basis.

Software Copyright

Software usage within the Shire will be in compliance with the requirements of the Copyright Act 1968 in relation to software.

HEAD OF POWER : Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services - IT

2. PURPOSE OR OBJECTIVE

Senior Management should ensure in conjunction with the Information Technology Officer, that adequate information security management policies are implemented to protect their information asset.

That Departmental Managers should establish and maintain in conjunction with the Director Corporate Services and Information Technology Officer, an awareness and involvement in their departments IT infrastructure, including accountability of IT investments and benefits.

Office wide software and common computer hardware is managed and under the responsibility of the Information Technology Officer who provides computer system support and arranges contracted computer support on a needs basis.

Departmental managers must take responsibility for the effective use of their IT resource ensuring that:

- IT requirements are included in their business planning.
- IT requisitions are cost and benefit justified and meet budgetary requirements.
- Ongoing associated costs are realised and planned for.

The Information Technology Officer is informed of any impending software or hardware change, upgrade or implementation

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Background

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3. POLICY

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Software licences and disks are to be held by the Information Technology Officer.

GOVERNANCE INFORMATION			
Procedure Link:	PR038 - Draft PR038 - Information Technology Management	Council Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services - IT

ADMINISTRATION INFORMATION					
History:	CORP2	OCM 09/02/00	Res: 062/00	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12	Res: 138/12	Synopsis: Reviewed Policy Adopted

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services - IT

2. OVERVIEW

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3. PROCEDURE

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Individual PC Backups of specific data can be saved to the main server, a CD Burner has also been installed in the internet PC to enable saving of specific data.

Internet Access - The internet facilities at the Dardanup and Eaton Library is currently run on stand-alone machines, which means there is no access to the Shire's Local Area Network.

Virus Protection - All PC's and the main server have an active virus checker running in memory while the workstation is switched on. When a new file is detected the virus checker automatically scans the contents for viruses before allowing the file to be used. The virus software is upgraded regularly.

Breach of Security

It is the responsibility of the Information Technology Officer to notify management all known breaches of data access security.

The course of disciplinary action to be undertaken must be determined by the Chief Executive Officer (or delegate) on a case by case basis.

Software Copyright

Software usage within the Shire will be in compliance with the requirements of the Copyright Act 1968 in relation to software.

GOVERNANCE INFORMATION			
Council Policy Link:	NA	Administrative Policy Link:	AP024 - <u>Draft AP024 - Information Technology Management</u>
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services - IT

ADMINISTRATION INFORMATION					
History:		CORP2	OCM 09/02/00 Res: 062/00	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP3
DESCRIPTION	USE OF CORPORATE CREDIT CARDS
COUNCIL RESOLUTION	441/05
DATE	10/11/2005

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

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

POLICY : New Cards

- Application for a Credit Card shall only be made for the Chief Executive Officer;
- A card for the Chief Executive Officer shall be applied for on approval of Council.
- A "non reward" scheme card shall be applied. Should a reward scheme exist, the benefits of a "reward scheme" shall be the property of the Shire of Dardanup.

Security

- The cardholder is responsible for the physical and information security of the card in their possession.
- In the case of a lost or misplaced card, the cardholder shall notify bank and the Director Corporate Services immediately.

Purchasing

- The use of the Credit Card is at the Chief Executive Officer's discretion and shall not supersede Councils ordinary purchasing system and procedures;
- The Credit Card shall only be used for purchasing goods or services on behalf of the Shire of Dardanup;
- Personal expenditure is prohibited;
- The Credit Card Credit shall not be used for cash withdrawals;

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- Expenditure shall comply with the Chief Executive Officer's delegated purchasing authority;
- The Cardholder is responsible for obtaining a "Tax Invoice" receipt for Australian Purchases to enable GST tax credits to be claimed. This shall be provided to the Director Corporate Services.
- The cardholder is responsible for the accuracy of card statements and shall authorise the validity of statements by signing.

PROCESS : Non Compliance with Policy

Failure to comply with this policy may incur disciplinary action at the discretion of the Chief Executive Officer.

Use of Personal Credit Cards

Emergency expenditure by an employee, made on behalf of the Shire of Dardanup, may be reimbursed at the discretion of the Chief Executive Officer.

Authorised reimbursement to the employee shall be made through Councils normal purchasing process on submission of documentary evidence supporting the expense. Australian expenditure shall be supported by a "Tax Invoice" receipt to enable GST tax credits to be claimed.

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

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

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1. RESPONSIBLE DIRECTORATE

Directorate - Area

2. OVERVIEW

Credit Cards are being used within Government as a purchasing resource. They can however, expose Council to significant risk if not properly controlled.

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

3. PROCEDURE

Non Compliance with Policy

Failure to comply with this policy may incur disciplinary action at the discretion of the Chief Executive Officer. The use of a Shire of Dardanup Corporate Credit Card is subject to the provisions of the Shire of Dardanup's Code of Conduct. Serious breaches of the Purchasing Responsibilities or Code of Conduct may result in a referral under the Corruption and Crime Commission Act and/or termination of employment.

In the event of loss or theft through negligence or failure to comply with the Shire of Dardanup Use of Credit Cards Policy, any liability arising from the use of the card may be passed to the cardholder.

Use of Personal Credit Cards

Emergency expenditure by an employee, made on behalf of the Shire of Dardanup, may be reimbursed at the discretion of the Chief Executive Officer.

Authorised reimbursement to the employee shall be made through Councils normal purchasing process on submission of documentary evidence supporting the expense. Australian expenditure shall be supported by a "Tax Invoice" receipt to enable GST tax credits to be claimed.

Use of Corporate Credit Cards - Purchasing Responsibilities

- The use of the Credit Card is at the discretion of the Chief Executive Officer (or any other officers approved for credit card use) and shall not supersede Councils ordinary purchasing system and procedures;
- The Credit Card shall only be used for purchasing goods or services on behalf of the Shire of Dardanup in the performance of official duties for which there is a budget provision;
- Personal expenditure is prohibited;
- The Credit Card Credit shall not be used for cash withdrawals;
- Expenditure shall comply with the officers delegated purchasing authority;
- The Cardholder is responsible for obtaining a "Tax Invoice" receipt for Australian Purchases to enable GST tax credits to be claimed. This shall be provided to the Director Corporate Services.
- Ensure relevant and correct expenditure account details (account numbers) are provided against each item of expenditure on the card statement to assist with the allocation of expenses and claims for the reimbursement of GST from the Australian Taxation Office.

- The cardholder is responsible for the accuracy of card statements and shall authorise the validity of statements by signing.

Finance Department Responsibilities

The Manager Financial Services is responsible for arranging the issue of the Corporate Credit Card on advice from the Chief Executive Officer.

The Finance Departments responsibilities in relation to the Corporate Credit Cards include:-

- Maintain a Card Register of all cardholders.
- Arrange the issue/cancellation of the Corporate Credit Cards.
- Arrange for all cardholders to sign Form 177 Approval Form Corporate Credit Card (refer Appendix 1) on receipt of the new card and ensure the signed agreement is electronically stored in TARDIS.
- Process payment of card expenditure in the Accounts Payable module of SynergySoft upon receipt of the card statement from the Bank.
- To keep cardholders informed of any changes to policy and procedures on the use of the Corporate Cards.

Use of Corporate Credit Card by other Shire of Dardanup Staff

Under no circumstance shall another Shire of Dardanup Staff member unknowingly use a Corporate Credit Card.

If the purchase of goods or services on behalf of the Shire of Dardanup by a non-card holder is required, then this officer may apply to the Chief Executive Officer or Manager Financial Services to use the Corporate Credit Card. The following application process is required:

- Complete a purchase order adhering to Council's procurement policy.
- Complete a Form 100 Use of Corporate Credit Card (Appendix 2) and forward to Chief Executive Officer or other approved officer.
- Provide a quote for the goods/services being purchased.
- The relevant card holder will then complete the purchase transaction either over the phone with the supplier or online. The corporate credit card number is NOT to be given to other staff members to use.
- Once the purchase has been transacted, a tax invoice must be issued.
- The authorising officer (who issued the purchase order) must authorise the tax invoice for payment and confirmation that the goods/services have been received.
- All documentation must then be forwarded to the Accounts Payable department.

GOVERNANCE INFORMATION			
Council Policy Link:	CP023	Administrative Policy Link:	
Authority to Approve:	Chief Executive Officer	Directorate/Department:	

ADMINISTRATION INFORMATION					
History:		CORP3	OCM 10/11/05 Res: 441/05	Synopsis:	Policy created.
Version:	1	Reference:		Synopsis:	Revised Policy Adopted – Procedure Prepared
Version:	2	Reference:		Synopsis:	

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP4
DESCRIPTION	EATON RECREATION CENTRE EMPLOYEE FINANCIAL INCENTIVE SCHEME
COUNCIL RESOLUTION	25/12
DATE	09/02/2012

PREAMBLE: : The Eaton Recreation Centre (the centre) is owned and operated by the Shire of Dardanup. The centre operates as a fee for service facility catering for the indoor sporting needs of shire residents.

The centre's operations are integrated with the shire budget therefore any deficit is subsidised from general revenue.

OBJECTIVE : 1. To maximise the financial efficiency of the centre by providing a profit sharing incentive scheme to staff employed at the centre.

2. To enhance centre employee retention in order to attract and retain high quality centre staff.

POLICY/PROCESS : 1. ELIGIBLE EMPLOYEES

1.1 This policy applies to an employee of the Shire of Dardanup whose principal place of employment is at the Eaton Recreation Centre and whose wages are allocated to the centres operations.

1.2 An eligible employee must have an employment status that requires the supply of a PAYG Summary (Group Certificate) from the Shire of Dardanup for the financial year.

1.3 Where an employee of the Shire has another principal place of employment in addition to that of the Centre, only the wages applicable to the centre shall be taken into account for the purposes of this policy.

1.4 An employee must be a current employee of the Shire of Dardanup at the time a payment is made under this policy to be eligible. (i.e. employees who leave the employ of the Shire during the financial year shall not be entitled for any payment made under this policy).

2. CALCULATION

2.1 50% (Fifty percent) of the *Centre Surplus* for a financial year shall be disbursed to eligible employees.

2.2 Disbursements shall be calculated pro rata, on an eligible employee's ordinary gross wages for that financial year.

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2.3 The maximum total pool of funds available for disbursement to eligible employees for any one year shall be \$50,000. (i.e. Centre profit of \$100,000 and greater).

3. PAYMENT

3.1 Payments made under this policy shall be made as soon as practicable following the receipt of the independent Audit Report on the accounts of the shire for the financial year.

3.2 Payment shall be made to the employee through the normal payroll process of the shire.

3.3 Any payment made under this policy shall be taxed at the time of payment to the employee in accordance with prevailing legislation regarding payment of bonuses.

3.4 Any payment made under this policy shall not be deemed to be ordinary gross earnings of the employee and shall not be used in any entitlement calculations (e.g. leave, redundancy, superannuation).

4. FINANCIAL YEAR

4.1 The period under which this policy applies is a financial year 1st July – 30th June.

5. DISPUTES

5.1 Decisions under this policy are to be made by the CEO and any disputes shall be resolved by the determination of the CEO.

6. DEFINITIONS

In the context of this policy, the following terms shall be used;

Centre Surplus

Operating Expenditure Less Operating Revenue. Plus;

- Non-Operating Expenditure (Net of grants, disposal revenue, reserve transfers).
- Revenue in Lieu of Shire Vacation Care Employee Subsidy.

Operating Revenue

Note: Operating Revenue is calculated on the accrued basis.

Actual Operating Revenue for the financial year generated from the ordinary operating activities of the Centre and excludes the following revenue;

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(Appendix ORD: 12.1.2H)

- Grants & Contributions for the development and purchase of assets.
- Profit on disposal of assets.
- Asset Revaluations.
- Any abnormal items as determined by the CEO.

Operating Expenditure

Note: Operating Expenditure is calculated on the accrued basis.

Actual Operating Expenditure (net of reserve transfers) for the financial year generated from the ordinary operating activities of the Centre and excludes the following transactions;

- Depreciation.
- Loss on disposal of assets.
- Administration Overheads allocation.
- Provisions.
- Asset Revaluations.
- Any abnormal items as determined by the CEO.

Ordinary Gross Wages

The ordinary gross wage of an employee (excluding allowances) used in calculations made under this policy shall be that as recorded on the employee's PAYG Summary (Group Certificate) for the financial year (excluding any payments under this policy).

HEAD OF POWER : Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

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Next Full Review Policy Date: July 2016

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP5
DESCRIPTION	ELECTRONIC MAIL AND INTERNET USAGE
COUNCIL RESOLUTION	588/00
DATE	08/11/2000

PREAMBLE: : This policy details the e-mail/Internet policy for the Shire of Dardanup. It sets out guidelines for e-mail/Internet by all Shire staff members. It clearly identifies those areas where common sense is required (eg. personal e-mails in the case of family emergency), as well as those areas where there is no leeway, (eg. pornography).

OBJECTIVE : 1. To make all employees aware of the Shire of Dardanup's e-mail/Internet policy.

2. To ensure that the Shire's investment in computer hardware, software and services is used in the most productive manner to the greatest possible benefit of the Shire of Dardanup.

3. To ensure that all the Shire's business e-mails are preserved and available as corporate knowledge.

POLICY : 1. All e-mails sent or received via the Shire's e-mail system are the property of the Shire, although the Shire does not accept responsibility for items of an informal nature that are transmitted through its system without consent.

2. Employees should only give their Shire of Dardanup e-mail address to people and organisations that are business partners of the Shire of Dardanup.

3. Employees should not give their Shire of Dardanup e-mail address to friends and relatives who are personal associates of the employee and not business associates of the Shire of Dardanup.

4. All discs to be loaded onto Council's equipment are to be virus scanned using software as set by the Information Technology Officer/Director Corporate Services.

5. No attachment should be opened or stored unless the employee can positively identify the sender.

6. Distribution of e-mail containing non-business related material such as jokes is not encouraged. If personal mail is sent, the employee is requested to keep the volume to a minimum and required to enter CCC or PERSONAL in the subject line.

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7. No employee may send or distribute e-mail containing expletives or pornography.
8. No Shire employee may send or distribute e-mail containing derogatory, inflammatory, insulting or libellous information about any other Shire employee, customer, associate or any other person whatsoever.
9. No Shire employee may conduct any business (of a private nature) via the Shire's e-mail/Internet system other than legitimate Shire business.
10. Any Shire employee receiving questionable material (as described above in policies 6,7,8 and 18) should immediately forward all such material to their Director for appropriate action and then delete all local copies.
11. Employees may not use e-mail/Internet or electronic messaging systems to infringe copyright or other intellectual property rights of third parties.
12. All staff are required to protect the confidentiality provisions of the Shire, exercise due care and adhere to confidentiality agreements when handling data or information on/from the shire's information systems.
13. Unauthorised advertising or promotion of products or services via the e-mail/Internet system IS NOT permitted.
14. Electronic records produced or received by an officer in the course of public duties are deemed to be public records. All such records are captured electronically.
15. Staff are discouraged from e-mailing matters of a legal or contractual nature. In some circumstances, the intended recipient should be contacted as to whether an e-mail "verified signature" is required.
16. E-mail is the preferred means of exchanging standard administrative and technical information and other informal correspondence. It should not be used for formal documents recording significant decisions or approvals or which otherwise warrant becoming part of the permanent record. E-mail should not be a substitute for other communication methods such as telephone, facsimile, or face to face meetings that would be more effective. E-mail should be viewed as merely another means of communication. Further discussion on the applicable use of e-mail is at Appendix A.
17. Users are to be responsible for their use of e-mail and will be held accountable for messages issued in their name. All Teams should ensure that e-mail facilities and services in their work areas are used suitably and in accordance with this policy.
18. E-mail should not be used for sending messages that are abusive, obscene, libellous and insulting or in bad taste. Further discussion

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on the ethics of e-mail use is at Appendix C.

19. It is inappropriate for e-mail to be used for the creation and/or the distribution of jokes, cartoons or other inappropriate material. Staff must be individually responsible for e-mails that they create and/or may receive. Refer to Appendix A.

Monitoring e-mails

The Shire has installed an e-mail management system. This system is capable of capturing all e-mail business transactions and to trap and report all questionable e-mails. The Shire's employees should be aware that all e-mails are being monitored to ensure that the Shire's e-mail/Internet policy is being adhered to.

Consequences

Shire employees found to be acting in contravention of the above directives will receive a first written warning and if required, a second written warning by the Senior Records Officer and asked not to re-offend. Employees who continue to disregard the above directives will be formally warned by their Director and then may face suspension pending court action and/or dismissal if the offence is considered to be of a serious nature. Note that any offence associated with pornography or insulting behaviour will be automatically classified as being of a serious nature.

Capturing e-mail

All staff have a Shire of Dardanup email address, Records has access to **ALL** e-mails via Records Archive.

It is the responsibility of the Senior Records Officer to decipher which email requires keeping, registering or deleting.

The following steps will apply to capturing e-mail, which will be given no greater or lesser priority than other forms of communication when being processed.

1. E-mail received in Records and opened daily.
2. Incoming e-mails addressed to Records will be forwarded on to the relevant person and if required registered.
3. The email is registered and only the first page is printed on yellow paper then placed on file. The remainder of the email and any attachments can be viewed electronically.

ATTACHMENTS

- ◆ Appendix A: Applicable and Unsuitable Use of E-mail
- ◆ Appendix B: Security and Privacy
- ◆ Appendix C: Etiquette and Ethics for the Effective Use of E-mail

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- ◆ Appendix D: E-mail Maintenance for Shire of Dardanup Users

APPENDIX A: APPLICABLE AND UNSUITABLE USE OF ELECTRONIC MAIL

Applicable Use of Electronic Mail

1. E-mail offers some unique and powerful advantages over the more traditional communication methods. The following are some examples of when e-mail should be used:
 - a) Minimising telephone time.

Attempting to make telephone contact can be very frustrating and time consuming. Many daily business transactions can be quickly and effectively completed by a brief exchange of e-mail messages.
 - b) Commenting on a document or issue.

E-mail should be used to check comments on an issue or a document. It can overcome the problems of photocopying, collating, determining exact locations of people and arranging delivery of draft documents. In addition, all replies will come straight back to the originator, in electronic format for easier revision.
 - c) Record of an instruction or request is required.

E-mail can be used to provide a permanent record of an instruction or request by saving a copy of the message as sent mail. Confirmation that the message was received and opened by the recipient can be recorded by requesting a read receipt on systems that implement this facility.
 - d) Communicating information to groups.

Use e-mail if the same information needs to be sent quickly to a group of people. It is just as easy to send information to ten people as it is to one using the ability of e-mail to join separate addressees into groups. Care should be taken not to overload the network by sending large messages (or attachments) to more than 20 recipients.
2. Understanding the medium and knowing how to use it effectively can make e-mail a valuable and effective tool.

Inappropriate Use of Electronic Mail

3. E-mail has a tendency to be overused or used inappropriately because of its speed, convenience and informality. Most effective communication can be achieved by selecting the best tool for the job, eg telephone, facsimile, internal mail services, Australia Post, courier, bulletin board, e-

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mail, posters, meetings, videoconferencing or in person. If a message requires clarification or discussion, then a conversation may well cut through to the heart of the issue, rather than starting a thread of messages and responses that may lead to misunderstandings.

4. The e-mail services provided within the Shire of Dardanup are for official use only and should be confined to business matters. For example, e-mail is not provided for users to distribute the latest game software to friends or associates. This is not only illegal in some cases, but also is an obvious waste of the organisation's time and money.
5. E-mail is not to be used to convey personal personnel information unless consent has been obtained from the individual(s) concerned to do so.
6. The right to use e-mail may be withdrawn if it is used inappropriately. The following are some examples of inappropriate use:
 - a. abusive or otherwise objectionable language in either public or private messages;
 - b. sending of illegal messages eg. Breaches of copyright and pornography
 - c. sending of messages that are likely to result in the loss of the recipient's work or systems;
 - d. sending of chain letters;
 - e. intentional sending of huge messages or attachments to large groups of recipients. Consideration should be given to using other forms of communication (ie mail) when sending large documents that exceed 20 pages or contain more than two embedded graphic files.
 - f. any other types of use which would knowingly cause congestion of the networks or otherwise interfere with the work of others.

Encounter of Controversial Material (In particular Pornographic or Offensive E-mail)

7. Unfortunately, the Shire of Dardanup is powerless to prevent any inappropriate e-mail being received at a particular e-mail address, but it will in no way condone any pornographic or offensive e-mail being forwarded on to any person; either as a knowing recipient of the material, or as an unknowing recipient of the material.

The Shire of Dardanup considers such material totally inappropriate to the workplace and expects that any person who receives such material will immediately delete it from

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the system.

Should you receive such e-mail you should report this to the Chief Executive Officer or your Immediate Director, as it is our practice to advise the organisation that hosts the sender, that such e-mail is being sent from their organisation and asking them to prohibit the sending of such e-mail to us.

The sending of offensive or pornographic e-mail may expose the Council to claims of sexual harassment, which further emphasise the reasons behind the obvious restrictions placed upon this type of material.

Given the Shire of Dardanup's strong opposition to this matter, it must be understood that any person who is found to store this material in their own private folders, or who forwards this material onto any other person, either within our internal network or by external e-mail, will have their e-mail services terminated immediately.

APPENDIX B: SECURITY AND PRIVACY

1. The widespread introduction of e-mail throughout the World Wide Web has substantially increased the risk of loss of confidentiality and integrity of essential information. Except where encryption is used, e-mail messages are easily accessible by personnel with specific technical knowledge.
2. Council members, employees, contractors or other users are not to intercept messages while in transmission or access messages stored on a system if not authorised to do so. The Records Officer and the Systems Administrator may only intercept messages if necessary to identify a source of interference or to troubleshoot problems on the network.
3. The weakest link in e-mail security is the user. E-mail relies for its security on being able to identify uniquely the person who originates every message. This is achieved by password protection of the user account and/or e-mail account. Mail accounts must be password protected and users must not store the password in the mail configuration file as the default. The operating system should be configured so that individual access to the e-mail service is controlled through the use of passwords.
4. If passwords are shared with another person then a key aspect of the mail system security is effectively defeated. Passwords should be at least six alphanumeric characters long and, where possible, they should be checked to make sure they are not easily guessed. Passwords should be kept secure and changed at least every 90 days. All e-mail users will be held accountable for every message issued in their name.
5. Security is not to be confused with privacy. The Shire of Dardanup owns the mail system, including the information being deposited and sent. The e-mail services are for official use only and the messages contained in the system should represent a

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significant public record of Council's business matters. For this reason the SHIRE OF DARDANUP reserves the right to initiate random checks of e-mail folders should it be considered appropriate to do so.

6. Freedom of Information. Along with Council's paper based documents, e-mail falls within the definition of a record under the Freedom of Information Act "*any article on which information has been stored or recorded. Either mechanically, magnetically or electronically*". Therefore e-mail may fall within the ambit of an Freedom of Information application to Council, and the applicant may have a legally enforceable right to access the (edited or unedited) information contained in the e-mail.
7. Many networks are UNCLASSIFIED and have connections to other external networks. There is no guarantee of security or privacy for e-mail across any of those networks. Always use your own judgement in relation to receipt of an e-mail. Be aware of VIRUSES and if you are unsure of the origin of an e-mail you have received and there is a file attachment which requires opening - contact the Information Technology Officer who can arrange for the file to be checked for any virus.

APPENDIX C: ETIQUETTE AND ETHICS FOR THE EFFECTIVE USE OF E-MAIL

1. Since e-mail is not quite like other methods of communications, a distinct etiquette for its use has evolved. Following are some guidelines that have been adapted from the 'The Business of Electronic Mail', issued by Telstra, Melbourne (1997)'.

E-mail Ethics

2. Use good judgment by not sending messages that are libellous, defamatory, abusive and obscene or in bad taste. All users of e-mail systems must act with courtesy and refrain from the use of inflammatory or offensive language at all times. Remember that you may be legally liable for any libellous or defamatory statements made.
3. Never forget that a person is receiving the e-mail. It is very easy to make critical or intemperate comments across e-mail when the recipient of these comments and the impact it has on them does not confront you.
4. Like the information in Council's paper based record, the contents of Council's e-mail system are also part of the *public record*. It may therefore be subjected to public access and scrutiny under disclosure law such as the Freedom of Information Legislation. Hence e-mail content needs to be objective in nature with all system users endeavouring to avoid the use of subjective comments.

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E-mail Etiquette

5. Read and respond to Messages.

Check your e-mail regularly; ignoring a message is discourteous and confusing to the sender. If you receive a message intended for another person, do not just ignore it; return it to the sender. Answer messages in a timely manner, informing senders when their requests cannot be accommodated. Delete messages as soon as they have been answered or the issue resolved. For messages that must be retained, develop an orderly filing system.

6. All Capital Letters give the effect of SHOUTING!

Many people interpret the use of all capitals in e-mail to indicate shouting, anger or rudeness. Shouting is most effective if it is reserved for special occasions. In any case, studies show that proper use of upper and lower case assists word recognition and makes a message easier to read. Capitalise words only to HIGHLIGHT an important point or distinguish a title or heading.

7. Be courteous.

While conciseness is good, it should never be at the expense of common courtesy; say please and thank you.

8. Review before Sending.

Reading a message before sending will not only reveal spelling and grammatical mistakes, but if you put yourself in the place of the recipient you will detect whether your message is sensible and is going to be well received and understood. Human conversation uses gesture and tone to convey the meaning of words. An e-mail message can contain words which were humorously intended by the author but which, without the accompanying expression or inflection if the words were spoken, seem insulting to the recipient. If you must use sarcasm or express emotion in a message, clearly label it.

9. Sign-off your Messages.

Include your name and affiliation at the end of a message. Not only is this courteous, but it serves the practical function of reassuring the reader that the message has not been truncated in its travels. This is particularly important if sending through a gateway to a different mail system, where a message can sometimes be truncated on the way to its destination.

10. Forwarding Earlier Messages.

Be professional and careful what you say about others in e-mail. In the case of your own messages, you should say

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clearly in the message if you do not want all or part of its contents relayed. In the case of messages you receive from others, think first of any possible damage or embarrassment to the originator before forwarding it. It may be possible to remove sensitive parts of the message before sending it on to others. Do not edit and resend a message that you have received without indicating that changes have been made to the original. Remember that e-mail is not confidential; it is neither absolutely private nor absolutely secure. The recipient of a message has control of the content and can use it how they choose. If you wish to on-forward a previously received e-mail to a third party, you should, as a matter of courtesy, seek permission from the originator that you are relaying their message.

11. E-mail Responsibly.

Do not waste resources by sending inconsequential messages and do not accumulate large amounts of e-mail which are no longer required. Try to avoid irrelevancies and try to keep messages succinct and brief. Focus on one subject per message. Always define the topic of a message in the e-mail subject header to make it easy for the recipient to quickly review their list of messages.

12. Message Distributions.

Keep the list of recipients and carbon copies (cc) to a minimum. It is too easy to widely disseminate messages that are of limited or no interest to most recipients (commonly referred to as junk mail).

13. Large File Attachments.

Do not send e-mail messages enclosing large file attachments and distribute these widely (eg Everyone in mailing lists) as they can cause e-mail servers and gateways to fail. It can also cause traffic problems on the network. A preferred approach is to make the file accessible to other users by placing it in a shared folder or directory and informing users of its availability.

14. Assume the competence and honesty of the sender.

Giving someone the benefit of the doubt is a good starting point, especially if you do not know them and they're hundreds of kilometres away. There have been examples of replies to messages that appear to assume the sender is incompetent or an idiot when the recipient has misunderstood the context or intent of the message.

15. Use Receipts.

If a message is important, then you need to be sure that it is received and read. In this case make sure you ask for a delivery receipt and a read-receipt. This will cause a message to be sent to you automatically to tell you when the

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message has been delivered to the recipients' mail box, and when the recipient has opened your message to read it.

16. Keep a Copy.

Before removing mail messages from your Sent Mail folder, make sure that any important matters they relate to are closed.

17. Schedule a reminder.

If you have an electronic diary, or indeed any sort of diary, schedule a reminder to check on the status of an important message after an appropriate period.

18. Treat e-mail as a permanent, official record.

What you write can be used in evidence. Keep this in mind before you click the send button. Even if you do not think the matter is important enough to keep a copy, your recipient may keep a copy. Assume that any message you send is permanent and could be modified and/or forwarded throughout the world without your knowledge or consent.

APPENDIX D: E-MAIL MAINTENANCE FOR SHIRE OF DARDANUP USERS

1. Some mail systems keep users mail in folders in a single file on the Post Office server. This file can get quite large, and the bigger it gets, the slower e-mail will work. Performance can be improved by limiting the number of items in the busiest of folders to as few as possible. The in-box and sent mail folders are the most frequently used folders. If possible, keep the number of messages in each folder down to less than 50 or so and regularly review the contents of the sent mail folder for message copies which no longer need to be kept. Remember to "Empty your Trash".
2. Problems can occur in the sending of attachments between organisations using different systems. For example a Microsoft Word document sent by a user using a Novell based system might not be readable by a recipient who uses a Unix system. Even when the systems are the same, applications software such as spread sheets may be incompatible. The following tips can help:
 - a confirm the acceptability of the document, spread sheet or database format with the recipient before transmitting it;
 - b where feasible convert documents to standard text before transmission - in addition to ensuring compatibility this will reduce transmission time and cost; and

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- c ensure that the format of attachments is clearly identified in the message.
3. Problems can also occur in the handling of attachments between different mail systems. This is particularly evident in mail transmitted over the Internet where several different mail protocols are in use. Where feasible, inclusion of documents as embedded text within the message can help. The SSO can provide assistance with decoding attachments sent from incompatible systems.
 4. E-mail can quickly grow and place demands on on-line storage and on communication systems. If absent for extended periods, have someone clear your mail or arrange to have it redirected. Automatic return messages can be generated by GroupWise. Avoid sending large messages or attachments to large numbers of recipients as this can result in service degradation for all e-mail users.

PROCESS : The Shire of Dardanup's e-mail/Internet system is a corporate resource and is to be used for corporate business as a vehicle for business to business and business to customer transactions. They should be viewed in a similar manner to the Shire's telephone system in that personal usage should be kept to an absolute minimum. For example, if all exchange lines were in use for personal business, the Shire would not be able to function. The following policies are to ensure that the Shire's e-mail/Internet system is used almost exclusively for Shire business. To this end, all e-mails sent or received by a Shire employee are Shire's property. There is no concept in the Shire's e-mail system of personal ownership of e-mails.

HEAD OF POWER : Policy Manual

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Tear off and return to Human Resources:

e-mail@dardanup.wa.gov.au

SHIRE OF DARDANUP E-MAIL POLICY ACCEPTANCE FORM

I _____

having read the Shire of Dardanup E-mail Policy document and Appendices, agree to abide by the terms and conditions as outlined.

Signed: _____
(This form is to be retained on the employees personnel file)

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

1. RESPONSIBLE DIRECTORATE

Corporate & Community - IT

2. PURPOSE OR OBJECTIVE

This policy details the e-mail/Internet policy for the Shire of Dardanup. It sets out guidelines for e-mail/Internet by all Shire staff members. It clearly identifies those areas where common sense is required (eg. personal e-mails in the case of family emergency), as well as those areas where there is no leeway, (eg. pornography).

1. To make all employees aware of the Shire of Dardanup's e-mail/Internet policy.
2. To ensure that the Shire's investment in computer hardware, software and services is used in the most productive manner to the greatest possible benefit of the Shire of Dardanup.
3. To ensure that all the Shire's business e-mails are preserved and available as corporate knowledge.

3. POLICY

1. All e-mails sent or received via the Shire's e-mail system are the property of the Shire, although the Shire does not accept responsibility for items of an informal nature that are transmitted through its system without consent.
2. Employees should only give their Shire of Dardanup e-mail address to people and organisations that are business partners of the Shire of Dardanup.
3. Employees should not give their Shire of Dardanup e-mail address to friends and relatives who are personal associates of the employee and not business associates of the Shire of Dardanup.
4. All discs to be loaded onto Council's equipment are to be virus scanned using software as set by the Information Technology Officer/Director Corporate Services.
5. No attachment should be opened or stored unless the employee can positively identify the sender.
6. Distribution of e-mail containing non-business related material such as jokes is not encouraged. If personal mail is sent, the employee is requested to keep the volume to a minimum and required to enter CCC or PERSONAL in the subject line.
7. No employee may send or distribute e-mail containing expletives or pornography.
8. No Shire employee may send or distribute e-mail containing derogatory, inflammatory, insulting or libellous information about any other Shire employee, customer, associate or any other person whatsoever.
9. No Shire employee may conduct any business (of a private nature) via the Shire's e-mail/Internet system other than legitimate Shire business.

10. Any Shire employee receiving questionable material (as described above in policies 6,7,8 and 18) should immediately forward all such material to their Director for appropriate action and then delete all local copies.
11. Employees may not use e-mail/Internet or electronic messaging systems to infringe copyright or other intellectual property rights of third parties.
12. All staff are required to protect the confidentiality provisions of the Shire, exercise due care and adhere to confidentiality agreements when handling data or information on/from the shire's information systems.
13. Unauthorised advertising or promotion of products or services via the e-mail/Internet system IS NOT permitted.
14. Electronic records produced or received by an officer in the course of public duties are deemed to be public records. All such records are captured electronically.
15. Staff are discouraged from e-mailing matters of a legal or contractual nature. In some circumstances, the intended recipient should be contacted as to whether an e-mail "verified signature" is required.
16. E-mail is the preferred means of exchanging standard administrative and technical information and other informal correspondence. It should not be used for formal documents recording significant decisions or approvals or which otherwise warrant becoming part of the permanent record. E-mail should not be a substitute for other communication methods such as telephone, facsimile, or face to face meetings that would be more effective. E-mail should be viewed as merely another means of communication. Further discussion on the applicable use of e-mail is at Appendix 1.
17. Users are to be responsible for their use of e-mail and will be held accountable for messages issued in their name. All Teams should ensure that e-mail facilities and services in their work areas are used suitably and in accordance with this policy.
18. E-mail should not be used for sending messages that are abusive, obscene, libellous and insulting or in bad taste. Further discussion on the ethics of e-mail use is at Appendix 4.
19. It is inappropriate for e-mail to be used for the creation and/or the distribution of jokes, cartoons or other inappropriate material. Staff must be individually responsible for e-mails that they create and/or may receive. Refer to Appendix 1.

Monitoring e-mails

The Shire has installed an e-mail management system. This system is capable of capturing all e-mail business transactions and to trap and report all questionable e-mails. The Shire's employees should be aware that all e-mails are being monitored to ensure that the Shire's e-mail/Internet policy is being adhered to.

Consequences

Shire employees found to be acting in contravention of the above directives will receive a first written warning and if required, a second written warning by the Senior Records Officer and asked not to re-offend. Employees who continue to disregard the above directives will be formally warned by their Director and then may face suspension pending court action and/or

dismissal if the offence is considered to be of a serious nature. Note that any offence associated with pornography or insulting behaviour will be automatically classified as being of a serious nature.

Capturing e-mail

All staff have a Shire of Dardanup email address, Records has access to **ALL** e-mails via Records Archive.

It is the responsibility of the Senior Records Officer to decipher which email requires keeping, registering or deleting.

The following steps will apply to capturing e-mail, which will be given no greater or lesser priority than other forms of communication when being processed.

1. E-mail received in Records and opened daily.
2. Incoming e-mails addressed to Records will be forwarded on to the relevant person and if required registered.
3. The email is registered and only the first page is printed on yellow paper then placed on file. The remainder of the email and any attachments can be viewed electronically.

4. ATTACHMENTS

- Appendix 1: Applicable and Unsuitable Use of E-mail
- Appendix 2: Security and Privacy
- Appendix 3: Etiquette and Ethics for the Effective Use of E-mail
- Appendix 4: E-mail Maintenance for Shire of Dardanup Users

GOVERNANCE INFORMATION

Procedure Link:	PR040 - Draft PR040 - Electronic Mail and Internet Usage	Council Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community - IT

ADMINISTRATION INFORMATION

History:	CORP5	OCM 08/11/00 Res: 588/00	Synopsis:	Policy created.
Version:	1	Reference: OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

APPLICABLE AND UNSUITABLE USE OF ELECTRONIC MAIL

Applicable Use of Electronic Mail

1. E-mail offers some unique and powerful advantages over the more traditional communication methods. The following are some examples of when e-mail should be used:

- a) Minimising telephone time.

Attempting to make telephone contact can be very frustrating and time consuming. Many daily business transactions can be quickly and effectively completed by a brief exchange of e-mail messages.

- b) Commenting on a document or issue.

E-mail should be used to check comments on an issue or a document. It can overcome the problems of photocopying, collating, determining exact locations of people and arranging delivery of draft documents. In addition, all replies will come straight back to the originator, in electronic format for easier revision.

- c) Record of an instruction or request is required.

E-mail can be used to provide a permanent record of an instruction or request by saving a copy of the message as sent mail. Confirmation that the message was received and opened by the recipient can be recorded by requesting a read receipt on systems that implement this facility.

- d) Communicating information to groups.

Use e-mail if the same information needs to be sent quickly to a group of people. It is just as easy to send information to ten people as it is to one using the ability of e-mail to join separate addressees into groups. Care should be taken not to overload the network by sending large messages (or attachments) to more than 20 recipients.

2. Understanding the medium and knowing how to use it effectively can make e-mail a valuable and effective tool.

Inappropriate Use of Electronic Mail

3. E-mail has a tendency to be overused or used inappropriately because of its speed, convenience and informality. Most effective communication can be achieved by selecting the best tool for the job, eg telephone, facsimile, internal mail services, Australia Post, courier, bulletin board, e-mail, posters, meetings, videoconferencing or in person. If a message requires clarification or discussion, then a conversation may well cut through to the heart of the issue, rather than starting a thread of messages and responses that may lead to misunderstandings.
4. The e-mail services provided within the Shire of Dardanup are for official use only and should be confined to business matters. For example, e-mail is not provided for users to distribute the latest game software to friends or associates. This is not only illegal in some cases, but also is an obvious waste of the organisation's time and money.

5. E-mail is not to be used to convey personal personnel information unless consent has been obtained from the individual(s) concerned to do so.
6. The right to use e-mail may be withdrawn if it is used inappropriately. The following are some examples of inappropriate use:
 - a. abusive or otherwise objectionable language in either public or private messages;
 - b. sending of illegal messages eg. Breaches of copyright and pornography
 - c. sending of messages that are likely to result in the loss of the recipient's work or systems;
 - d. sending of chain letters;
 - e. intentional sending of huge messages or attachments to large groups of recipients. Consideration should be given to using other forms of communication (ie mail) when sending large documents that exceed 20 pages or contain more than two embedded graphic files.
 - f. any other types of use which would knowingly cause congestion of the networks or otherwise interfere with the work of others.

Encounter of Controversial Material (In particular Pornographic or Offensive E-mail)

7. Unfortunately, the Shire of Dardanup is powerless to prevent any inappropriate e-mail being received at a particular e-mail address, but it will in no way condone any pornographic or offensive e-mail being forwarded on to any person; either as a knowing recipient of the material, or as an unknowing recipient of the material.

The Shire of Dardanup considers such material totally inappropriate to the workplace and expects that any person who receives such material will immediately delete it from the system.

Should you receive such e-mail you should report this to the Chief Executive Officer or your Immediate Director, as it is our practice to advise the organisation that hosts the sender, that such e-mail is being sent from their organisation and asking them to prohibit the sending of such e-mail to us.

The sending of offensive or pornographic e-mail may expose the Council to claims of sexual harassment, which further emphasise the reasons behind the obvious restrictions placed upon this type of material.

Given the Shire of Dardanup's strong opposition to this matter, it must be understood that any person who is found to store this material in their own private folders, or who forwards this material onto any other person, either within our internal network or by external e-mail, will have their e-mail services terminated immediately.

SECURITY AND PRIVACY

1. The widespread introduction of e-mail throughout the World Wide Web has substantially increased the risk of loss of confidentiality and integrity of essential information. Except where encryption is used, e-mail messages are easily accessible by personnel with specific technical knowledge.
2. Council members, employees, contractors or other users are not to intercept messages while in transmission or access messages stored on a system if not authorised to do so. The Records Officer and the Systems Administrator may only intercept messages if necessary to identify a source of interference or to troubleshoot problems on the network.
3. The weakest link in e-mail security is the user. E-mail relies for its security on being able to identify uniquely the person who originates every message. This is achieved by password protection of the user account and/or e-mail account. Mail accounts must be password protected and users must not store the password in the mail configuration file as the default. The operating system should be configured so that individual access to the e-mail service is controlled through the use of passwords.
4. If passwords are shared with another person then a key aspect of the mail system security is effectively defeated. Passwords should be at least six alphanumeric characters long and, where possible, they should be checked to make sure they are not easily guessed. Passwords should be kept secure and changed at least every 90 days. All e-mail users will be held accountable for every message issued in their name.
5. Security is not to be confused with privacy. The Shire of Dardanup owns the mail system, including the information being deposited and sent. The e-mail services are for official use only and the messages contained in the system should represent a significant public record of Council's business matters. For this reason the SHIRE OF DARDANUP reserves the right to initiate random checks of e-mail folders should it be considered appropriate to do so.
6. Freedom of Information. Along with Council's paper based documents, e-mail falls within the definition of a record under the Freedom of Information Act "*any article on which information has been stored or recorded. Either mechanically, magnetically or electronically*" Therefore e-mail may fall within the ambit of an Freedom of Information application to Council, and the applicant may have a legally enforceable right to access the (edited or unedited) information contained in the e-mail.
7. Many networks are UNCLASSIFIED and have connections to other external networks. There is no guarantee of security or privacy for e-mail across any of those networks. Always use your own judgement in relation to receipt of an e-mail. Be aware of VIRUSES and if you are unsure of the origin of an e-mail you have received and there is a file attachment which requires opening - contact the Information Technology Officer who can arrange for the file to be checked for any virus.

ETIQUETTE AND ETHICS FOR THE EFFECTIVE USE OF E-MAIL

1. Since e-mail is not quite like other methods of communications, a distinct etiquette for its use has evolved. Following are some guidelines that have been adapted from the 'The Business of Electronic Mail', issued by Telstra, Melbourne (1997)'.

E-mail Ethics

2. Use good judgment by not sending messages that are libellous, defamatory, abusive and obscene or in bad taste. All users of e-mail systems must act with courtesy and refrain from the use of inflammatory or offensive language at all times. Remember that you may be legally liable for any libellous or defamatory statements made.
3. Never forget that a person is receiving the e-mail. It is very easy to make critical or intemperate comments across e-mail when the recipient of these comments and the impact it has on them does not confront you.
4. Like the information in Council's paper based record, the contents of Council's e-mail system are also part of the *public record*. It may therefore be subjected to public access and scrutiny under disclosure law such as the Freedom of Information Legislation. Hence e-mail content needs to be objective in nature with all system users endeavouring to avoid the use of subjective comments.

E-mail Etiquette

5. Read and respond to Messages.

Check your e-mail regularly; ignoring a message is discourteous and confusing to the sender. If you receive a message intended for another person, do not just ignore it; return it to the sender. Answer messages in a timely manner, informing senders when their requests cannot be accommodated. Delete messages as soon as they have been answered or the issue resolved. For messages that must be retained, develop an orderly filing system.

6. All Capital Letters give the effect of SHOUTING!

Many people interpret the use of all capitals in e-mail to indicate shouting, anger or rudeness. Shouting is most effective if it is reserved for special occasions. In any case, studies show that proper use of upper and lower case assists word recognition and makes a message easier to read. Capitalise words only to HIGHLIGHT an important point or distinguish a title or heading.

7. Be courteous.

While conciseness is good, it should never be at the expense of common courtesy; say please and thank you.

8. Review before Sending.

Reading a message before sending will not only reveal spelling and grammatical mistakes, but if you put yourself in the place of the recipient you will detect whether your message is sensible and is going to be well received and understood. Human

conversation uses gesture and tone to convey the meaning of words. An e-mail message can contain words which were humorously intended by the author but which, without the accompanying expression or inflection if the words were spoken, seem insulting to the recipient. If you must use sarcasm or express emotion in a message, clearly label it.

9. Sign-off your Messages.

Include your name and affiliation at the end of a message. Not only is this courteous, but it serves the practical function of reassuring the reader that the message has not been truncated in its travels. This is particularly important if sending through a gateway to a different mail system, where a message can sometimes be truncated on the way to its destination.

10. Forwarding Earlier Messages.

Be professional and careful what you say about others in e-mail. In the case of your own messages, you should say clearly in the message if you do not want all or part of its contents relayed. In the case of messages you receive from others, think first of any possible damage or embarrassment to the originator before forwarding it. It may be possible to remove sensitive parts of the message before sending it on to others. Do not edit and resend a message that you have received without indicating that changes have been made to the original. Remember that e-mail is not confidential; it is neither absolutely private nor absolutely secure. The recipient of a message has control of the content and can use it how they choose. If you wish to on-forward a previously received e-mail to a third party, you should, as a matter of courtesy, seek permission from the originator that you are relaying their message.

11. E-mail Responsibly.

Do not waste resources by sending inconsequential messages and do not accumulate large amounts of e-mail which are no longer required. Try to avoid irrelevancies and try to keep messages succinct and brief. Focus on one subject per message. Always define the topic of a message in the e-mail subject header to make it easy for the recipient to quickly review their list of messages.

12. Message Distributions.

Keep the list of recipients and carbon copies (cc) to a minimum. It is too easy to widely disseminate messages that are of limited or no interest to most recipients (commonly referred to as junk mail).

13. Large File Attachments.

Do not send e-mail messages enclosing large file attachments and distribute these widely (eg Everyone in mailing lists) as they can cause e-mail servers and gateways to fail. It can also cause traffic problems on the network. A preferred approach is to make the file accessible to other users by placing it in a shared folder or directory and informing users of its availability.

14. Assume the competence and honesty of the sender.

Giving someone the benefit of the doubt is a good starting point, especially if you do not know them and they're hundreds of kilometres away. There have been examples of replies to messages that appear to assume the sender is incompetent or an idiot when the recipient has misunderstood the context or intent of the message.

15. Use Receipts.

If a message is important, then you need to be sure that it is received and read. In this case make sure you ask for a delivery receipt and a read-receipt. This will cause a message to be sent to you automatically to tell you when the message has been delivered to the recipients' mail box, and when the recipient has opened your message to read it.

16. Keep a Copy.

Before removing mail messages from your Sent Mail folder, make sure that any important matters they relate to are closed.

17. Schedule a reminder.

If you have an electronic diary, or indeed any sort of diary, schedule a reminder to check on the status of an important message after an appropriate period.

18. Treat e-mail as a permanent, official record.

What you write can be used in evidence. Keep this in mind before you click the send button. Even if you do not think the matter is important enough to keep a copy, your recipient may keep a copy. Assume that any message you send is permanent and could be modified and/or forwarded throughout the world without your knowledge or consent.

E-MAIL MAINTENANCE FOR SHIRE OF DARDANUP USERS

1. Some mail systems keep users mail in folders in a single file on the Post Office server. This file can get quite large, and the bigger it gets, the slower e-mail will work. Performance can be improved by limiting the number of items in the busiest of folders to as few as possible. The in-box and sent mail folders are the most frequently used folders. If possible, keep the number of messages in each folder down to less than 50 or so and regularly review the contents of the sent mail folder for message copies which no longer need to be kept. Remember to "Empty your Trash".
2. Problems can occur in the sending of attachments between organisations using different systems. For example a Microsoft Word document sent by a user using a Novell based system might not be readable by a recipient who uses a Unix system. Even when the systems are the same, applications software such as spread sheets may be incompatible. The following tips can help:
 - a confirm the acceptability of the document, spread sheet or database format with the recipient before transmitting it;
 - b where feasible convert documents to standard text before transmission - in addition to ensuring compatibility this will reduce transmission time and cost; and
 - c ensure that the format of attachments is clearly identified in the message.
3. Problems can also occur in the handling of attachments between different mail systems. This is particularly evident in mail transmitted over the Internet where several different mail protocols are in use. Where feasible, inclusion of documents as embedded text within the message can help. The SSO can provide assistance with decoding attachments sent from incompatible systems.
4. E-mail can quickly grow and place demands on on-line storage and on communication systems. If absent for extended periods, have someone clear your mail or arrange to have it redirected. Automatic return messages can be generated by GroupWise. Avoid sending large messages or attachments to large numbers of recipients as this can result in service degradation for all e-mail users.

Tear off and return to Human Resources:

e-mail@dardanup.wa.gov.au

SHIRE OF DARDANUP E-MAIL POLICY ACCEPTANCE FORM

I _____
having read the Shire of Dardanup E-mail Policy document and
Appendices, agree to abide by the terms and conditions as outlined.

Signed: _____
(This form is to be retained on the employees personnel file)

1. RESPONSIBLE DIRECTORATE

Corporate & Community - IT

2. OVERVIEW

1. To make all employees aware of the Shire of Dardanup's e-mail/Internet policy.
2. To ensure that the Shire's investment in computer hardware, software and services is used in the most productive manner to the greatest possible benefit of the Shire of Dardanup.
3. To ensure that all the Shire's business e-mails are preserved and available as corporate knowledge.

3. PROCEDURE

The Shire of Dardanup's e-mail/Internet system is a corporate resource and is to be used for corporate business as a vehicle for business to business and business to customer transactions. They should be viewed in a similar manner to the Shire's telephone system in that personal usage should be kept to an absolute minimum. For example, if all exchange lines were in use for personal business, the Shire would not be able to function. The following policies are to ensure that the Shire's e-mail/Internet system is used almost exclusively for Shire business. To this end, all e-mails sent or received by a Shire employee are Shire's property. There is no concept in the Shire's e-mail system of personal ownership of e-mails.

GOVERNANCE INFORMATION			
Council Policy Link:	NA	Administrative Policy Link:	AP026 - Draft AP026 - Electronic Mail and Internet Usage
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services - IT

ADMINISTRATION INFORMATION			
History:	CORP5	OCM 08/11/00 Res: 588/00	Synopsis: Policy created.
Version:	1	Reference: OCM: 10/05/12 Res: 138/12	Synopsis: Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP6
DESCRIPTION	RECORDS MANAGEMENT
COUNCIL RESOLUTION	410/03
DATE	22/10/2003

PREAMBLE: : Sound record management practices are an integral part of any business, legislative changes are ensuring that local government as an industry is more accountable.

OBJECTIVE : To capture, control and provide accurate records in all formats, by developing systems and practices that make the recording, storing and accessibility of information more readily available to all staff.

To safeguard records of continuing value for legal, fiscal, administrative, or historical purposes.

POLICY : Council will maintain a Records Office that manages the efficient capture, creation, distribution, storage, retrieval and disposition of its records in accordance with the State Records Act 2000.

This includes all records whether received or created by staff or by Elected Members acting in their official capacity as Councillors, will capture, create or provide full and accurate records, in the appropriate form, of the Council's business decisions and transactions to meet all legal, evidential, administrative, financial and historical requirements.

PROCESS : All records, regardless of format, and whether internal or external, are to be captured at the point of creation, with required metadata, into appropriate corporate systems that are managed in accordance with record keeping principles and the Australian Standard for Records Management AS ISO 15489

All records are to be categorized as to their level of sensitivity and adequately secured and protected from violation, unauthorized access and destruction in accordance with necessary preservation and storage requirements.

Access to the Council's records by staff and contractors will be regulated according to security classifications. Access to the Council's records by the general public will be in accordance with the Freedom of Information Act 1992. Access to the Council's records by elected Members will be via the chief executive Officer in accordance with the Local Government Act 1995.

All records maintained by the Council are to be retained and disposed of in accordance with the state Records Office's General Disposal Authority for Local Government Records.

Authorised by
Chief Executive Officer



- HEAD OF POWER** : State Records Act 2000
Australian Standards ISO 15489
General Disposal Authority for Local Government Records 1999
Synergy Soft Records Management System
- DATE REVIEWED** : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. OVERVIEW

To capture, control and provide accurate records in all formats, by developing systems and practices that make the recording, storing and accessibility of information more readily available to all staff.

To safeguard records of continuing value for legal, fiscal, administrative, or historical purposes.

3. PROCEDURE

All records, regardless of format, and whether internal or external, are to be captured at the point of creation, with required metadata, into appropriate corporate systems that are managed in accordance with record keeping principles and the Australian Standard for Records Management AS ISO 15489.

All records are to be categorized as to their level of sensitivity and adequately secured and protected from violation, unauthorized access and destruction in accordance with necessary preservation and storage requirements.

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GOVERNANCE INFORMATION			
Council Policy Link:	CP024 - Draft CP024 - Records Management	Administrative Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION					
History:		CORP6	OCM 22/10/03 Res: 410/03	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP7
DESCRIPTION	SUNDRY DEBTORS - RECOVERY PROCEDURES
COUNCIL RESOLUTION	1010/98
DATE	23/10/1998

PREAMBLE: : Formalises the collection of debts process and reporting requirements to Council.

OBJECTIVE : The purpose of this policy is to use staff time more efficiently, reduce the amount of individual letters sent to debtors and to expedite the recovery of debts due to Council.

POLICY : 1. All sundry debtors shall be issued with an invoice for services or goods rendered and shall be due and payable to the Council within 30 days of issue.

2. Debtors will be issued with a Statement of Account if their debt remains unpaid after the 30 day period.

3. All debts overdue up to 90 days from the date of issue, shall be recovered by way of legal action with or without further notice as deemed appropriate by the Chief Executive Officer.

Footnote:

- a) The purpose of this policy is to use staff time more efficiently, reduce the amount of individual letters sent to debtors and to expedite the recovery of debts due to Council.
- b) The effect of this policy will be to instigate a more formal process for recovery of debts due to Council.

PROCESS : 1. All sundry debtors shall be issued with an invoice for services or goods rendered and shall be due and payable to the Council within 30 days of issue.

2. Debtors will be issued with a Statement of Account if their debt remains unpaid after the 30 day period.

3. All debts overdue up to 90 days from the date of issue, shall be recovered by way of legal action with or without further notice as deemed appropriate by the Chief Executive Officer.

HEAD OF POWER : Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

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Footnote:

- a) The purpose of this procedure is to use staff time more efficiently, reduce the amount of individual letters sent to debtors and to expedite the recovery of debts due to Council.
- b) The effect of this procedure will be to instigate a more formal process for recovery of debts due to Council.

GOVERNANCE INFORMATION			
Council Policy Link:	NA	Administrative Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION					
History:		CORP7	OCM: 23/10/98 Res: 1010/98	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP8
DESCRIPTION	PAYMENT OF ACCOUNTS
COUNCIL RESOLUTION	241/11
DATE	27/07/2011

PREAMBLE: : In accordance with clause 12 of the WA Local Government (Financial Management) Regulations 1996, Council may delegate the authority to the Chief Executive Officer to authorise payments.

The Chief Executive Officer is responsible to ensure effective systems and procedures are in place for proper authorisation for the incurring of liabilities and the making of payments.

OBJECTIVE : To ensure there is an effective system and procedure for authorised payment of accounts.

POLICY/PROCESS : 1. Procedure for ordering and authorisation of goods and services.

a) For the purposes of this policy an *Authorised Officer* shall be an officer that has delegated authority by the Chief Executive Officer to purchase and authorise payments on behalf of Council.

b) An official Council Purchase Order shall be created and signed by the Authorised Officer prior to any goods or services being ordered. Notwithstanding that, in some instances, the issuing of a Purchase Order is not practical. The Authorised Officer shall be responsible for ensuring that the expense being incurred is in accordance with Council's Procurement Policy.

c) Upon creation of the Purchase Order, the Authorised Officer shall cause for the Purchase Order to be passed to the Accounts Payable Officer. The Purchase Order shall then be held until the appropriate invoice is received.

d) Each invoice and approval for payment shall be physically marked as correct and approved for payment by the Authorised Officer incurring the debt.

2. Payment of Accounts

a) Council staff shall settle accounts due and payable every fortnight. Notwithstanding that, the CEO is authorised to make a special payment at any time where an incentive to pay prior to a date is offered (either a penalty or discount) or the terms of trade require an early payment.

Authorised by
Chief Executive Officer



- b) Payments shall not be made in cash (other than through the Petty Cash system) in accordance with regulation 11(3)(a) Local Government (Financial Management) Regulation 1996.
- c) Only officers authorised by the CEO or Director Corporate Services (or officers acting in those roles, with the required authority) shall be responsible for payment processing and shall be independent of payments approvals.
- d) A list of all accounts paid in the month prior, shall be presented to the Council. The list shall comprise of details as prescribed in the WA Local Government Act (Financial Management Regulations) 1996.

i) Payments by Cheque

1. Where a payment is made by cheque, the cheque shall only be generated electronically using Council's Accounts Payable System.
2. Each cheque raised, shall be supported by sufficient documentation, including an official Council Order (where one is required) or in the absence of an order, details relating to why the expense has been incurred. An invoice satisfying the requirements of a "Tax Invoice" must also form part of the supporting documentation where relevant.
3. Two signatures are required on each Council cheque. The Director Corporate Services (or authorized officer acting in that role) shall be required to sign all cheques, together with an officer with delegated authority to sign cheques.
4. Both signatories shall be independent of payments processing and cheque generation.
5. Under no circumstances shall a blank cheque be signed.
6. Blank cheque forms shall be under physical control and kept in a secure place.
7. Cheque forms shall be sequentially numbered and used in sequence.
8. Cancelled cheques shall be properly mutilated by way of notation as cancelled and retained in numerical order.
9. A photocopy of the signed cheque accompanied by complete evidence of the transaction shall be securely retained and filed in cheque number order.

Authorised by
Chief Executive Officer



ii) Payments by Electronic Funds Transfer (EFT)

1. Where a payment is made by EFT, it shall be made utilising Council's online banking facility.
2. The EFT file shall only be generated electronically using Council's Accounts Payable, or Payroll system.
3. Two electronic signatories shall be required to authorise an EFT payment file. The Director Corporate Services (or authorized officer acting in that role) shall be required to electronically authorise an EFT payment file together with an Authorised Officer.
4. Both signatories shall be independent of payment processing and EFT file generation.
5. A photocopy of each Accounts Payable EFT Remittance Advice, accompanied by complete evidence of the transaction, shall be securely retained and filed in EFT Remittance Number order.

With respect to EFT payments, the following EFT Authorised Officers (or authorized officers acting in the role) shall be assigned access to Council's online banking facility.

OFFICER	ADMINISTRATOR	LOAD PAYMENT FILE	AUTHORISE EFT ACCOUNTS PAYABLE	AUTHORISE EFT PAYROLL
CHIEF EXECUTIVE OFFICER	X	X	X	X
DIRECTOR CORPORATE SERVICES	X	X	X	X
SENIOR FINANCIAL ACCOUNTING OFFICER	X	X	X	X
SENIOR RATES OFFICER	X	X	X	X
PAYROLL OFFICER		X		
ACCOUNTS PAYABLE OFFICER		X		
RATES OFFICER		X		
RELIEVING OFFICER		X		

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Chief Executive Officer



EFT Authorised officers shall each be assigned a personal identification number and password. This number shall act as the signature to authorise EFT payments. The personal identification number and password is the responsibility of the EFT Authorised Officer and shall not be distributed, or accessible, to any other person.

iii) Payments by Petty Cash

CUSTODIANSHIP A)	Petty Cash funds shall be maintained on an imprest system
Reason:	<ul style="list-style-type: none"> Places a limit on amounts held. Keeps records up to date Is easily surprise checked as vouchers equal imprest amount at all times.
Responsible Officer:	Petty Cash Officers
Date Due:	Daily

CUSTODIANSHIP B)	Delegated Petty Cash Officer
Reason:	Single responsibility essential to custodianship.
Responsible Officer:	<ul style="list-style-type: none"> Eaton – Reception CSO Dardanup – Customer Service Officer Recreation Centre – Administration Officer Eaton Community Library – Shire Librarian
Date Due:	Daily

CUSTODIANSHIP C)	Petty Cash funds shall be separated from other cash by an exclusive use securable "Petty Cash Tin"
Reason:	Prevents funds being used to cover deficiencies in Petty Cash.
Responsible Officer:	Petty Cash Officers
Date Due:	Daily

CUSTODIANSHIP D)	"Petty Cash Tin" to be secured and locked when not being accessed.
Reason:	To prevent unauthorised access
Responsible Officer:	Petty Cash Officers
Date Due:	Daily

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CUSTODIANSHIP E)	Petty Cash limit for purchase to any one supplier shall be \$20 (Twenty Dollars)
Reason:	Ensures cash payments are kept to minimal amounts.
Responsible Officer:	Petty Cash Officers
Date Due:	Daily

CUSTODIANSHIP F)	IOU's Prohibited
Reason:	Ensures payments are supported by receipts
Responsible Officer:	Petty Cash Officers
Date Due:	Daily

APPROVAL - A)	All payments shall be supported by a Receipt
Reason:	Prevents fraudulent claims
Responsible Officer:	Petty Cash Officers
Date Due:	Prior to supply of Cash

APPROVAL - B)	All vouchers shall be prepared in Ink
Reason:	Prevents amounts being fraudulently increased
Responsible Officer:	Petty Cash Officers
Date Due:	Prior to supply of Cash

APPROVAL - C)	Payment shall be approved by an authorised cheque signatory or Line Director in absence
Reason:	Petty Cash Officers are often not senior employees hence approval of expenditure is necessary to control disbursements
Responsible Officer:	Petty Cash Officers
Date Due:	Prior to supply of Cash

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ACCOUNTING A)	Vouchers (with attached receipts) to be attached to the "Petty Cash Reimbursement" Purchase Order
Reason:	<ul style="list-style-type: none"> • To ensure vouchers are Bona Fide • For authorisation by purchasing officer
Responsible Officer:	Petty Cash Officers
Date Due:	As required

ACCOUNTING B)	Reimbursement cheques shall be made payable to "Shire of Dardanup" <u>NEVER TO "cash"</u>
Reason:	Helps prevent loss if cheque is accidentally lost
Responsible Officer:	Accounts Payable Officer
Date Due:	As required

INTERNAL AUDITING	Surprise counts & reconciliations of funds are carried out periodically
Reason:	Deterrent against IOU's and irregularities
Responsible Officer:	Internal Auditor
Date Due:	Periodically

HEAD OF POWER : Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP10
DESCRIPTION	INVESTMENT POLICY
COUNCIL RESOLUTION	388/01
DATE	22 August 2001

PREAMBLE: :

OBJECTIVE :

- To undertake investment of surplus funds.
- To ensure the security of Councils funds.
- To maximise earnings from authorised investments.

POLICY :

1) Authorised Officers

Chief Executive Officer, Director Corporate Services be authorised to invest surplus funds.

2) Authorised Investment

Direct Investments

- Interest bearing capital guaranteed deposits with a licensed Australian bank.
- Bank accepted/endorsed bank bills
- State / Commonwealth Government Bonds

3) General Policy Guidelines

Direct Investments

- Term to Maturity

The term to maturity of any Councils direct investments may range from "at call" to twelve months, unless specifically approved by Council.

- Quotations on Investments

Not less than two (2) quotations shall be obtained from authorised institutions when investing in an institution other than Councils contracted bankers.

4) Review / Reporting

- I. A monthly report is provided to Council detailing Investments held at month end.

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II. The report will detail investment income earned versus budget.

III. A register of all investments be maintained.

5) Variation to Policy

The Chief Executive Officer or his delegated representative is authorised to approve variations to this policy if the investment is to Councils advantage and/or due to revised legislation.

All changes to this policy are to be reported to Council within 14 days.

PROCESS : A report is presented monthly to Council giving details of current investments, including investment period and rates.

HEAD OF POWER : Local Government Financial Management Regulations

- Local Government Act 1995 - s6.14
- The Trustees Amendment Act 1997 - Part III Investments

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP11
DESCRIPTION	SELF SUPPORTING LOANS
COUNCIL RESOLUTION	099/03
DATE	11 MARCH 2003

PREAMBLE: : To ensure fairness and equity in the assessment of all applications for self-supporting loans by community and sporting groups from within the Shire of Dardanup.

OBJECTIVE : To ensure that all applications are treated in the same manner and meet the same criteria, and to ensure the amount borrowed is adequately covered by guarantors from the borrowing party, to protect Council and the Community from becoming liable for the balance of the loan debt, should the borrower default in their repayment of the loan.

POLICY : That Community Groups and Sporting organisations located in the Shire of Dardanup be advised that all self-supporting loans funded through Council must meet the following conditions;

- 1) Incorporated community groups or sporting clubs, which are resident and operate within the Shire of Dardanup can apply in writing for a self-supporting loan to be considered by Council.
- 2) All applications are to be supported with a business plan that sets out the purpose, objectives and benefits to their members and the community at large.
- 3) Community groups and sporting clubs must provide with their request a copy of their last 5 years audited financial statements and current year's budget which will demonstrate the organisations/clubs ability to repay the loan funds advanced.
- 4) Guarantors, legally bound by contract, will be required for all self-supporting loans, Council has the right to set a lower percentage of cover required, if the financial information provided by the applicant adequately shows that the Club/Organisation has been financially sound during the past 5 years and can prove it can meet its financial obligations in being able to repay the loan whilst carrying on its normal activities.
- 5) All self-supporting loans will require a written agreement to be signed by both parties, stating the loan repayment dates and amounts payable along with a list of guarantors, before any loan funds are advanced.

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- 6) The loan borrower will supply to Council on an annual basis a set of the audited financial statements within four (4) months of the close of the financial year, as well as a copy of the budget for the current year, Council may at any time during the period of the loan request that the loan borrower to provide current financial statements and budgets.
- 7) Self-funding loan requests not previously approved and included in Councils annual budget, will need to be advertised in accordance with the requirements of the Local Government Act 1995, to allow for written submissions to be made, these submissions will be presented to Council, so that a decision to approve or disapprove a self-funding loan request can be made.

PROCESS

- : A formal application is made to Council as per the policy including a business plan, previous five years audited financial years statements, reason for the loan, Council would ideally consider the application for inclusion in the next financial year budget, where the funds are required sooner than the loan will be publicly advertised.

At the end of the advertising period if there have been no submissions, the applications will again go before Council, who will decide the level of guarantor required, a formal written agreement will be entered into and the loan applied for and drawn down. A loan repayment schedule will form part of the agreement, with invoices sent out on the required dates. (Please follow detailed policy steps).

HEAD OF POWER

- : Shire of Dardanup

DATE REVIEWED

- : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. OVERVIEW

To ensure fairness and equity in the assessment of all applications for self-supporting loans by community and sporting groups from within the Shire of Dardanup.

3. PROCEDURE

A formal application is made to Council as per the policy including a business plan, previous five years audited financial years statements, reason for the loan, Council would ideally consider the application for inclusion in the next financial year budget, where the funds are required sooner than the loan will be publicly advertised.

At the end of the advertising period if there have been no submissions, the applications will again go before Council, who will decide the level of guarantor required, a formal written agreement will be entered into and the loan applied for and drawn down. A loan repayment schedule will form part of the agreement, with invoices sent out on the required dates. (Please follow detailed policy steps).

GOVERNANCE INFORMATION			
Council Policy Link:	CP025 - Draft CP025 - Self Supporting Loans	Administrative Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION					
History:		CORP11	OCM 11/03/03 Res: 099/03	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12 Res: 138/12	Synopsis:	Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP13
DESCRIPTION	PROVISION FOR SUPPRESSING PROPERTY INFORMATION
COUNCIL RESOLUTION	475/01
DATE	24/10/2001

PREAMBLE: : Persons claiming suppression of personal information being given out can do so under a Section 51B Notice, as provided for under the Electoral Act 1907.

OBJECTIVE : Council's policy is intended to assist in the anonymity of the applicants for reasonable, lawful purposes, however Council will not accept any liability where such information is given out by accident, or where such information is available from existing reports or other sources.

POLICY : That Council suppress and withhold property information on the following basis:

- Where the State Electoral Commission has granted a "silent address" under Section 51B of the Electoral Act 1907; or
- Where the applicant makes a written application to the Chief Executive Officer for the withholding of the property information.

The Chief Executive Officer will approve applications on the following concept:

- That the applicants have real fears for their own and families safety.

This policy will not apply to those wishing to not receive advertisement mail. Where Council approves the withholding of property information, property information will include:

- The lot number, street number and name, the certificate of title details, zoning, lot size, plan or diagrams, Valuer General's valuation, the names of the owner/s and any previous owners, the residential and postal address of the owners, all enrolled electors, any animal registration information, any building health planning or engineering information.

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PROCESS : Council will control this information by highlighting each property with a memo instructing the withholding of all information, and by recording such electors under a separate rate code which will be excluded for reporting purposes.

This information will not be withheld from State or Federal Government organisations who provide written request for such information.

HEAD OF POWER : Electoral Act 1907

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

Authorised by
Chief Executive Officer



Next Full Review Policy Date: July 2016

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. OVERVIEW

Persons claiming suppression of personal information being given out can do so under a Section 51B Notice, as provided for under the Electoral Act 1907.

This policy is intended to assist in the anonymity of the applicants for reasonable, lawful purposes, however Council will not accept any liability where such information is given out by accident, or where such information is available from existing reports or other sources.

3. PROCEDURE

Council will control this information by highlighting each property with a memo instructing the withholding of all information, and by recording such electors under a separate rate code which will be excluded for reporting purposes.

This information will not be withheld from State or Federal Government organisations who provide written request for such information.

GOVERNANCE INFORMATION			
Council Policy Link:	NA	Administrative Policy Link:	AP031
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION					
History:	CORP13	OCM 24/10/01	Res: 475/01	Synopsis:	Policy created.
Version:	1	Reference:	OCM: 10/05/12	Res: 138/12	Synopsis: Reviewed Policy Adopted

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP14
DESCRIPTION	SALE OF INFORMATION ON RECORD
COUNCIL RESOLUTION	476/01
DATE	24/10/2001

PREAMBLE: : Local Governments can provide and recover the reasonable costs in providing information which is available to the general public.

OBJECTIVE : Policy allows for the recovery of staff time and materials in provision of hard or disk copies of information provided to the general public, le; minutes, town planning information.

POLICY : That Council provide information which is available to the general public in the following formats:

- Printed on paper;
- Verbally by telephone or in person.
- Electronically where information can be provided on this format.

The Chief Executive Officer reserves the right to refuse to provide such information where it is believed that the information will be used for a non-suitable purpose.

PROCESS : Application is received for say supply of Council minutes, charges are as set in fees and charges, hard copy is provided on payment of fee.

Where the Chief Executive Officer refuses to supply information request, then a letter stating the reason for refusal shall be sent, with a copy of the letter being recorded in the records section.

HEAD OF POWER : Local Government Act 1995 & Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 10/05/2012

DEPARTMENT	CORPORATE SERVICES DIRECTORATE
POLICY REFERENCE	CORP15
DESCRIPTION	MOBILE PHONE USAGE
COUNCIL RESOLUTION	274/12
DATE	08/08/2012

PREAMBLE: : Council provided mobile phones are issued to ensure relevant staff are accessible, communications are enhanced and responses to customers are timely.

Mobile phones provided by the Shire are to be used primarily for the conduct of Council related business and employees issued a mobile phone will assume personal responsibility for their appropriate use.

OBJECTIVE : Mobile phones are provided to employees as a work tool and will be allocated where the requirement for a mobile telephone service:

- 1) Is of an essential nature in the conduct of Council business;
- 2) Is for safety reasons; and
- 3) Meets justifiable business criteria.

POLICY : All mobile phone handsets, SIM Cards, accessories and service numbers are Shire property and must be used in accordance with this policy, employment contracts, agreements, applicable legislation and the Shire's Code of Conduct.

The issuance of mobile phones to employees is at the discretion of the Chief Executive Officer.

PROCESS : Employee Responsibilities

The following guidelines have been prepared to assist employees with the acquiring, use and care of a Shire issued mobile phone:

- Supply of mobile handsets and services will only be made through IT.
- Employees must use issued mobile phones in accordance with manufacturer's instructions. Any faults or damage should be reported to IT as soon as possible, so repairs or replacement can be arranged.
- Employees must observe all statutory requirements relating to mobile phone usage whilst driving a motor vehicle.
- In the event that an issued mobile phone is noticed as lost or stolen, the respective phone service provider and IT shall be contacted immediately to have the account closed and/or services stopped.

- Any work related images or recordings taken on the issued mobile phone are corporate records and employees using these functions should ensure images are downloaded for the Shire's records.
- Employees who are careless or negligent in the use of an issued mobile phone may incur the cost of repairs, replacement of the phone, or reimbursement to the Shire for any insurance excess.
- Employees must return any issued mobile phone on resignation or termination of employment.
- Reasonable Personal Use is permitted. Excessive personal use will result in the employee being billed for usage in the first instance. Ongoing excessive use will result in disciplinary action being taken against the employee.
- Personal international calls are to be reimbursed by the employee.
- Mobile phones with access to the Internet and Email must also comply with the Shire's policy on 'Electronic Mail and Internet Usage'.
- All mobiles must be switched off when at a refuelling point and any other place that prohibits the use of radio transmitting devices.

Billing And Charging

Monthly summary reports of individual Directorate mobile phone charges will be forwarded to each Director. Excessive personal use of the mobile phone will result in the employee being billed for their usage.

Emergency Usage

In the event of an emergency, the Shire or CEO reserves the right to appropriate any mobile phone for the purpose of assisting in relief operations.

Breaches

The Shire may withdraw the use of an issued mobile phone at any time if the Director or Chief Executive Officer determines that the basis for issuing the phone is no longer relevant, there are health and safety concerns around the use of the phone, or where the Director or Chief Executive Officer reasonably determines that there has been misuse of the phone.

HEAD OF POWER : Shire of Dardanup

DATE REVIEWED : Ordinary Meeting of Council held – 08/08/2012

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. PURPOSE OR OBJECTIVE

Council provided mobile phones are issued to ensure relevant staff are accessible, communications are enhanced and responses to customers are timely.

Mobile phones provided by the Shire are to be used primarily for the conduct of Council related business and employees issued a mobile phone will assume personal responsibility for their appropriate use.

Mobile phones are provided to employees as a work tool and will be allocated where the requirement for a mobile telephone service:

- 1) Is of an essential nature in the conduct of Council business;
- 2) Is for safety reasons; and
- 3) Meets justifiable business criteria.

3. POLICY

All mobile phone handsets, SIM Cards, accessories and service numbers are Shire property and must be used in accordance with this policy, employment contracts, agreements, applicable legislation and the Shire's Code of Conduct.

The issuance of mobile phones to employees is at the discretion of the Chief Executive Officer.

GOVERNANCE INFORMATION			
Procedure Link:	PR047 - Draft PR047 - Mobile Phone Usage	Council Policy Link:	NA
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION					
History:	CORP15	OCM	08/08/12	Res: 274/12	Synopsis: Policy created.

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. OVERVIEW

Mobile phones are provided to employees as a work tool and will be allocated where the requirement for a mobile telephone service:

- 1) Is of an essential nature in the conduct of Council business;
- 2) Is for safety reasons; and
- 3) Meets justifiable business criteria.

3. PROCEDURE

Employee Responsibilities

The following guidelines have been prepared to assist employees with the acquiring, use and care of a Shire issued mobile phone:

- Supply of mobile handsets and services will only be made through IT.
- Employees must use issued mobile phones in accordance with manufacturer's instructions. Any faults or damage should be reported to IT as soon as possible, so repairs or replacement can be arranged.
- Employees must observe all statutory requirements relating to mobile phone usage whilst driving a motor vehicle.
- In the event that an issued mobile phone is noticed as lost or stolen, the respective phone service provider and IT shall be contacted immediately to have the account closed and/or services stopped.
- Any work related images or recordings taken on the issued mobile phone are corporate records and employees using these functions should ensure images are downloaded for the Shire's records.
- Employees who are careless or negligent in the use of an issued mobile phone may incur the cost of repairs, replacement of the phone, or reimbursement to the Shire for any insurance excess.
- Employees must return any issued mobile phone on resignation or termination of employment.
- Reasonable Personal Use is permitted. Excessive personal use will result in the employee being billed for usage in the first instance. Ongoing excessive use will result in disciplinary action being taken against the employee.
- Personal international calls are to be reimbursed by the employee.
- Mobile phones with access to the Internet and Email must also comply with the Shire's policy on 'Electronic Mail and Internet Usage'.
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Breaches

The Shire may withdraw the use of an issued mobile phone at any time if the Director or Chief Executive Officer determines that the basis for issuing the phone is no longer relevant, there are health and safety concerns around the use of the phone, or where the Director or Chief Executive Officer reasonably determines that there has been misuse of the phone.

GOVERNANCE INFORMATION			
Council Policy Link:	NA	Administrative Policy Link:	AP032 - Draft AP032 - Mobile Phone Usage
Authority to Approve:	Chief Executive Officer	Directorate/Department:	Corporate & Community Services

ADMINISTRATION INFORMATION			
History:	CORP15	OCM 08/08/12 Res: 274/12	Synopsis: Policy created.



Third Party Appeal Rights in Planning **Discussion Paper**

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1.0 In Brief

At its December 2016 meeting, State Council requested a review of the WALGA Policy position in relation to Third Party Appeal Rights for planning decisions. The decision making environment has changed since the WALGA made its policy position in 2008, and therefore a review of the current position is warranted.

This paper provides background on the development of WALGA's current policy position and a review of the arguments both for and against third party appeals. A literature review was carried out to establish the basis of each argument.

2.0 Background

2.1 Background to WALGA Policy Position

Unlike most of the other jurisdictions in Australia, Western Australia is unique in that no Third Party Appeal Rights exist under the *Planning and Development Act 2005*, although in the past some Local Government planning schemes allowed them. The last Local Government to allow Third Party Appeals was the City of Albany, however with the introduction of the City's new local planning scheme in 2014, which removed Third Party Appeal Rights, there is no longer any Third Party Appeal Rights for planning in Western Australia.

The introduction of Third Party Appeal Rights has been considered by member Councils on several occasions over the last few decades. For instance, Third Party Appeal Rights were considered in 2001 during debate on the new planning appeal system and again the following year during the State Government's consolidation and development of the new *Planning and Development Legislation*.

In 2007, a Private Member's Bill was proposed by Dr Janet Woollard, MLA Member for Alfred Cove, which was modeled on Victoria's *Planning and Development Act 1987*. The justification for the introduction of the Bill was primarily based on Western Australia being the only state without third party appeals and failed to acknowledge that significant differences exist between the Victorian and Western Australian planning system.

At the February 2008 meeting of State Council, WALGA formed a Policy position against the introduction of Third Party Appeal Rights. The report noted that the main arguments against the proposal were:

1. The current strategic and statutory planning processes, and consideration of applications by Councils, already takes into account the views of affected parties and the community generally;
2. Third party appeals could be lodged because of vexatious or commercial interests, not because of genuine planning matters;
3. Such appeals would cause significant delays and additional costs for development, as even lodgment of an appeal would put a development on hold;

4. Additional planning appeals would place a further burden on already stretched Local Government resources. Local Governments would incur additional costs for new administrative steps in processing development applications, preparing for and responding to appeals lodged with the State Administrative Appeals Tribunal (SAT) and legal representation. This is particularly the case since the establishment of the State Administrative Tribunal which has seen planning appeals become more legalistic, costly and resource intensive for Local Governments.

Additionally, the existing State Administrative Tribunal (SAT) system was considered efficient at reconsidering the merits of planning applications and there are currently four ways in which a third party may participate in a planning matter being considered by SAT. These are:

- Being called as a witness by the respondent;
- Making a submission under section 242 of the *Planning and Development Act 2005*;
- Intervening under section 37(3) of the State Administrative Tribunal Act 2004, whereby the third party acquires rights and responsibilities as a party a party under the act; and
- Possible participation in mediation.
(SAT)

Subsequently, State Council resolved in February 2008 (326.1/2008), the following position:

That:

1. the member for Alfred Cove, Dr Janet Woollard MLA and the Minister for Planning and Development, Hon Alannah MacTiernan be advised of the inaccuracies and duplications contained in the proposed Planning and Development Amendment (Third Party Appeals) Bill 2007; and
2. as there is no justification for the proposed legislation and there are significant negative implications for Local Government, industry and the community, Local Government continues to be opposed to the introduction of third party appeal rights in Western Australia.

While the above arguments for WALGA's position remain, the decision making environment in WA has changed since the formation of the position in 2008 with changes to legislation arising from the State's planning reform 'Planning Makes it Happen: Phases 1 and 2', and the introduction of Development Assessment Panels (DAPs).

2.2 Changes to the Planning Framework

Historically Local Government in Western Australia has been the main authority tasked with decision-making for development applications, under delegation arrangements from the Western Australian Planning Commission (WAPC).

Since 2009 a number of changes have been implemented to the planning framework, directly impacting on the decision-making powers of Local Government, including:

- The establishment of the Metropolitan Redevelopment Authority (MRA);
- Changes to Structure Planning processes;
- Changes to section 76 of the *Planning and Development Act 2005* to give the Minister for Planning the power to order a Local Government to prepare or adopt an amendment to a local planning scheme;
- The introduction of Improvement Schemes and Plans; and
- The introduction Development Assessment Panels (DAPs).
- The introduction of 'Deemed Provisions' for local planning schemes in the *Planning and Development (Local Planning Schemes) Regulations 2015*;

Given the substantial changes that have occurred within the decision-making environment in Western Australia, and the recent community concerns over the creation of the DAP system to determine development applications in place of Local Governments, it is appropriate to initiate a discussion on the possible role of Third Party Appeal Rights in the Western Australian planning system.

3.0 Current Third Party Appeal Rights in Australia

Third party appeal rights vary by state, with no common 'best practice'. Nationally, the Development Assessment Forum (DAF) a federal government advisory body, provides a Leading Practice Model, which sets out 'tracks' for different development assessment processes.

3.1 Development Assessment Forum (DAF)

The Development Assessment Forum (DAF) was formed in 1998 to bring key stakeholders together to reach agreement on ways to streamline the processes used for development approval while preserving high quality decision making. The DAF published its *Leading Practice Model for Development Assessment* in March 2005, which aims to provide a blueprint for jurisdictions to create a simpler, more effective approach to development assessment. The practice model achieves this by defining ten leading practices that a development assessment system should exhibit, and applying the ten leading practices to six development assessment pathways or tracks.

With regards to Third Party Appeal Rights, DAF's Leading Practice Model states that "*opportunities for third-party appeals should not be provided where applications are wholly assessed against objective rules and tests*", and that "*opportunities for third-party appeals may be provided in limited other cases*". In this way, the DAF model hopes to avoid unnecessary review where objective criteria has already been established by a consultative process. Elements of DAF's *Leading Practice Model for Development Assessment* are used in some jurisdictions.

3.2 Third Party Appeal Rights by State and Territory

State/Territory	Scope of Third Party Appeal Rights	Number & effects of Third Party Appeal Rights (cost, timeframes, etc.)
New South Wales	Appeal rights limited to uses such as major developments where the development is high impact and possibly of state significance ⁱ . A third party objector can bring a merit based appeal in the Land and Environmental Court against a decision to grant development consent only if the development is designated development (development listed as such in the EP & A Regulation).	Third parties have 28 days to lodge an appeal. Court cases can last several days, or weeks for complex cases.
South Australia	Appeal rights limited to 'Category 3' ⁱⁱ developments. A third party who makes a written representation on a proposed Category 3 development has a right to appeal against that decision or any conditions attached to it. A person who disagrees with a decision of a relevant authority, but is a third party who has not taken the opportunity to lodge a written representation during the public comment period is not entitled to appeal.	The number of all appeals lodge with the ERD Court trends between 191-200 appeals per year, with 78% of appeals lodged withdrawn or resolved without going to a full hearing. (LGA SA 2014).
Queensland	DAF based - Appeal rights limited to 'impact assessable' ⁱⁱⁱ developments. The person making the third party appeal must have lodged a 'properly made submission' with the local council within the public notification period for the development application.	No information available.
Tasmania	Broad appeal rights, but third parties can only object to a planning application if it is a 'discretionary' application, which must be advertised. To appeal the third party must have lodged a representation (objection) to an application within the 14-day advertising period, and may lodge an appeal with the tribunal within 14-days of receiving notice of the council decision.	For the 2013-2014 year 117 appeals in total were lodged under the Land Use Planning and Approvals Act (RMPAT 2014) Cost to lodge an appeal with the Resource Management and Planning Appeal Tribunal is \$350, but if appeal proceeds to full hearing, cost for lawyers and expert witnesses may be incurred (RMPAT). RMPAT has 90 days to complete an appeal (RMPAT 2014).
Northern Territory	Appeal rights limited to developments in residential zones, unless the land is adjacent to or opposite a residential zone, in limited circumstances. Third party appeal rights apply only to those persons who made submissions on a Development Application.	No information available
Australian Capital Territory	DAF based - Appeal rights limited to available for those merit or impact track ^{iv} development applications that went through the major notification process, unless exempt by regulation.	Third party appellants must lodge appeals no later than four weeks after the decision was made.

		For the 2015-2016 year 22 applications were received in total for administrative review under Planning and Development. The cost to apply for review is \$325 and cases are subject to 120 day limit (ACAT 2016)
Victoria	Broad appeal rights. Provision of third party appeal rights cover most developments in Victoria. To appeal the third party must have lodged an objection to an application within the advertising period. Anyone who may be affected can make an objection, objectors do not have to show they will be personally affected and may object on broad public interest issues. If, for good reason, a person was unable to lodge an objection, may be able to apply for a review of the decision if VCAT ^v gives permission.	For the 2014/2015 year 4% (2,292) of development applications had a review lodged with VCAT. Hurley et al (2013) found appeals from third parties accounted for 19% of VCAT cases. An objector who lodged an objection in writing must make an application for review (appeal) within 21 days of decision to grant a permit.

i – Examples include chemical factories, large-scale breweries, resource projects such as coal mines and quarries, and turf farms.

ii - In *Category 3* development applications, notice must be given to adjacent owners and occupiers as well as those considered by the relevant authority to be significantly affected by the proposed development. Also, the general public must be notified by publication of a notice in a local or state-wide newspaper.

iii – Act or local planning instruments will dictate the category of a development.

iv – Assessment tracks which are to be followed for the assessment of different kinds of development proposals include: 'merit track' for development proposals that can be assessed using rules and criteria in the code that applies to the proposals, and 'impact track' for development proposals that can be assessed using rules and criteria in the code that to the proposals, relevant environmental impact statements and the statement of strategic directions.

v- Victoria Civil and Administrative Tribunal

3.3 Western Australia State Government Position

In its 2015 report on the review of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the Western Australia Legislative Council noted that the State's position on Third Party Appeal Rights was set out on 3 June 2009, by the then Minister for Child Protection, representing the Minister for Planning, who advised the Legislative Council of the Government's position on third party appeals:

The Government does not currently have any plans to introduce third party appeal rights in Western Australia.

The Government does not believe that the introduction of third party appeal rights in Western Australia is consistent with current attempts to simplify and streamline the planning approvals process. The Planning and Development Act 2005 requires public consultation in relation to the planning framework established in local and regional areas, with public consultation mandated for local and region planning scheme amendments, as well as State Planning Policies, local planning policies and structure plans. As such, the Government believes that the current planning process provides sufficient opportunity for the local community to have a say in what happens in their neighbourhoods. (p.31)

The report states that this remains the Government's policy.

3.4 Judicial Review

The ability for third parties to appeal the process behind an administrative planning decision via judicial review is open in each jurisdiction in Australia, even where merit based Third Party Appeal Rights are present. Judicial reviews are heard by a Judge in a Court of Law, and are a review of the legality of the decisions under challenge, not a review of the merits of a development. This process has a much narrower focus than a planning review, in that the question that the Court is concerned with is about the process and manner in which the decision was made, as opposed to was the decision the correct or best outcome.

To date, the recourse for an affected party in Western Australia has been to pursue the matter through the Supreme Court as a matter of Judicial Review. Over the past two years, there appears to have been an increase in the number of individuals and Councils applying for Judicial Review, most notably *Nairn v Metro-Central JDAP* where the approval of a mixed use tower was disallowed. The continual perusal of such Judicial Reviews may not be in the long term best interest of communities, as they are prohibitively expensive and is focused on the decision making process, rather than the outcome.

4.0 Arguments For and Against Third Party Appeal Rights

A literature review was conducted to establish the most common arguments both for and against third party appeals as well as examine the issues and benefits that may arise from their use. Victoria has the broadest third party appeal rights, and therefore much of the current literature examining third party appeals is focused on that state's experience.

4.1 Arguments Against Third Party Appeals

Legitimate interest and third party appeals – Many authors note that the traditional view of appeal rights holds that the only parties with a direct interest in a development application are the applicant and the responsible authority; meaning property owners are the only ones who should have the right to appeal over their land and that they should be able to use their property with minimal external interference. Therefore, Third Party Appeal Rights, if not clearly defined, may allow individuals to take part in planning decisions in which they have no direct interest. This can lead to opposition on non planning grounds, rather than because of an issue with the merit or substance of the proposal (Ellis2006) (Willey 2006) (Hurley et al 2011).

Loss of representation – This arguments states that the appeals process shifts decision making for development applications away from Local Government and therefore away from the locally elected representation. This shift may reduce accountability and transparency in the planning decisions process for the local community. A large amount of decision making power has been removed from Local Government with the introduction of DAPs. It is argued that Third Party Appeal Rights further weaken the representative nature of Local Government decision making (Ellis 2006) (Willey 2006) (Hurley et al 2011).

Current planning processes provide opportunities to participate – A strong argument against Third Party Appeal Rights is that proactive public engagement, participation and collaboration in policy formation and strategic planning is preferable as these processes focus on higher order engagement which leads to better policy and greater certainty in the process and outcome. Third party appeals tend to encourage adversarial rather than collaborative debate on planning issues. The effect of Third Party Appeal Rights may be to promote short-term decision making and could create planning outcomes that are not in the longer term interest of the community (Ellis 2006) (Willey 2006) (Hurley et al 2011) (Cook et al 2012) (Hurley et al 2013).

Not representative of the broader community- The idea of equity of access to planning decisions is often cited in the literature as a justification for third party appeal rights, however some research reviewed found that the majority of people lodging third party appeals come from a well-organised, well-connected and well-resourced segment of the community, which raises the question of how representative these objections are of the wider community's views (Ellis 2006) (Willey 2006) (Cook et al 2012) (Hurley et al 2013). For example, in their review of Third Party Appeals against multi-unit developments in Victoria, Hurley et al (2013) found that the number of objections against applications increase in more socio-economically advantaged areas, which indicates that developments in these areas are facing more organised community resistance, either by greater propensity for individuals to object, or by effective resident mobilisation (Hurley et al (2013) p.4).

Impact on the decision making process – Researchers argue that the introduction of Third Party Appeal Rights will lead to increased cost and delays, and the possibility of appeals being lodged because of vexatious or commercial interests, not because of genuine planning matters. As a result, the planning approval processes will experience delays which will create inefficiency, uncertainty, increased costs, and could ultimately act as a brake on investment and economic growth (Ellis 2006) (Willey 2006) (Hurley et al 2011).

Failure to determine/Deemed Refusal – While researching multi-unit development in Victoria, Cook et al (2012) found that as the volume of objections to a development application increases, so too does the likelihood of appeal to VCAT. Additionally, failure to determine (where council fails to render a decision within the prescribed timeframes, equivalent to deemed refusal in Western Australia) cases are strongly related to high objection numbers. Therefore, applications which receive the highest number of objections are also the applications which are most likely to be appealed, and are also most likely to be the applications which Council fails to determine. While failures to determine may be instances where the local authority is unable to process applications due to resource constraints, the results and anecdotal evidence suggest that often these cases involve the authority declining to make a decision where there is significant resident opposition (Cook et al (2012) p.39).

Turning planning into a 'numbers game' – Some researchers noted the existence of third party appeals may lead members of the community to believe that the number of objections in and of itself is a way of engaging in the planning process and prevent developments they do not support (Planning Institute of Australia (NSW Division) 2012) (Hurley et al 2013). However, in order to be considered by the responsible authority, an objection needs to be about a valid planning concern. As a result the community's expectations about how it can influence the planning system may not be met.

4.2 Arguments For Third Party Appeals

Legitimate interest – A strong argument is made that neighbouring landowners, occupiers and members of the community often have a very legitimate interest in whether development occurs and the form of that development, as any new development has impacts on existing neighbourhood character, amenity, infrastructure and property values. Equity in the development process is also important, if an applicant has rights of appeal, the argument is that a third party should also have right of appeal to maintain equity. Without Third Party Appeal Rights the wider community is removed as a stakeholder (Ellis 2006) (Willey 2006) (Trenorden 2009).

Improved participation and decision making – It is often noted that planning is a communicative process which needs to embrace the public in meaningful ways. Third party appeals would have the potential to increase avenues for public engagement with planning, and may deliver better planning decisions as an empowered public, with increased opportunities for participation, can result in improved planning outcomes. Therefore, Third Party Appeal Rights affords the combination of a broader base of input, increased debate and the ability for 'local knowledge' to inform planning approvals which can lead to improved outcomes (Morris 2005) (Ellis 2006) (Willey 2006). As an example, Willey (2006) notes that it is comparatively rare in Victoria for an objector to completely succeed in overturning a decision, but often their involvement is considered to lead to a better planning decision.

Improved consultation – Third party appeal rights may encourage developers to deal with the local community in a more engaging manner and places pressure to concede or improve design elements where appropriate and reasonable to do so (Willey 2006).

Improved transparency – Applicant appeals are a means by which decision-making can be checked and provide property owners a recourse to an independent review body as a safeguard against inconsistent decisions. An argument for Third Party Appeal Rights is that they provide the same opportunity for third parties to scrutinise and challenge decision-making, thus keeping decision-makers accountable. Additionally, Third Party Appeal Rights are purported to discourage corrupt behaviour between developers and local government (Morris 2005) (Willey 2006) (Trenorden 2009).

4.3 Competing Viewpoints

There are strong arguments both for and against third party appeals. The research notes that which side of the argument one lands on often has a great deal to do with the planning culture in which they are operating (Willey 2006) (Trenorden 2009). In Victoria, where third party appeals have become an embedded practice, most stakeholders are supportive of the practice, even while acknowledging negative aspects may be associated with them.

In contrast in places such as Western Australia where third party appeal rights are not a part of the planning culture, views tend to focus predominately on the negative aspects of Third Party Appeal Rights. For example, a concern often expressed is that allowing third party appeals would lead to a 'flood' of appeals, however evidence from Victoria shows that Third Party Appeals account for only 19% of VCAT cases (Hurley et al 2013). So while allowing Third Party Appeals would lead to an increase in appeals, the effect may be overemphasized.

In a 2009 paper, Judge Christine Trenorden, Senior Judge of the Environment, Resources & Development Court in South Australia, argued that the issue of whether Third Party Appeal Rights are necessary may be resolved by the answers to the following questions:

1. *Does the community have confidence that the policy document for a particular area sufficiently describes the desired future character, and contains a comprehensive set of objectives and principles for development in the area, relevant to the local context including the environment?*
2. *Does the community have confidence in the decision-makers to make a decision in the best interests of the community now and in the future?*
3. *Is there a transparency about the decision-making?*
4. *Is there a guarantee that the decision-makers will assess the development in the context of the desired future character, objectives and principles of development for the area (assuming the adequacy of these policy statements)?*
(Trenorden, 2009 p. 13)

The questions put forward by Judge Trenorden speak not to the capability of the decision maker to determine an application, but the “community’s confidence” in their ability. These are not necessarily the same thing. When the decision-maker is appointed by an external body, the community’s confidence in them to make a decision in the best interests of the community now and in the future is diminished. Any lack of transparency around the decision-making process further erodes confidence.

5.0 Issues to Consider

5.1 Criteria for Third Party Appeal Rights in other States

After considering the arguments for and against Third Party Appeal Rights, as well as Judge Trenorden’s questions on determining the necessity of such rights, there may be further debate on what limitations, if any, should be placed on Third Party Appeal Rights were they to be introduced. For instance, it may be that Third Party Appeals be limited to only certain types of applications involving the use of discretionary powers, or instances where the decision-maker has advertised the development. If this were to be the case, then Third Party Appeal Rights would apply to determinations made by both Local Government and DAPs.

Based on the summary of Third Party Appeals processes that exist in other jurisdictions, the primary criteria for allowing Third Party Appeal Rights include:

- Excluding vexatious or commercial interests appeals, and any appeals made on none-genuine planning matters,
- Excluding appeals by those parties who did not previously make a submission.
- Excluding appeals where an application meets ‘deem-to-comply’ requirements, and no discretion has been excised.
- Excluding appeals for some cases of minor development.
- Having a short window in which to appeal (example 14 days).



5.2 Implications for Local Government

Whilst the introduction of third party appeal rights would give the community the ability to appeal decisions made by DAPs, it would also result in the majority of appeals being lodged against decisions made by Local Government. Staff would be impacted as officers would require additional time to prepare for and attend third party appeals, which would likely have an effect on the ability of Local Government officers to complete development application assessment within the required statutory timeframes.

Additional resources would likely be required to administer, resource and potentially engage legal counsel to defend these decisions and this would most likely create an additional financial burden for Local Government. Without proper resources, such a situation could lead to delays in making planning decisions, which in turn, would create inefficiency, uncertainty, increased costs, and could ultimately act as a brake on investment and economic growth.

While limitations could be placed on the type and scope of Third Party Appeal Rights, it is likely that any system which allows Third Party Appeals would result in increased workload and cost for Local Government.

6.0 Conclusion – What is right for Western Australia?

Since WALGA formulated its policy position on Third Party Appeal Rights in 2008, there have been significant changes to the planning system, including the introduction of DAPs as the decision-making body for a range of development applications. By removing the decision-making abilities of democratically elected Local Government representatives and placing it in the hands of appointed panel members, the general public's confidence that planning decisions are being made that are in the best interests of the community has been substantially reduced. This loss of confidence coincides with increased anxiety amongst the community over the changing amenity of suburbs due to increasing density and population pressures.

Third Party Appeal Rights are a complex issue, with strong arguments both for and against their implementation. Property rights must be balanced against the community's rights of participation, and the desire for transparency and accountability in government and decision-making bodies. Local Government must also consider the likely impacts in terms of cost, resourcing and the timely delivery of services.

6.1 Feedback Sought

In order to help WALGA review its position, feedback from the Local Government planning community and Elected members is sought. In light of the information presented, and considering the possible implications for Local Government if some form of Third Party Appeal Rights were to be adopted, WALGA welcomes any feedback or comments on the topic including:

- Would you be in favour of the introduction of some form of Third Party Appeal Rights in Western Australia? Why or Why not?
- Do you feel your Council is likely to support some form of Third Party Appeal Rights?
- Any other comments relating to Third Party Appeal Rights.



Feedback can be sent to planning@walga.asn.au or on 9213 2000 to discuss with one of the Planning and Development Team.

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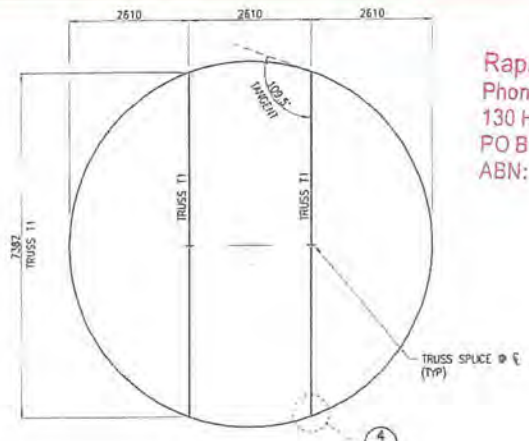
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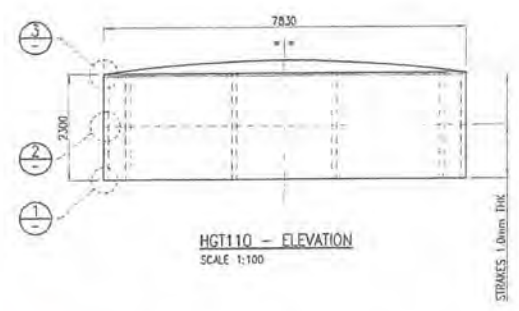
Site Plan - 671 Ferguson Road



Proposed 100,000 litre Zincalume Water Tank



HGT110 - PLAN VIEW
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 SCALE 1:100

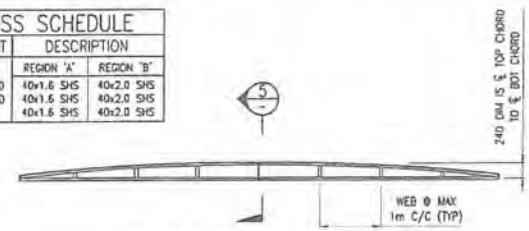


HGT110 - ELEVATION
 SCALE 1:100

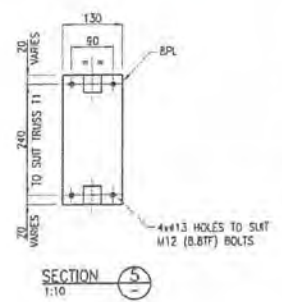
Rapallo Pty Ltd
 Phone (08) 9460 4300 Fax (08) 9226 2388
 130 Hay Street, Subiaco WA 6008
 PO Box 8190, Subiaco East WA 6008
 ABN: 31 726 506 699 ACN: 009 257 836

Rapallo

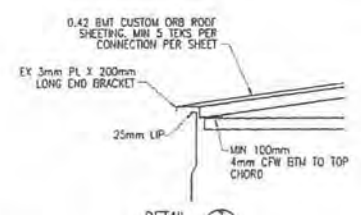
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	REGION 'A'	REGION 'B'
TOP CHORD	40x1.6 SHS	40x2.0 SHS
BTM CHORD	40x1.6 SHS	40x2.0 SHS
WEB	40x1.6 SHS	40x2.0 SHS



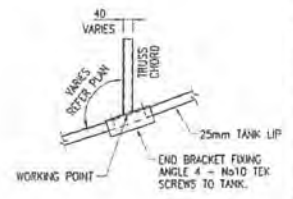
TYPICAL TRUSS 1 ELEVATION
 (OTHER TRUSSES SIMILAR)
 SCALE 1:75



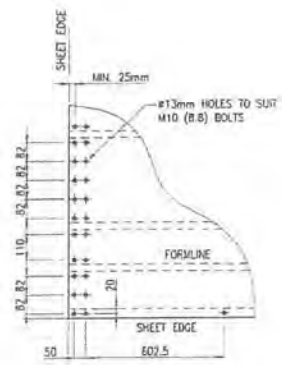
SECTION 5
 1:10



DETAIL 3
 1:20

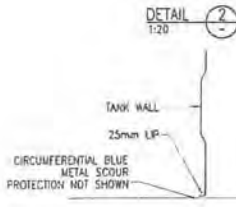


DETAIL 4
 1:20



TYPICAL BOLTING ARRANGEMENT
 SCALE 1:20

M10 BOLT AT E02.5 MAX. CTS REFER TYPICAL BOLTING ARRANGEMENT



DETAIL 2
 1:20

COMPACTED FILL/ IN-SITU BASE PAD (MIN ALLOWABLE BEARING CAPACITY OF 100kPa)

DETAIL 1
 1:20

DESIGN CRITERIA	
AS/NZS 1170.2	(WIND ACTIONS)
REGION A & B	
TERRAIN CATEGORY 2	
IMPORTANCE LEVEL 2	

- NOTES:**
1. WALL SHEET STEEL GRADE C300
 2. ROOF SHEETING 0.42BUT 'CUSTOM ORB' MIN 5 TEXS PER CONNECTION PER SHEET & EQUIVALENT SPACING CIRCUMFERENTIAL TEX FIXING TO TOP OF TANK
 3. ROOF SHEETING TO BE SIDE LAP FASTENED AT MAX 1.0m C/C
 4. ALL BOLTS GRADE M10 (8.8) GALV.
 5. ROOF TRUSS STEEL GRADE C350
 6. MIN FILLET WELD SIZE OF 4mm

Rapallo
 WEB SITE: www.rapallo.com.au
 11CNS HWY 237 8360 (08) 9226 2388
 PO BOX 1121 KALGOORLIE WA 6402 - 10 BROADWOOD STREET KALGOORLIE
 PO BOX 8190 SUBIACO WA 6008 - GROUND FLOOR 130 HAY STREET SUBIACO



REV	DATE	DESCRIPTION	BY	CHKD	APPD
A	08/11/11	ISSUED FOR REFERENCE			

Heritage Tanks Australia Pty Ltd
 Head Office: 26 Boulder Road, Malaga WA 6090
 Tel: +61 8 9248 6199 Fax: +61 8 9248 6299
 P O Box 3382, Malaga DC 6945, Western Australia
 www.heritagetanks.com.au
 brian@heritagetanks.com.au

SCALE	AS SHOWN
DATE	AJC 13/09/11
DESIGNED	
CHECKED	
APPROVED	
PROJECT MGR	
DO NOT SCALE - WORK TO DIMENSIONS	

HERITAGE TANKS AUSTRALIA PTY LTD
 HERITAGE TANKS
 HGT RANGE OF TANKS
 HGT 110 TANK
 ARRANGEMENT & DETAILS

DRAWING NUMBER	
13231-HGT110-S001	
SHEET	REV
A3	A
DATE	13/09/11

2017 Volunteer Recognition Awards

NOMINATION FORM

This form may be completed online at www.ryde.nsw.gov.au/volunteerawards

Please tick appropriate box:

YOUNG VOLUNTEER (16-25 years) INDIVIDUAL AWARD GROUP AWARD

NOMINEE (If group nomination, please list key contact person)

Name: _____

Group: _____
(if group nomination)

Address: _____

Phone: _____ Mobile: _____ Email: _____

The nominee must consent to their nomination being submitted (see page 4).
The nomination will not be included for consideration without the consent of the nominee.

NOMINATOR

I / We wish to nominate the above named for a Volunteer Recognition Award.
I / We have read the eligibility criteria and agree to be bound by the conditions of entry.
To the best of my / our knowledge, all details are true and correct.

Name: _____

Title and Organisation: _____
(if applicable)

Address: _____

Phone: _____ Mobile: _____ Email: _____

Signature: _____ Date: _____

REFEREE

Nominations can be submitted by any individual, group or organisation, however all nominations must be additionally supported by a referee from the nominees volunteering organisation.

Name of Referee: _____

Title and Organisation: _____

Address: _____

Phone: _____ **Mobile:** _____ **Email:** _____

I have read the eligibility criteria and agree to be bound by the conditions of entry. To the best of my knowledge, all details are true and correct.

Signature: _____ **Date:** _____

PRIVACY NOTICE

In completing this form you will be prompted to supply information that is personal information for the purposes of the Privacy and Personal Information Protection Act 1998. The supply of this information is voluntary. If you cannot provide, or do not wish to provide the information sought, the Council may be unable to process your nomination form. Council is required under the Act to inform you about how your personal information is being collected and used. If you require further information please contact Council's Customer Service Centre on 9952 8222 and ask for an information sheet to be forwarded to you.



2017 Volunteer Recognition Awards

Please print clearly

Name of organisation/s for which the nominee has volunteered / volunteers

How long has the nominee volunteered with this organisation/s?

What is the nominee's time commitment to this organisation/s?

Describe the demonstrated qualities, initiative and community involvement of the nominee (including any outstanding work and or achievements)

Describe the benefit to the community

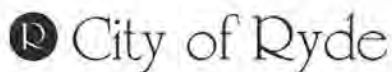


The following questions may need to be discussed with the nominee

Why does the nominee choose to participate in volunteer work?

What does the nominee find rewarding about their volunteer work? (Such as making a difference to the community and/or personal fulfilment)

Has the nominee overcome any obstacles in order to participate in volunteer work? (Such as disability, time constraints, English as a second language, distance travelled)



Lifestyle and opportunity @ your doorstep

NOMINEE TO COMPLETE

I agree to be nominated for the above for a Volunteer Recognition Award, and have read the eligibility criteria and agree to be bound by the conditions of entry.

Name: _____

Signature: _____ Date: _____

Please return completed form to:
City of Ryde, Locked Bag 2069, North Ryde NSW 1670
Email- events@ryde.gov.au or complete online at
www.ryde.nsw.gov.au/volunteerawards
by Monday 10 April 2017

CONDITIONS OF ENTRY

2017 Volunteer Recognition Awards

The City of Ryde's Volunteer Recognition Awards aim to acknowledge the less visible, unsung heroes in our City who have, through their creativity, initiative, personal time or attainments, made a positive contribution to enhancing and uplifting the lives of others within the City of Ryde community.

Eligibility

- Any business, industry, community group, family or individual actively involved in voluntarily servicing the City of Ryde (excluding those primarily involved in political and/or lobbying activities) during the past two years or more may be nominated.
- Previous award recipients are ineligible to be re-nominated.
- Young Volunteer Award nominees must be aged between 16-25 at the time of nomination.
- The majority of the nominees volunteering service needs to be contributed within the City of Ryde LGA
- It is not a requirement for nominees to reside in the city of Ryde LGA
- Group nominees must have their organisation based within the City of Ryde and provide their service primarily to the local community.
- Once three or more individual nominations are received for those volunteering within the same organisation/project, these nominations will then be considered as a group nomination.

Selection Criteria

This nomination form is designed to provide the judging panel with important information about the nominee. By addressing each question within this form you will assist the judges in recognising what the nominee/s has contributed to their organisation/community as well as how this individual/group stands out from the rest. Please include examples of the nominee's work.

Each nominee will be judged on:

- **Special or outstanding features of their work**
- **The impact and benefit of their work**

For example: the impact on the group, organisations and/or local area, and benefits to the community such as training others, or serving as an example to motivate others.

- **Examples of how their work has displayed dedication above and beyond the norm**

For example: the type of work (such as physically or mentally demanding or unpleasant work), the length of service, the number of hours per week, success in overcoming obstacles.

General Information

- The City of Ryde Volunteer Recognition Awards are conducted in addition to the Citizen of the Year and Young Citizen of the Year Awards presented on Australia Day.
- A separate nomination form for each group or individual is required. Three or more individual nominations received who volunteer for the one organisation will be regarded as a group nomination.
- Copies of supporting materials, no larger than A4, may be submitted, but must be attached to the official Nomination Form. Film, posters and recorded information will not be accepted.
- The City of Ryde Volunteer Recognition Awards Selection Committee may request copies of additional information on the nominee.
- Nomination Forms and supporting documents will become the property of the City of Ryde and information submitted may be used for publicity purposes.
- Nominees and winners for the Awards will be presented at the Volunteer Recognition Awards evening to be held in May 2017
- The City of Ryde Volunteer Recognition Awards Selection Committee will include:
 - The Mayor of the City of Ryde
 - The General Manager of the City of Ryde
 - Senior Coordinator Community Services of the City of Ryde
 - Community member, nominated by the Manager Communications, Customer Service & Events
- The decisions of the City of Ryde Volunteer Recognition Awards Selection Committee are final and no correspondence on the decision will be entered into.

CLOSING DATE - **Monday 10 April 2017**
MAILING ADDRESS - **City of Ryde, Locked Bag 2069 North Ryde NSW 1670**
FAX - **(02) 9952 8070**
ONLINE - **www.ryde.nsw.gov.au/volunteerawards**
ENQUIRIES - **Customer Service**
Tel: 9952 8222
Email: **events@ryde.nsw.gov.au**

