



POLICY NUMBER	-	1.1
POLICY SUBJECT	-	Code of Conduct for Council Members, Committee Members and Candidates

1. POLICY PURPOSE

This is the Shire of Merredin Code of Conduct for Council Members, Committee Members and Candidates.

2. POLICY SCOPE

2.1 Division 2 — General principles

1. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

2. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision making in an honest, fair, impartial and timely manner; and actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (c) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

3. Relationship with others

(1) A council member, committee member or candidate should —

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

4. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

2.2 Division 3 — Behaviour

1. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

2. Personal integrity

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

3. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

4. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person;

and

- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

5. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

6. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;

- (b) undertake counselling;
- (c) undertake training;
- (d) take other action the local government considers appropriate.

(7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —

- (a) its finding and the reasons for its finding; and
- (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

7. Dismissal of complaint

(1) The local government must dismiss a complaint if it is satisfied that —

- (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.

(2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

8. Withdrawal of complaint

(1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.

(2) The withdrawal of a complaint must be —

- (a) in writing; and
- (b) given to a person authorised under clause 11(3).

9. Other provisions about complaints

(1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.

(2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

2.3 Division 4 — Rules of conduct

Notes for this Division:

1. *Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.*
2. *A minor breach is dealt with by a standards panel under section 5.110 of the Act.*

1. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

2. Misuse of local government resources

- (1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918;

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

3. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —
 - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or The Criminal Code section 83.

4. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

5. Relationship with local government employees

- (1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or

- (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

6. Disclosure of information

- (1) In this clause —
 - closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
 - confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
 - document** includes a part of a document;
 - non confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

7. Disclosure of interests

- (1) In this clause —
 - interest** —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

8. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

3. LEGISLATIVE REQUIREMENTS

[Local Government Act 1995.](#)

[Local Government Amendment Act 2019.](#)

[Electoral Act 1907.](#)

[Commonwealth Electoral Act 1918.](#)

[Model Code of Conduct Regulations 2021.](#)

4. POLICY STATEMENT

5. KEY POLICY DEFINITIONS

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Terms used

(1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

6. ROLES AND RESPONSIBILITIES

[This policy applies to all Shire of Merredin Council Members, Committee Members and Candidates.](#)

7. MONITOR AND REVIEW

This policy will be reviewed by the Governance Officer and CEO every ~~2~~ years.

Document Control Box			
Document Responsibilities:			
Owner:	CEO	Decision Maker:	Council
Reviewer:	Governance Officer		
Compliance Requirements			
Legislation	Local Government Act 1995. Local Government Amendment Act 2019. Electoral Act 1907. Commonwealth Electoral Act 1918. Model Code of Conduct Regulations 2021 Local Government Act 1995. Electoral Act 1907. Commonwealth Electoral Act 1918		
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Version #	Action	Date	Records Reference
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2.	Reviewed	30 April 2024 XX-January-2023	CMRef XXXX



POLICY NUMBER - **1.3**
POLICY SUBJECT - **Members Travel**

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1. POLICY PURPOSE

This Policy outlines the appropriate method for Members Travel.

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2. POLICY SCOPE

This Policy applies to all Elected Members of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

Local Government (Administration) Regulations 1996.

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4. POLICY STATEMENT

When Elected Members are required to travel to any part of the State on Council business Shire vehicles, if available, shall be utilised and no kilometreage will be paid to Councillors who travel in other vehicles, unless:

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1. a Shire vehicle is unavailable; or
2. there is insufficient room in the Shire vehicle for all Elected Members; or
3. Council has agreed by resolution to pay kilometreage and expenses in relation to the trip and on presentation of a formal claim. Such claims shall be calculated based on the current rates applicable in the Local Government Industry Award 2010 for travel, meals, accommodation and expenses; or
4. the payment of expenses has been approved by the CEO due to extenuating circumstances.

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If any Elected Member wishes to utilise their own vehicle in preference to a Shire vehicle to travel to any part of the State on Council business then Council will pay kilometreage only for the vehicle for travel to and from the course or meeting. Such claims shall be calculated based on the current rates applicable in the Local Government Industry Award 2010 for travel.

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A claim form for the purposes of this Policy will be made available by the CEO on request, with Elected Members making a declaration to the effect that the travel expense was incurred.

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Refer to Local Government (Administration) Regulations 1996 Section 31 & 32

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5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects of this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2 years.

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Document Responsibilities:					
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1.	Adopted	21 September 2004	CMRef 27632		
2.	Reviewed	17 August 2010	CMRef 30401		
3.	Reviewed	19 February 2013	CMRef 31058		
4.	Reviewed	17 February 2015	CMRef 81522		
5.	Reviewed	20 December 2016	CMRef 81892		
6.	Reviewed	<u>30 April 2024</u>	CMRef XXXX		

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POLICY NUMBER - 1.4

POLICY SUBJECT - Retirement of ~~Councillors-Elected Members~~ – Gift & Function

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1. POLICY PURPOSE

This Policy outlines the process to be taken upon retirement of an Elected Member.

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2. POLICY SCOPE

This Policy applies to all Elected Members of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

Local Government (Administration) Regulations 1996.

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4. POLICY STATEMENT

Upon retirement of a ~~n Elected Member~~Councillor, an official presentation and function shall be held to recognise the ~~Councillor's-Elected Member's~~ service to the Council.

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A gift shall be presented to the ~~Councillor~~Elected Member, as follows:

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1. suitably inscribed with the Council crest (or another presentation of similar value) and a presentation plaque.
2. In the event an ~~Elected Member~~ Councillor has also served as a Shire President, an additional presentation as considered appropriate by Council.

Where possible, the function held to recognise retiring ~~Councillors-Elected Members~~ (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected ~~Councillors-Members~~ following the bi-~~annual~~ennial local government elections – refer to Policy 1.14.

Refer to Local Government (Administration) Regulations 1996 Section 34AC.

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5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this policy.

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7. MONITOR AND REVIEW

This ~~Pp~~olicy will be reviewed ~~by the Governance Officer~~ every ~~2X~~ years.

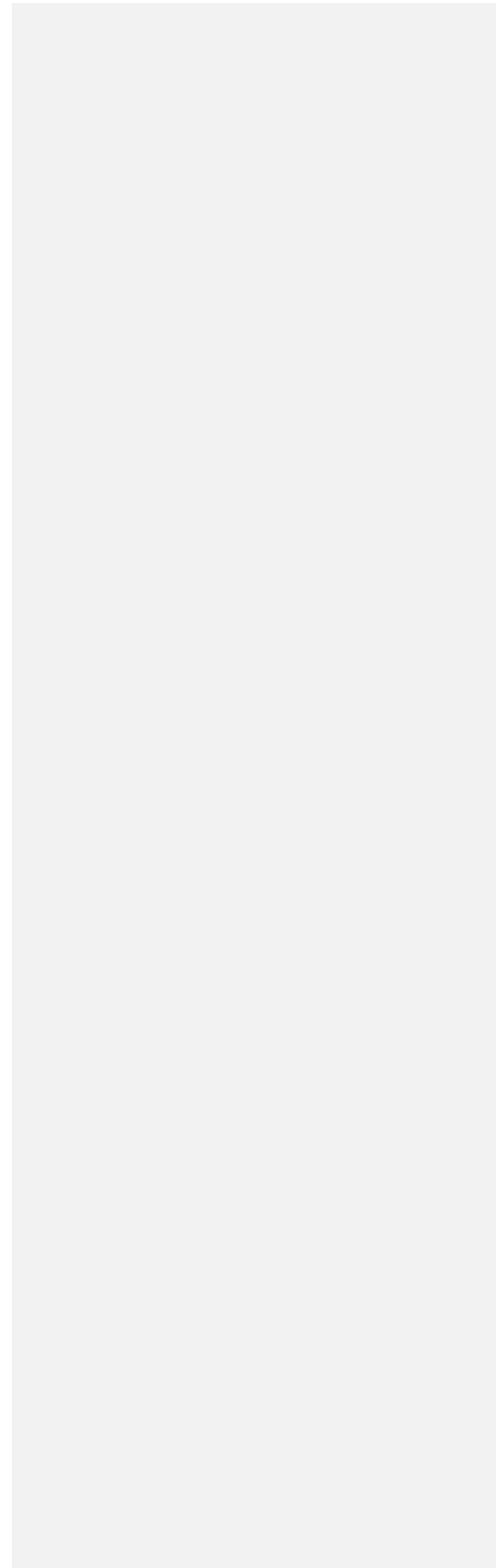
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Document Responsibilities:				
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6.	Reviewed	30 April 2024	CMRef XXXXX

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POLICY NUMBER - **1.6**
POLICY SUBJECT - **Use of Council Chamber and Executive Lounge**

1. POLICY PURPOSE

This Policy outlines the appropriate use of the Council Chamber and Executive Lounge.

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2. POLICY SCOPE

This Policy applies to all Elected Members and Staff of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

The use of the Council Chamber and Executive Lounge is limited to Council Meetings, Committee Meetings and meetings where employee representation is present in accordance with the following guidelines:

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1. Use of the Bar is not permitted except in the circumstance that an Elected Member -Councillor or Senior Officer is present and invites representatives to refreshments. The extent of the refreshments provided is to be kept to a minimum;
2. Bookings for the Council Chamber and Executive Lounge are to be made via the CEO's Executive Assistant and advised well prior to the event to avoid a duplication of bookings;
3. The Council Chamber and Executive Lounge area of the Administration Centre Building is a smoke free zone including veranda areas directly adjacent to open door-ways;
4. The employee(s) who requested the use of the Council Chamber and/or Executive Lounge will be responsible for the set up before and clean up after of the use of the room(s); and
5. Other community groups and external organisations will be directed to the Merredin Regional Community & Leisure Centre or Cummins Theatre upon the request for a Meeting Room. Council functions and meetings will, at all times, have priority of use over the Council Chamber and Executive Lounge.

5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members and Staff are required to adhere to all aspects of this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2X years.

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Compliance Requirements				
Legislation	N/A			
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5.	Reviewed	20 December 2016	CMRef 81892	
6.	Reviewed	30 April 2024	CMRef XXXXX	

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POLICY NUMBER - **1.7**

POLICY SUBJECT - **Citizenship Ceremonies**

1. POLICY PURPOSE

This Policy outlines which Elected Members are authorised to conduct Citizenship Ceremonies on behalf of Council.

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2. POLICY SCOPE

This Policy applies to the Shire President and Deputy Shire President of the Shire of Merredin (the Shire).

3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

The Shire President shall conduct Citizenship Ceremonies on behalf of Council. In the absence of the Shire President, the Deputy Shire President or the CEO may conduct the Ceremony.

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5. KEY POLICY DEFINITIONS

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. The Shire President and Deputy Shire President are required to adhere to all aspects of this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every ~~2~~ years.

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POLICY NUMBER - 1.8

POLICY SUBJECT - Councillors-Elected Member Requests and Works Requests

1. POLICY PURPOSE

This Policy outlines the process Elected Members are to take when they would like to submit a request or work request.

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2. POLICY SCOPE

This Policy applies to all Elected Members of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

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4. POLICY STATEMENT

All general enquiries made by Councillors-Elected Members should be directed to the Chief Executive Officer (CEO).

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Work requests regarding roadworks or building maintenance should be filled out on the Works Request Form and be either faxed/emailed to the CEO, or handed in to the Shire Administration Office marked to the attention of the CEO.

Works Requests are to follow the guidelines below:

1. A request for minor maintenance jobs should be filled out in the appropriate form and sent to the CEO or handed in at the front counter. The CEO will refer such requests to the appropriate employee if required.
2. The Officer in Charge will inspect the request and place it on the list of maintenance works if necessary.
3. Request forms should not be used for special works requests such as having a specified section of road reconstructed or a culvert installed, as requests of this nature would be referred to Council for budget consideration.
4. Special works requests or major works should be discussed at Briefing Session to allow for costings and reports to be prepared or raised through a Notice of Motion.

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5. KEY POLICY DEFINITIONS

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects of this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2X years.

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Owner:	CEO	Decision Maker:	Council	
Reviewer:	Governance Officer			
Compliance Requirements				
Legislation	N/A			
Document Management				
Risk Rating	Medium	Review Frequency	Biennial	Next Due
				April 2025
Version #	Action	Date	Records Reference	
1.	Adopted	21 September 2004	CMRef 27632	
2.	Reviewed	16 November 2010	CMRef 30476	
3.	Reviewed	19 February 2013	CMRef 31058	
4.	Reviewed	17 February 2015	CMRef 81522	
5.	Reviewed	20 December 2016	CMRef 81892	
6.	Reviewed	30 April 2024	CMRef XXXXX	

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POLICY NUMBER - **1.9**
POLICY SUBJECT - **Election of Committees and Representatives**

1. POLICY PURPOSE

This Policy outlines the process for the election of Council representatives to all Council Committees and Organisations.

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2. POLICY SCOPE

This Policy applies to all Elected Members of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

Local Government Act 1995.

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4. POLICY STATEMENT

To promote a system for the election of Council representatives to all Council Committees and Organisations following the bi-~~annual~~^{ennial} Council elections according to the hierarchy of Committee types contained in 5.9(2) of the Local Government Act 1995.

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1. That ~~the Councillors~~^{Elected Members} nominate to become members of a Committee or to be appointed as Council's representative.
2. That a list of all Council Committees and Organisations be provided to ~~Councillors~~^{Elected Members} seeking nomination for at least 3 Council Committees (Council Committees consisting of:
 - a) ~~Council-Elected m~~^Members only;
 - b) ~~Council-Elected m~~^Members and Employees; and
 - c) ~~Council-Elected M~~^members, Employees and Community members.
3. That the Shire President invite any withdrawals from, or transfers and additions to, any of the Committees once the listing of candidates is complete.
4. That a Council vote be held to determine Council's preference of candidates where there are more nominations for a Committee than required, starting with the first Committee listed. The President may change the order of the committee selection process if it leads to the expediency of the process.

NOTES:

1. The President is entitled to be on any Committee which has Council representation (5.10(4)).
2. The CEO is entitled to be on (or appoint a representative to) any Committee having employee representation (5.10(5)).
3. An ~~Councillor~~^{Elected Member} is entitled to be on at least one Committee made up of i) Council members only; or, ii) ~~Council-Elected m~~^Members and employees.

Voting is to be conducted so that no voter's vote is secret (Admin Reg 9) (This does not apply to the election of the President and Deputy President which is to be by secret ballot).

5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

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The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects of this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2X years.

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Compliance Requirements			
Legislation	Local Government Act 1995		
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Risk Rating	Medium	Review Frequency	Biennial
		Next Due	April 2025
Version #	Action	Date	Records Reference
1.	Adopted	21 September 2004	CMRef 27632
2.	Reviewed	16 November 2010	CMRef 30477
3.	Reviewed	19 February 2013	CMRef 31058
4.	Reviewed	17 February 2015	CMRef 81522
5.	Reviewed	20 December 2016	CMRef 81892
6.	Reviewed	30 April 2024	CMRef XXXX

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POLICY NUMBER - **1.10**
POLICY SUBJECT - **Councillors-Elected Member Induction**

1. POLICY PURPOSE

This Policy outlines what is to be provided to Elected Members to assist them with their roles of being elected representatives.

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2. POLICY SCOPE

This Policy applies to all Elected Members of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

To provide Councillors-Elected Members with an introduction and information package to assist them with their roles of being elected representatives, the following materials will be provided in electronic format to new Councillors-Elected Members before attending their first Council meeting:

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Councillors-Elected Member Information Portfolio containing the following:

1. Standing Orders
2. Details of the Council/Committee System and membership entitlements
3. Financial Interest information
4. Roles of Elected Members, President (and Council) and functions of the CEO under the Act
5. Code of Conduct
6. WALGA Elected Members Training Schedule
7. Council Policy Manual
8. Example of Works Request Forms
9. Annual Budget
10. Adopted Plans and Strategies (i.e. IPR Suite, CBD Plan, Recreation Ground Master Plan, Parks & Plant Replacement Plans etc)
11. Primary and Annual Return
12. Annual Report
13. Delegations Register
14. Organisational Structure and Senior Employees contacts
15. The previous month's Council minutes
16. WALGA Councillors Manual
17. Contact Information Form

- 18. Action Request Form
- 19. Corporate Wardrobe Catalogue

~~Councillors/Elected Members~~ will be expected to save these documents to their Council-provided tablets / laptops to ensure easy access to these documents. In addition, a copy of these documents will be kept in the Administration Office at all times.

The CEO will conduct a general induction with the new ~~Councillors/Elected Members~~ providing information on the details and administration of being an Elected Member Councillor, Council Meetings and facilities within the Council wing of the Administration Office and any other relevant current topics and issues.

5. KEY POLICY DEFINITIONS

N/A

6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy.

7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2x years.

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Legislation	N/A		
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1.	Adopted	21 September 2004	CMRef 27632
2.	Reviewed	16 November 2010	CMRef 30475
3.	Reviewed	19 February 2013	CMRef 31058
4.	Reviewed	17 February 2015	CMRef 81522
5.	Reviewed	20 December 2016	CMRef 81892
6.	Reviewed	<u>30 April 2024</u>	CMRef XXXXX



POLICY NUMBER - **1.11**
POLICY SUBJECT - **Council Meetings**

1. POLICY PURPOSE

[This Policy provides an outline of when Council Meetings are held.](#)

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2. POLICY SCOPE

[This Policy applies to all Elected Members and appropriate Staff of the Shire of Merredin \(the Shire\)](#)

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3. LEGISLATIVE REQUIREMENTS

[N/A](#)

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4. POLICY STATEMENT

Ordinary Meetings of Council shall be held on the ~~third~~ fourth Tuesday of each month [where appropriate, however may be moved to another Tuesday if needed](#). The Meeting will generally be held in the Council Chambers in Merredin but the Council may by resolution decide to hold any Council meeting in any town site within the Shire of ~~fr~~ by video conferencing.

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A meeting held by video conference will be held in accordance with the relevant guidelines published by the WA Local Government Association as amended from time to time.

Details of the Council meetings will be advertised. The order of business on meeting day is as follows:

1. ~~1.~~ 2.00pm - Two hour [confidential Briefing Session](#)~~discussion period.~~
2. ~~2.~~ 4.00pm - Ordinary Meeting of Council commences.

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In addition, briefings may be held by the Council from time to time. Regular briefings s may be scheduled by the Council by resolution. A briefing on a specified or urgent matter may be convened by the President ~~or~~ f the Chief Executive Office in consultation with each other.

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5. KEY POLICY DEFINITIONS

[N/A](#)

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6. ROLES AND RESPONSIBILITIES

[The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects of this Policy.](#)

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7. MONITOR AND REVIEW

This Policy will be reviewed [by the Governance Officer](#) every 2X years.

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Legislation	N/A
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Version #	Action	Date	Records Reference		
1.	Adopted	21 September 2004	CMRef 27632		
2.	Reviewed	19 October 2010	CMRef 30457		
3.	Reviewed	19 February 2013	CMRef 31058		
4.	Reviewed	17 February 2015	CMRef 81522		
5.	Reviewed	20 December 2016	CMRef 81892		
6.	Reviewed	17 December 2019	CMRef 82486		
7.	Reviewed	2 April 2020	CMRef 82529		
8.	Reviewed	30 April 2024	CMRef XXXX		

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POLICY NUMBER - **1.12**
POLICY SUBJECT - **Annual Christmas function**

1. POLICY PURPOSE

[This Policy outlines the requirements and procedures when organising the annual Christmas function.](#)

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2. POLICY SCOPE

[This Policy applies to all Elected Members and Employees of the Shire of Merredin \(the Shire\).](#)

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3. LEGISLATIVE REQUIREMENTS

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4. POLICY STATEMENT

That Council provide a joint Christmas Function for [CouncilorsElected Members](#), employees, and their partners/spouses and dependent children.

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Where the format of the function is such that the service of alcohol is appropriate, [the amount of alcohol provided will be the equivalent of two drinks per person-a limit of two drinks per person](#), limited to beer or wine, will be provided within the cost of the function. Any such function will be conducted in accordance with the responsible service of alcohol guidelines.

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The CEO is to [place an item on thebrief](#) Council [agenda](#) no later than November of each year [requesting Council to](#)-confirming a date, location and format for the function.

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5. KEY POLICY DEFINITIONS

[N/A](#)

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6. ROLES AND RESPONSIBILITIES

[The CEO is responsible for implementing this Policy.](#)

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7. MONITOR AND REVIEW

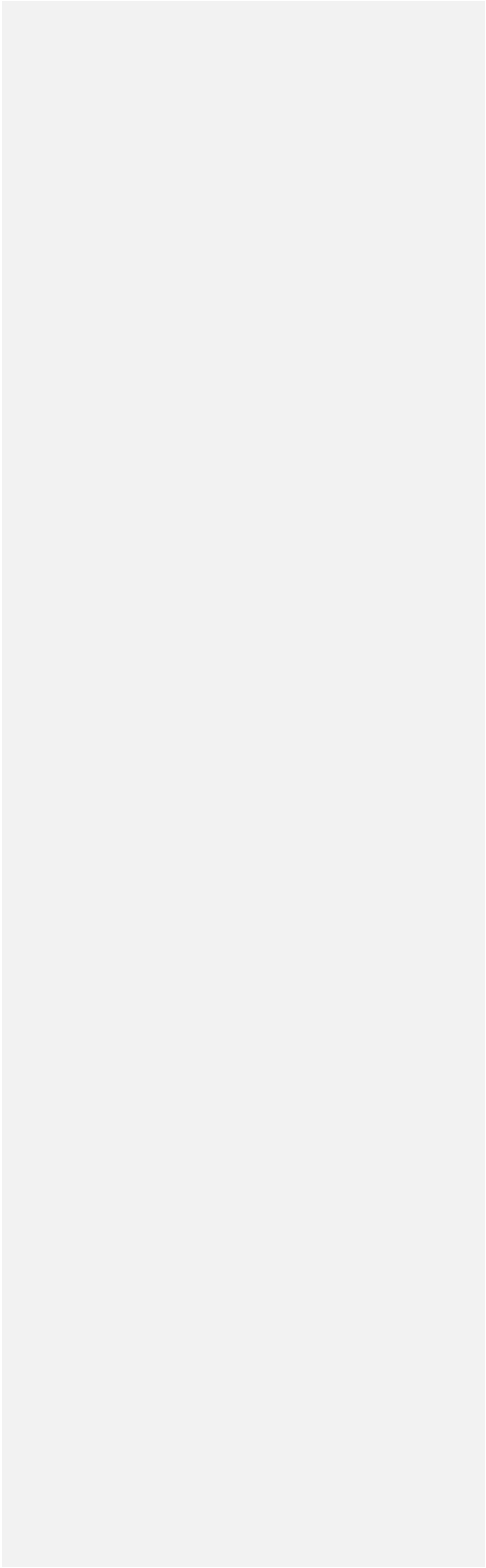
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Legislation	N/A			
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Version #	Action	Date	Records Reference	
1.	Adopted	21 September 2004	CMRef 27632	
2.	Reviewed	19 October 2010	CMRef 30459	
3.	Reviewed	19 February 2013	CMRef 31058	
4.	Reviewed	17 February 2015	CMRef 81522	
5.	Reviewed	20 December 2016	CMRef 81892	
6.	Reviewed	17 November 2020	CMRef 82635	

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POLICY NUMBER - **1.13**
POLICY SUBJECT - **Council Biennial Dinner Function**

1. POLICY PURPOSE

This Policy outlines the requirements and procedures when organising the Council Biennial Dinner Function.

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2. POLICY SCOPE

This Policy applies to all Elected Members and Executive Managers of the Shire of Merredin (the Shire).

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3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

That Council hold a formal dinner function every two years following the local government election:

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1. to formally recognise the contributions of all Councillors-Elected Members to the Shire of Merredin;

2. to farewell and acknowledge retiring Councillors-Elected Members; and

3. to welcome newly elected Councillors-Members.

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Where possible, the function held to recognise retiring Councillors-Elected Members (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected Councillors-Members.

The Invitation List is to include:

1. Retiring Councillors-Elected Members and partner/guest;

2. Newly Elected Councillors-Members and partner/guest;

3. CEO and partner/guest; and

4. Executive Managers and partner/guest.

Once Council has set the date for the dinner function, the CEO is to arrange catering, bookings and final arrangements.

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5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy.

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7. MONITOR AND REVIEW

This ~~p~~Policy will be reviewed ~~by the Governance Officer~~ every ~~2~~x years.

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Legislation	N/A		
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Risk Rating	Medium	Review Frequency	Biennial
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Version #	Action	Date	Records Reference
1.	Adopted	21 September 2004	CMRef 27632
2.	Reviewed	17 August 2010	CMRef 30402
3.	Reviewed	19 February 2013	CMRef 31058
4.	Reviewed	17 February 2015	CMRef 81522
5.	Reviewed	20 December 2016	CMRef 81892
6.	Reviewed	17 August 2010	CMRef 30402
7.	Reviewed	30 April 2024	CMRef XXXXX

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POLICY NUMBER - **1.14**

POLICY SUBJECT - **Mobile Phone Use during Council and Committee meetings**

1. POLICY PURPOSE

[This Policy provides guidance to Elected Members in regard to the use of their mobile phone during Council and Committee Meetings.](#)

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2. POLICY SCOPE

[This Policy applies to all Elected Members of the Shire of Merredin \(the Shire\).](#)

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3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

A phone call taken on a mobile phone during a meeting can be an unwanted distraction and is generally considered disrespectful.

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Mobile phones must be turned off or turned to "silent mode" at all times when participating in any Council or Committee meetings.

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Answering mobile phone calls during any meeting is not permitted, unless the President/Chair has granted prior permission. Permission should be sought at the commencement of the meeting. If permission is granted and a call is received during the meeting the recipient is to leave the room immediately to take the call. This Policy does not however excuse any member of a meeting from any statutory obligation to remain to vote on a matter and in such circumstance, the call should be responded to after the vote is taken.

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As guidance, circumstances when the use of a mobile phone for phone calls in meetings may be permitted include, but are not limited to:

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1. being on call for an emergency service (i.e. police, fire, ambulance, SES, rangers etc);
2. being on call for work purposes;
3. a family emergency; or
4. if awaiting contact from distinguished guests due at that or subsequent meetings.

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5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

[The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects](#)

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7. MONITOR AND REVIEW

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Compliance Requirements				
Legislation	N/A			
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Risk Rating	Medium	Review Frequency	Biennial	Next Due
				April 2025
Version #	Action	Date	Records Reference	
1.	Adopted	21 October 2008	CMRef 29744	
2.	Reviewed	21 September 2010	CMRef 30430	
3.	Reviewed	19 February 2013	CMRef 31058	
4.	Reviewed	17 February 2015	CMRef 81522	
5.	Reviewed	20 December 2016	CMRef 81892	
6.	Reviewed	17 January 2017	CMRef 81912	
7.	Reviewed	21 September 2010	CMRef 30430	
8.	Reviewed	30 April 2024	CMRef XXXX	

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POLICY NUMBER - **1.16**
POLICY SUBJECT - **Corporate Apparel**

1. POLICY PURPOSE

[This Policy outlines the corporate apparel that will be provided to Elected Members.](#)

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2. POLICY SCOPE

[This Policy applies to all Elected Members of the Shire of Merredin \(the Shire\).](#)

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3. LEGISLATIVE REQUIREMENTS

N/A

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4. POLICY STATEMENT

Objective

It is appropriate to establish an acceptable dress standard for all Elected Members attending or representing Council business at external functions and events.

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The manner in which ~~Councillors~~ [Elected Members](#) are dressed on official business can have a profound effect on the image of Shire ~~of Merredin~~. A good quality corporate apparel will assist in building a professional image of the Shire and assist external resources to identify Shire ~~Councillors~~ [Elected Members](#).

Policy

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Upon commencement of their term new ~~Councillors~~ [Elected Members](#) will be issued with:

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1. ~~1.~~ One tie or scarf bearing the Shire of Merredin logo;
2. ~~2.~~ One name badge;
3. ~~3.~~ One navy coloured suit jacket;
4. ~~4.~~ 2 x shirts (options long sleeve, short sleeve, ladies shirts);
5. ~~5.~~ 1 x polo shirt;
6. ~~6.~~ All clothing will be embroidered with the Shire of Merredin;
7. ~~7.~~ All uniforms provided by and financed by the Shire ~~of Merredin~~ will be regarded as the ~~Councillor~~ [Elected Member](#) Corporate Wardrobe. This will be subsidised by the Shire and processed through the Shire's financial and distribution system.

If newly elected, the Shire President and Deputy Shire President will also be provided with 250 (or the appropriate minimum order quantity) business cards.

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5. KEY POLICY DEFINITIONS

N/A

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6. ROLES AND RESPONSIBILITIES

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[The CEO is responsible for implementing this Policy. Elected Members are required to adhere to all aspects of this Policy.](#)

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7. MONITOR AND REVIEW

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1.	Adopted	17 February 2015	CMRef 81522	
2.	Reviewed	20 December 2016	CMRef 81892	
3.	Reviewed	17 December 2019	CMRef 82483	
4.	Reviewed	30 April 2024	CMRef XXXXX	

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POLICY NUMBER - 1.17

POLICY SUBJECT - ~~Use of Social Media~~ Social Media and Communications

1. POLICY PURPOSE

This Policy establishes protocols for the Shire of Merredin's (the Shire) official communications with our community to ensure the Shire's is professionally and accurately represented and to maximise a positive public perception of the Shire.

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2. POLICY SCOPE

This Policy applies to:

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1. ~~1.~~ Communications initiated or responded to by the Shire with our community; and

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2. ~~2.~~ Councillors/Elected Members when making comment in either their Shire role or in a personal capacity.

3. LEGISLATIVE REQUIREMENTS

Local Government Act 1995.

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Local Government (Administration) Regulations 1996.

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Local Government (Rules of Conduct) Regulations 2007.

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State Records Act 2000.

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Freedom of Information Act 1992.

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4. POLICY STATEMENT

Official Communications

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The purposes of the Shire's official communications include:

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1. ~~1.~~ Sharing information required by law to be publicly available.

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2. ~~2.~~ Sharing information that is of interest and benefit to the Community.

3. ~~3.~~ Promoting Shire events and services.

4. ~~4.~~ Promoting Public Notices and community consultation / engagement opportunities.

5. ~~5.~~ Answering questions and responding to requests for information relevant to the role of the Shire.

6. ~~6.~~ Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by Council. ~~Our~~ The Shire's communications will always be respectful and professional.

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4.2 Responding to Media Enquiries

All enquiries from the Media for an official Shire comment, whether made to an individual ~~Councillor~~Elected Member, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire.

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~~Councillors~~Elected Members may make comments to the media in a personal capacity—refer to clause 7.1 below.

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4.3 Website

The Shire will maintain an official website, as our community's on-line resource to access ~~to~~ the Shire's official communications.

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4.4 Social Media

The Shire uses ~~s~~social media to facilitate interactive information sharing and to provide responsive feedback to our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

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The Shire maintains the following ~~s~~social ~~m~~media accounts:

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1. Social and media sharing networks ~~including Facebook, Instagram, Twitter and YouTube;~~
and

a. Shire of Merredin

i. Facebook: www.facebook.com/ShireofMerredin

ii. Instagram: www.instagram.com/shireofmerredin

iii. X (twitter): <https://twitter.com/ShireofMerredin>

iv. LinkedIn: www.linkedin.com/in/shire-of-merredin-bba844118/

b. Central Wheatbelt Visitor Centre

i. Facebook: www.facebook.com/CWVCMerredin/

ii. Instagram: www.instagram.com/centralwheatbeltvisitorcentre/

c. Cummins Theatre

i. Facebook: www.facebook.com/CumminsTheatre/

ii. Instagram: www.instagram.com/cumminstheatre/

d. Merredin Regional Community & Leisure Centre

i. Facebook: www.facebook.com/MerredinLeisureCentre/

e. Merredin Regional Library

i. <https://www.facebook.com/merredinregionallibrary>

2. Apps (applications) including ~~Localey, Go2Guides (WEROC) and Snap Send Solve.~~

The Shire may also post and contribute to social media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.

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The Shire actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Shire will moderate its social media accounts to address and where necessary delete content deemed to be:

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Where a third party contributor to a Shire's social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

4.5 ~~4.***~~ Elected Member Social Media Official Accounts

~~As per s.2.10 of the Act, Councillors have an important role in facilitating communication between the community and Council. As such, Elected Members may seek written approval from the CEO to create and maintain their own Councillor social media accounts that are readily identifiable as official accounts.~~

~~These official accounts must not be used by Elected Members for personal communications.~~

4.6 Use of Social Media in Emergency Management and Response

The Shire will use the following channels to communicate and advise our community regarding emergency management:

~~1. Facebook; and Twitter;~~

~~2. X (formally twitter); and~~

~~3. Instagram.~~

~~While not linked to social media, the Shire will also use its the Whispir SMSsms service (primarily used for harvest and fire ban notifications) to distribute emergency management and response information to the community.~~

~~Official updates throughout an emergency will also be published on the Shire's corporate website, with information also readily available to the community via the Emergency Hotline on 9041 2999.~~

4.7 Record Keeping and Freedom of Information

Official communications, such as media releases and media statement, undertaken on behalf of the Shire, including on the Shire's social media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the State Records Act 2000. These records are also subject to the Freedom of Information Act 1992.

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Councillor-Elected Member communications that relate to their role as an Council-Elected Member are subject to the requirements of the Shire's Record Keeping Plan and the State Records Act 2000. Councillors Elected Members are responsible for transferring these records to the Shire's Administration. Councillor Elected Member records are also subject to the Freedom of Information Act 1992.

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4.8 Personal Communications

Personal communications and statements made privately in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

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On the basis that personal or private communications may be shared or become public at some point in the future, Councillors-Elected Members should ensure that their personal or private communications do not breach the requirements of this Policy, the Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007.

4.9 Councillor-Elected Member Statements on Shire Matters

An Councillor-Elected Member may choose to make a personal statement publicly on a matter related to the business of the Shire.

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Any public statement made by an Councillor-Elected Member, whether made in a personal capacity or in their local government representative capacity, must:

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1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire;
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;
6. Not reflect adversely on a decision of Council;
7. Not reflect adversely on the character or actions of another Councillor-Elected Member or Employee;
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor-Elected Member, Employee or community member.

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An ~~Councillor-Elected Member~~ who is approached by the media for a personal statement may request the assistance of the CEO.

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Comments which become public and which breach this Policy, the Code of Conduct or the Local Government (Rules of Conduct) Regulations 2007, may constitute a minor breach of the Local Government Act 1995 and may be referred for investigation.

4.9 Use of Generative Artificial Intelligence (AI)

The use of generative AI tools on Shire owned devices is restricted to work related purposes only.

Users must obtain prior approval from their manager (for Elected Members, the Chief Executive Officer to provide guidance on the use of alternative AI platforms) for any business that requires the use of a publicly available (free) AI applications, such as Chat GPT. Users must not distribute or click on any links provided or generated by public AI platforms or bots. These links could lead to phishing sites or malware downloads. Only click on links from trusted sources.

Publicly available generative AI tools must not be used where information is confidential in nature, or information that may compromise the organisation.

Elected members and Shire staff should seek approval before using readily available generative AI platforms. Results of all generative AI tools must be verified by a person before use or communication.

All use of any generative AI technology must align with and be used in conjunction with the WA Government Artificial Intelligence Policy and the WA Government Artificial Intelligence Assurance Framework.

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Associated Documents:

WA Government Artificial Intelligence Assurance Framework

6.5. KEY POLICY DEFINITIONS

N/A

7.6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members and Employees are required to adhere to all aspects of this Policy.

8.7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2 years.

Document Control Box				
Document Responsibilities:				
Owner:	CEO	Decision Maker:	Council	
Reviewer:	Governance Officer			
Compliance Requirements				
Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Rules of Conduct) Regulations 2007 State Records Act 2000 Freedom of Information Act 1992			
Document Management				
Risk Rating	Medium	Review Frequency	Biennial	Next Due
				April 2025
Version #	Action	Date	Records Reference	
1.	Adopted	19 June 2018	CMRef 82201	
2.	Reviewed	30 April 2024	CMRef XXXXX	



POLICY NUMBER - **1.18**
POLICY SUBJECT - **Honorary Freeman of the Shire of Merredin**

1. POLICY PURPOSE

This Policy sets out the circumstances under which the Shire of Merredin ([the Shire](#)) Council may bestow the title of “Honorary Freeman of the Shire of Merredin” upon individuals who have made an outstanding and exceptional contribution to the Shire or community.

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2. POLICY SCOPE

[This Policy applies to all Elected Members of the Shire.](#)

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3. LEGISLATIVE REQUIREMENTS

[N/A](#)

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4. POLICY STATEMENT

[Policy Statement Introduction](#)

From time to time members of the Merredin community may demonstrate outstanding commitment and contribution to the [Shire of](#) community and it is recognised that this contribution should be acknowledged. The Council will do this by, in special circumstances that meet the criteria of this Policy, awarding to an individual the title of “Honorary Freeman of the Shire of Merredin”. The Council will recognise, under appropriate circumstances, individuals who have demonstrated an outstanding contribution. It is the highest honour available to the Shire.

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This Policy covers matters relating to the nomination and conferring of the honour.

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[Principles](#)

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[a\) \(a\)](#) Outstanding contributions should be recognised by the community and the Shire.

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[b\) \(b\)](#) The status of the honour should be protected over time.

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[Provisions](#)

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[4.1 1. General](#)

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[1.1](#) The conferring of the honour of the Freeman of the Shire of Merredin will occur only in rare and exceptional circumstances to maintain both the significance and prestige of the title.

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[1.2](#) The nominee must have given extensive and distinguished service to the Shire or community in a largely voluntary capacity. The nominee must have made an outstanding contribution to the Shire or community such that the nominee’s contribution can be seen to stand above the contributions made by most other people.

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[1.3](#) Bestowing the title of Honorary Freeman of the Shire will only by an absolute majority decision of the Council and in accordance with this Policy.

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CouncillorsElected Members,

3.6 — If an Councillor-Elected Member expresses an objection to the nomination, that Councillor-Elected Member must give their reasons for the objection in writing to the Chief Executive Officer, at least one week before the Council Meeting. The Chief Executive Officer shall submit all objections (together with any other relevant information) to the Council Meeting.

3.7 — Deliberations on the matter will take place behind closed doors. No record of the nominee’s name shall be recorded in the Minutes of the Council Meeting, whether supported or not by the Council.

3.8 — In the event Council approves the nomination, it shall be by an Absolute Majority decision.

3.9 — Prior to any announcement, the Chief Executive Officer shall make personal contact with the nominee to confirm their acceptance of the honour.

4.4 4. — Entitlements

4.1 — Any person declared an Honorary Freeman of the Shire of Merredin;

a) — (a) may designate themselves as an “Honorary Freeman of the Shire of Merredin”;

b) — (b) will be invited to all civic events and functions and be acknowledged as a dignitary;

c) — (c) will have their photograph hung in the Shire’s Council Chambers;

d) — (d) will be provided with a plaque to commemorate receipt of their Award; and will be conferred at an appropriate civic ceremony for the purpose hosted by the Shire of Merredin.

4.5 5. — Limitations on Holders of the Award

5.1 At any one time, a maximum of four living persons only, unless otherwise decided by an Absolute Majority decision of the Council, may hold the title ‘Honorary Freeman of the Shire of Merredin’.

5.2 For avoidance of doubt, the honour shall not be awarded posthumously.

4.6 6. — Personal Conduct

6.1 — A person who has been conferred with the honour of “Honorary Freeman of the Shire of Merredin” shall display high standards of personal conduct and behaviour at all times and shall not bring the Shire of Merredin into disrepute.

6.2 — The Council reserves the right to cancel the honour, in the event that the holder is convicted of a serious criminal offense or brings the Shire into disrepute. (Any such decision shall be by an absolute majority decision).

5. KEY POLICY DEFINITIONS

N/A

6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy.

7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2x years.

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Document Control Box				
Document Responsibilities:				
Owner:	CEO	Decision Maker:	Council	
Reviewer:	Governance Officer			
Compliance Requirements				
Legislation	N/A			
Document Management				
Risk Rating	Medium	Review Frequency	Biennial	Next Due
				April 2025
Version #	Action	Date	Records Reference	
1.	Adopted	21 January 2020	CMRef 82500	
2.	Reviewed	30 April 2024	CMRef XXXXX	

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POLICY NUMBER - **1.19**
POLICY SUBJECT - **Public Question Time**

1. POLICY PURPOSE

[This Policy outlines the requirements and procedures for Public Question Time.](#)

2. POLICY SCOPE

[This Policy applies to all Elected Members of the Shire of Merredin \(the Shire\).](#)

3. LEGISLATIVE REQUIREMENTS

[Local Government Act 1995.](#)

[Local Government \(Administration\) Regulations 1996.](#)

[Public Health Act 2016.](#)

[Emergency Management Act 2005.](#)

4. POLICY STATEMENT

Objective

Public Question Time is a means by which members of the public can seek responses from the Council or one of its committees about issues affecting the Shire of Merredin that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in the community.

[Local Government \(Administration\) Regulations 1996](#) Regulation 6 provides that the minimum length of time for asking of and responding to questions for ordinary council meetings is 15 minutes. The Shire of Merredin Standing Orders Local Law provides that time for asking of and responding to questions is included at every council and committee meeting.

[Local Government \(Administration\) Regulations 1996](#) Regulation 7 provides that the procedures for the asking of and responding to questions raised by members of the public at a meeting of Council or one of its committees are to be determined by the person presiding at the meeting or by a majority of members of the council or committee present at the meeting if they disagree with the person presiding.

[Local Government \(Administration\) Regulations 1996](#) Regulation 14E(4) provides that where a council holds an electronic meeting the procedure for public question time is modified so that the Council or committee allocates time for raising questions by members of the public that are submitted in accordance with a process determined by the Council.

The implementation procedures detailed in this Policy have been prepared in accordance with the applicable Regulations.

Policy

4.1 Time Frame

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- choose to take the question on notice; or
- choose not to accept the question.

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(a)(e) (f) If a question relating to a matter in which a relevant person (a member or an employee) has an interest is directed to that relevant person, he or she will:

- declare that he or she has an interest in the matter; and
- allow another person to respond to the question.

(b)(f) If a person has used up their allowed number of questions or time the Presiding Person will ask if they have any more questions; if they do their request will be noted and placed at the end of the queue (if applicable) and they will be asked to resume their seat in the public gallery.

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(c)(g) The next person on the list is called.

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(d)(h) The original registration list is worked through until exhausted; after that the Presiding Person will call upon any other persons who did not register if they have a question (e.g. people might have arrived after the meeting started).

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(e)(i) When such people have asked their questions the Presiding Person may, if time permits, provide an opportunity for those who have already asked a question to ask further questions.

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(f)(j) The Presiding Person declares Public Question Time closed following the expiration of the allocated time period or where there are no further questions. However, the Presiding Person has the discretion to allow more than the minimum time for questions if required.

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4.4 4.—Following the Meeting

Council and its committees are required to include a summary of the questions asked and responses given in the minutes of the meeting.

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If a person asked a question that needed to be taken on notice, he or she will receive a written response to the question where the person has provided contact details. This response will be included in the minutes of the following meeting.

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4.5 5.—Who can ask Questions?

Any member of the public can ask questions, not just an elector or people who live in the district.

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Elected Members do not ask questions during Public Question Time as they have other opportunities to obtain information.

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4.6 6.—What Kind of Questions can be Asked?

During an ordinary meeting of Council, any questions affecting the operations of the Shire may be asked, including the business listed on the agenda for a particular meeting. A response will not be provided to questions that do not relate to a matter affecting the Shire.

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During a special meeting of Council only questions relating to the purpose of the meeting may be asked.

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At committee meetings only questions relating to the purpose of the committee or meeting may be asked.

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4.7 ~~7~~—Repetitive Questions

If a person attempts to ask a question that, in the Presiding Person’s opinion, has been satisfactorily responded to at that or an earlier meeting, the person will be advised accordingly. Where necessary, the person will be referred to the minutes of the relevant meeting.

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4.8 ~~8~~—Making Statements

If a person attempts to use question time to make statements rather than ask questions, he or she will be asked by the Presiding Person to “state their question” or may be assisted in phrasing their question.

However, if it is necessary that a statement preface the question in order to place the question in context then that statement should be brief.

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4.9 ~~9~~—Questions Requiring Considerable Research

If a question is raised which requires considerable research, then the Presiding Person is at liberty to point out when a response to a question would require a substantial commitment of the Shire’s resources.

The Presiding Person may invite the person seeking the information to reconsider their request or refer the matter to the CEO for action following the meeting. The CEO can then arrange for the information to be provided or can determine in accordance with the *Local Government Act 1995* that provision of the information would be an unreasonable impost upon the Shire and refuse to provide it.

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4.10 ~~10~~—Inappropriate Questions

If a member of the public provides a written question or attempts to ask a question which is considered to be offensive or defamatory in nature, he or she will be advised by the Presiding Person that the question will not be considered. To do so would expose the Shire to possible legal action for republishing defamatory remarks. In such circumstances, but depending on the question, the person may be invited to rephrase their question.

Similarly, the Presiding Person will refuse to accept inappropriate questions, such as those containing defamatory remarks, offensive language or questioning the competency of members or employees.

If a person does attempt to ask a question considered inappropriate or not in good faith, the Presiding Person will rule the question out of order, and it will not be recorded in the minutes. The Presiding Person will also refuse to accept questions that relate to the personal affairs or actions of council members or employees.

Finally, the Presiding Person may refuse to accept questions relating to confidential matters, legal advice, legal proceedings or other legal processes; or that have been answered by earlier questions or questions at a previous meeting.

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4.11 ~~11~~—Questions Asked in Absentia

Where a person submits a question in writing for Public Question Time but fails to attend the meeting, the Presiding Person will not accept the question. In such cases the CEO will treat the question as an item of correspondence, which will be answered in the normal course of business of the organisation. It will not be recorded in the minutes.

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4.12 ~~12~~—Questions Asked that do not Comply with Procedures

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Questions from members of the public that do not comply with these procedures or do not abide by a ruling of the Presiding Person, or where the member of the public behaves in a manner that is disrespectful of the Presiding Person, Council or committee, or refuse to abide by any direction from the Presiding Person, will be ruled 'out of order', and the question will not be recorded in the minutes.

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4.13 13. Questions at Electronic Meetings

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Where an electronic meeting is held the procedures outlined in this policy are amended to provide as follows:

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Members of the public are invited to submit questions for Public Question Time by 2.00pm on the day of the Council meeting. If the council or committee determines at the meeting to respond to the question, the question and answer will be read aloud during the 15-minute allocated time for Public Question Time, and these will also be recorded in the Council Minutes. If these questions cannot be readily answered at or during the meeting, the council will take the question on notice and respond either by letter or at the next council meeting. The Council may decide at the meeting in the event of a public health emergency, state of emergency or direction issued under the *Public Health Act 2016* or the *Emergency Management Act 2005*, it is not appropriate to respond to the question at the meeting.

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5. KEY POLICY DEFINITIONS

N/A

6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members are required to adhere to aspects within this Policy.

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7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2X years.

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Document Control Box				
Document Responsibilities:				
Owner:	CEO	Decision Maker:	Council	
Reviewer:	Governance Officer			
Compliance Requirements				
Legislation	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i> <i>Public Health Act 2016</i> <i>Emergency Management Act 2005</i>			
Document Management				
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