



*Shire of Ravensthorpe  
Growing Our Community  
Policy Manual*

*August 2018*



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## **GOVERNANCE**

### **G 1 MEETINGS OF COUNCIL**

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#### **Policy: Ordinary Council Meetings**

The Council shall meet on a monthly basis (other than January), unless otherwise determined.

An agenda setting/discussion forum will be held on the Monday prior to the formal Council meeting which is to be held at 5pm on the third Thursday of each month.

Standing Orders will apply to the formal Council meeting.

#### **Ordinary Council Meeting Location/Venue**

The agenda setting/discussion forum is to be held in Ravensthorpe with Council meetings held in Hopetoun, Munglinup or Ravensthorpe with the number and venue to be set on an annual basis.

#### **Community Meetings**

Council will hold community meetings as required, in addition to the Annual General Meeting of electors.

The procedure for Community Meetings and Annual General Meetings shall be as follows:

Formal Agenda prepared by the Chief Executive Officer and forwarded to ratepayers two weeks prior to the meeting. Ratepayers be invited to submit questions of a technical nature to the Chief Executive Officer prior to the meeting so that the necessary research can be undertaken.

Meetings to be advertised on the Shire Website, notice board and Community Resource Centres.

Meetings to be facilitated by the Chief Executive Officer and Chaired by the Shire President.

Questions from the floor to be via the Chair, the Chair to refer the questions to the relevant senior officer or the Chief Executive Officer if it refers to a Council decision or is of a technical nature.

A sound system be made available to be used, depending on the numbers present.

Light refreshment to be provided at the conclusion of the meetings.

## **G 2 MEMBERS AND STAFF CONFERENCES, SEMINARS AND TRAINING COURSES**

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### **Policy: Council to pay all registration fees.**

Where a Councillor or staff member is an official participant or observer, all accommodation expenses will be paid. In addition, meal expenses not exceeding \$100 per day will be paid. If meals are purchased outside of the accommodation outlet, receipts will be required. Council will not be responsible for laundry, dry-cleaning, private telephone calls, in-house movies or mini bar.

Travel should be by Council vehicle unless written authorisation is received from the Chief Executive Officer for use of a private vehicle with reimbursement of a vehicle kilometre rate being paid.

All Councillors, the CEO and partners are entitled to attend Local Government Week. All accommodation and meal expenses for both delegates and partners will be met from Council funds.

Any Councillor or staff member attending an approved conference or training program requiring overnight accommodation that elects to stay with relatives or friends (i.e.; not in motel/hotel), be paid an amount of \$100 per night to offset meals and other expenses.

Payments of the \$100 per day amount provided to those persons who arrange their own accommodation/meals are to be approved at the discretion of the CEO. The CEO is to make the determination of whether accommodation would normally have been provided by Council and thus payment of the \$100 per day payment is applicable.

Council will pay accommodation costs up to \$300 per night. Delegates can upgrade accommodation at their own cost.

A report on issues, outcomes, etc., of the conferences attended (except Local Government Week) is to be provided to Councillors within 10 days of the conference.

## **G 3 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF**

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### **Policy Objective:**

*The Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.*

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

*better decision-making by local governments;*

*greater community participation in the decisions and affairs of local governments;*

*greater accountability of local governments to their communities; and*

*more efficient and effective local government.*

*The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.*

### **Policy: Rules of Conduct**

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

## **ROLES**

### **Role of Council Member**

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

The Role of Council Members as set out in S2.10 of the Local Government Act 10995 follows:

*“A Councillor –*

*Represents the interests of electors, ratepayers and residents of the district;*

*provides leadership and guidance to the community in the district; facilitates communication between the community and the council;*

*participates in the local government's decision-making processes at council and committee meetings; and*

*performs such other functions as are given to a councilor by this Act or any other written law.”*

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

Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;

Achieving sound financial management and accountability in relation to the Local Government's finances;

Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;

Working with other governments and organisations to achieve benefits for the community at both a local and regional level;

Having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

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

### **Role of Staff**

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995:

*"The CEO's functions are to –*

*advise the council in relation to the functions of a local government under this Act and other written laws;*

*ensure that advice and information is available to the council so that informed decisions can be made;*

*cause council decisions to be implemented;*

*manage the day to day operations of the local government;*

*liaise with the president on the local government's affairs and the performance of the local government's functions;*

*speak on behalf of the local government if the president agrees;*

*be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*

*ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*

*perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*



### **1.3 Role of Council**

The role of the Council is in accordance with S 2.7 of the Local Government Act 1995:

*“(1) The Council –*

*directs and controls the local government’s affairs; and*

*is responsible for the performance of the local government’s functions.*

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

*oversee the allocation of the local government’s finances and resources; and*

*determine the local government’s policies.”*

### **1.4 Relationships between Council Members and Staff**

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council’s corporate goals and implement the Council’s strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following:

accept that their role is a leadership, not a management or administrative one;

acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;

refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

## **CONFLICT AND DISCLOSURE OF INTEREST**

### **2.1 Conflict of Interest**

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

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

Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council’s functions (other than purchasing the principal place of residence).

Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

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

## **2.2 Financial Interest**

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

## **2.3 Disclosure of Interest**

*Definition:*

*In this clause, and in accordance with Regulation 34C of the Local Government (Administration Regulations 1996 –*

*“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.*

A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest –

in a written notice given to the CEO before the meeting; or

at the meeting immediately before the matter is discussed.

A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter –

In a written notice given to the CEO before the meeting; or

At the time the advice is given.

A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.

A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if –

The person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or

The person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then –

before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

Immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.

If –

to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or

a disclosure is made as described in item (d)(ii) at a meeting; or

to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

## **PERSONAL BENEFIT**

### **3.1 Use of Confidential Information**

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

### **3.2 Intellectual Property**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

### **3.3 Improper or Undue Influence**

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

### **3.4 Gifts**

*Definitions:*

*In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 –*

*“activity involving a local government discretion: means an activity –*

*that cannot be undertaken without an authorisation from the local government; or*

*By way of a commercial dealing with the local government;*

*“gift” has the meaning given to that term in S5.82(4) except that it does not include –*

*A gift from a relative as defined in S 5.74(1); or*

*A gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*

*A gift from a statutory authority, government instrumentality or non-profit association for professional training;*

*“notifiable gift”, in relation to a person who is an employee, means –*

*A gift worth between \$50 and \$300; or*

*A gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;*

*“prohibited gift”, in relation to a person who is an employee, means –*

*A gift worth \$300 or more; or*

*A gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

(a) A person who is an employee is to refrain from accepting a prohibited gift from a person who –

is undertaking or seeking to undertake an activity involving a local government discretion; or

it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is an employee and who accepts a notifiable gift from a person who –

Is undertaking or seeking to undertake an activity involving a local government discretion; or

It is reasonable to believe is intending to undertake an activity involving a local government discretion,

(c) notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

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

the name of the person who gave the gift; and

the date on which the gift was accepted; and

a description, and the estimated value, of the gift; and

the nature of the relationship between the person who is an employee and the person who gave the gift; and

if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift: (whether or not it is also a notifiable gift under paragraph (a) of that definition)

a description; and

the estimated value; and

the date of acceptance,

of each other gift accepted within the 6 month period.

(d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

(e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

## **CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF**

### **4.1 Personal Behavior**

Council Members, Committee Members and staff will:

act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;

perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;

act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;

make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and

always act in accordance with their obligation of fidelity to the Local Government.

Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

### **4.2 Honesty and Integrity**

Council Members, Committee Members and staff will:

observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;

bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.

Be frank and honest in their official dealing with each other.

### **4.3 Performance of Duties**

While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favorably both on them and on the Local Government.

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

### **4.4 Compliance with Lawful Orders**

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

Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

### **4.5 Administrative and Management Practices**

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

### **4.6 Corporate Obligations**

#### Standard of Dress

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

Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.

Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

#### Communication and Public Relations

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

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

As a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;

Information of a confidential nature ought not to be communicated until it is no longer treated as confidential;

Information relating to decisions of the Council on approvals, permits and so on ought to only be communicated in an official capacity by a designated officer of the Council.

Information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

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

#### **4.7 Appointments to Committees**

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members:

clearly understand the basis of their appointment; and

provide regular reports on the activities of the organisation.

### **DEALING WITH COUNCIL PROPERTY**

#### **5.1 Use of Local Government Resources**

Council Members and staff will:

be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

use the Local Government resources entrusted to them effectively and economically in the course of their duties; and

not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

#### **5.2 Travelling and Sustenance Expenses**

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

#### **5.3 Access to Information**

Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

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

## G 4 LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES

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### **Policy Objective:**

*To provide guidelines for the seeking of legal advice on behalf of Council Members or Employees*

### **Policy:**

#### EXPLANATION OF KEY TERMS

Approved lawyer is to be –

a certified practitioner; under the Legal Practice Act 2003;

from a law firm on the Shire's panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and

approved in writing by the council or the CEO under delegated authority.

Council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire of Ravensthorpe.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

a matter or matters arising from the performance of the functions of the council member or employee; and

legal proceedings involving the council member or employee that have been, or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services includes advice, representation or documentation that is provided by an approved lawyer.

Payment by the Shire of legal representation costs may be either by –

a direct payment to the approved lawyer (or the relevant firm); or

a reimbursement to the council member or employee.



## **Payment Criteria**

There are four major criteria for determining whether the Shire will pay the legal representation costs of a council member or employee. These are –

the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;

the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;

in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and

the legal representation costs do not relate to a matter that is of a personal or private nature.

## **Examples of legal representation costs that may be approved**

2.1 If the criteria in clause 1 of this policy are satisfied, the Shire may approve the payment of legal representation costs –

where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or

to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions – for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or

where exceptional circumstances are involved – for example, where a person or organization is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.

2.2 The Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

## **Application for payment**

3.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.

3.2 The written application for payment of legal representation costs is to give details of –  
the matter for which legal representation is sought,

how that matter relates to the functions of the council member or employee making the application;

the lawyer (or law firm) who is to be asked to provide the legal representation;

the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);

an estimated cost of the legal representation; and

why it is in the interests of the Shire for payment to be made.

3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

3.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.

3.5 The application is to be accompanied by a signed written statement by the applicant that he or she –

has read, and understands, the terms of this Policy;

acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and

undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7.

3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the Policy.

An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.

### **Legal Representation Costs – Limit**

4.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

4.2 A council member or employee may make a further application to the council in respect of the same matter.

### **Council Powers**

5.1 The council may -

refuse;

grant; or

grant subject to conditions,

an application for payment of legal representation costs.

- 5.2 Conditions under clause 5.1 may include, but are not restricted to. A financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members or employees insurance policy or its equivalent.
- 5.4 The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The council may, subject to clause 5.6 determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with clause 7.

#### **Delegation to Chief Executive Officer**

- 6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 5.4.

#### **Repayment of Legal Representation Costs**

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

## G 5 COMMUNITY DEVELOPMENT FUND

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### Policy:

### OBJECTIVES

To provide financial assistance for organisations and/or projects, which benefit the community.

To assist community based (not for profit) organisations to develop and maintain facilities.

To provide community based (not for profit) organisations with relief from Council imposed fees and charges.

### INTERPRETATION

*'Community Organisation'* means any organisation which has as its members, members of the Shire of Ravensthorpe community and which operates on a "not for profit" basis.

*'Not for Profit'* means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

*'Minor Community Grant'* means any financial assistance up to \$5,000. Usually provided for minor building construction, maintenance or repair, minor projects, equipment purchase, operating expenses, relief from Council fees and charges etc. A minimum grant of \$250 applies.

*'Community Donation'* means a donation up to \$250 provided to any community organisation or person, for any purpose. Approved by the CEO under delegated authority of Council.

*'GST'* means the Federal Government's Goods and Services Tax. Provision of grant funds will be exclusive of GST unless the recipient organisation is registered for GST, in which case the grant amount will be grossed up by 10%.

*'CEO'* means the Chief Executive Officer of the Shire of Ravensthorpe.

### ABOUT THE COMMUNITY DEVELOPMENT FUND

#### Funding Round

The Community Development Fund will be allocated from within Council's general revenue budget each year with applications being called at the beginning of March and will close during May for funding after adoption of the budget (generally September). An amount equivalent to approximately 1% of rate revenue will be allocated each year to this fund.

Generally Council is more likely to favour the consideration of applications for minor grants and typically grants of between \$1,000 and \$2,500 have been supported in the past.

Council will also budget an additional amount per year as contingency funding for Community Donations (max. \$250 per donation).

#### Advertising

Each year, during March, Council shall advertise its intention to consider applications for financial assistance under the Community Development Fund

## Applications

All applications shall be made on the form available from the Council. Applicants must address the selection criteria provided within the application guidelines. Late applications will not be accepted for consideration unless they are of an urgent or emergency nature. Unsuccessful applicants will be advised and will need to reapply in the next year if the funding assistance is still required at that time.

### Minor Community Grants (Up to \$5,000)

Minor Community Grants may be used for any purpose, including minor building construction, maintenance or repair, equipment purchase or hire, events or functions, operating expenses, relief from Council fees and charges etc. A minimum grant of \$250 applies. Applicants should ensure the following criteria are addressed in their application:

Type of organisation (e.g. sport and recreation, community based, general interest, health and welfare, artistic, religious etc);

Organisation membership;

Nature of service/facility provided;

Demonstrated need or community benefit;

Applicant's financial position;

Purpose of the grant; and

Provision of a detailed project budget including GST breakdown.

Provision of a quote for all items greater than \$1000 in value; and

Details of applications to other possible funding sources. (e.g. Dept. of Sport and Recreation, Healthways, Lotteries, etc.)

### Community Donations:

Applications for Community Donations, to a maximum of \$250, may be submitted at any time throughout the year for any purpose. Applications will be received from community-based organisations, or individuals, where an individual can demonstrate sufficient justification for the provision of financial assistance. Such justification may include selection as a representative on a state or national team, with associated costs.

Community Donations shall be referred to the Chief Executive Officer for consideration under delegated authority of Council.

### Administration of Financial Assistance and Acquittal:

All approved grant monies must be claimed and acquitted by 28th February the year following that in which the grant was approved. Acquittal of grants shall be to the satisfaction of the Manager of Corporate and Community Services and generally require the production of documentation or receipts sufficient to substantiate that the project monies have been spent in accordance with the grant application. Should the project not be completed by the 28<sup>th</sup> February the organisation should then re-apply for the funding in the following year.

## **G 6 SENIOR EMPLOYEES**

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### **Policy:**

The following are designated senior employees for the purpose and compliance with section 5.37 of the Local Government Act 1995:

Manager of Engineering Services

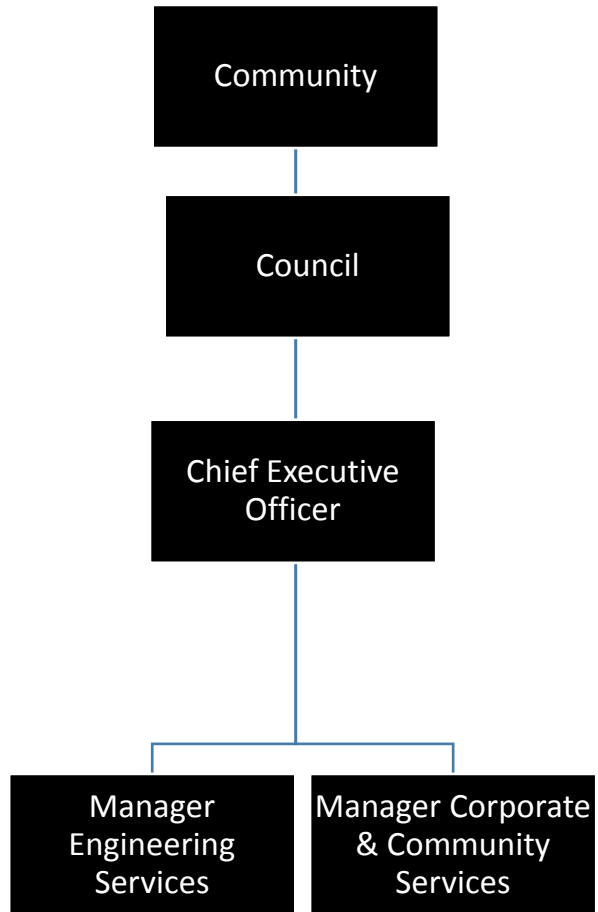
Manager of Corporate and Community Services

Manager of Planning and Development

## G 7 ORGANISATION CHART

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**Policy:** The administrative structure consequent of G6 is as follows:



## **G 8 RECOGNITION OF VOLUNTEERS**

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### **Policy:**

Council recognises volunteers in the district by way of a function held annually, generally in March and where possible coordinated with any State supported activities and funding.



## **G 9 ELECTED MEMBERS – PRESENTATION ON RETIREMENT**

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### **Policy:**

An official function is to be held to acknowledge a Councillor's service to the community.

The following guidelines apply:

Upon resignation of a Councillor midterm (minimum service of two years) a presentation function be held as part of the evening meal following a Council meeting.

Upon retirement, after a four year term, or failure to secure a further term, an official presentation reception be held. The reception is to include current and former Councillors and their partners.

At both functions a suitable gift shall be presented to the Councillor.

The CEO is to consult with the Shire President to determine a suitable gift.

## **G 10 CIVIC RECEPTIONS**

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### **Policy:**

Requests for civic receptions are to be determined by the Shire President.

Funding for civic receptions to be from the receptions and entertainment annual budget.

Arrangements for civic receptions, including the invitation list, are to be made by the Shire President and Chief Executive Officer, without referral to Council.

## **G 11 COMMUNITY NEEDS/CUSTOMER SATISFACTION SURVEY**

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### **Policy:**

A Community Needs/Customer Satisfaction Survey is to be undertaken on a biennial basis, in February/March.

The survey is to be sent to all ratepayers, including absentee owners.

## **G 12 POLITICAL/ELECTION CAMPAIGN ADVERTISING**

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### **Policy:**

Placement of political/election campaign signs on Shire controlled land is not permitted.

## **G 13 COUNCIL PHOTOGRAPH**

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### **Policy:**

A group and individual photograph of Councillors be arranged within three months after each Ordinary election.

## **G 14 CUSTOMER SERVICE CHARTER**

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### **Policy:**

#### **THE SHIRE OF RAVENSTHORPE'S COMMITMENT TO YOU**

Our Customer Service Charter states our commitment to provide you with quality services and gives you standards by which to measure our performance. It also provides staff with clear standards for which to aim.

The charter will be reviewed and adapted to meet the changing needs of our customers.

Our Customers Include—

Residents, electors, members of the business community, investors and community groups.

Future residents, electors and generations who will be affected by today's decisions.

Government departments, non-government agencies and adjoining local governments.

Councillors and fellow staff members within the Shire.

Visitors to the Shire.

#### **HOW WILL WE ACHIEVE OUR COMMITMENT TO YOU?**

By including in future staff recruitment processes selection criteria requiring a positive attitude towards customer service.

By conducting customer service training programs.

By making the development of positive customer service attitudes part of the performance review program of all staff.

By progressively reviewing and improving forms, systems and procedures from a customer's perspective.

By progressively improving access to our services for people with special needs.

By improving access to Council information by producing regular information pages in the local press, a new residents information kit, an Annual Report, and by making Council Minutes readily available in the Public Libraries and on the Shire's Web-site.

By Council and Management reinforcing the priority of achieving excellence in customer service.

#### **SERVICE STANDARDS THAT YOU CAN EXPECT**

Face to Face—

We will welcome you to our customer service desk in a professional, polite and attentive manner.

Customer service staff will wear a name badge showing their name for ease of communication.

We will listen to you and discuss fully your requirements.

We will endeavor to satisfy your request at the time of your visit.

When enquiries of a technical nature are made at the service desk, a technical officer will be called to the desk within five (5) minutes, where possible, and they will introduce themselves by name and position.

If the officer is out, or otherwise unavailable, the appropriate officer will contact you within one (1) working day.

Our aim is to assist you in a positive outcome.

On the Telephone—

We will answer your call within seven rings during opening hours of the Council Office. (Office hours: 8:30 a.m. to 4:30 p.m. Monday to Friday.)

We will introduce ourselves using first names.

We will provide you with a contact number, or e-mail, for further communication where needed.

We will return your telephone enquiry within one (1) working day, or if the appropriate officer is not available, redirect the enquiry to another officer who may be able to assist you.

In Writing—

We will write to you in clear, concise language that is easily understood.

We will respond to your letter within seven (7) working days.

If you're general correspondence enquiry proves to be more technical and requires research or consideration by Council that will take longer than seven (7) working days, we will acknowledge your letter and provide you with an expected reply date.

For Building and Planning Applications—

We will process complete (all required information) standard building applications that can be dealt with under delegated authority within twenty (20) working days. The Local Government (Miscellaneous Provisions) Act 1960 requires Council to assess building plans within 35 days. If not a written notice may be served on the CEO requiring the local government within 14 days to advise the approval or otherwise of the application.

We will acknowledge in writing, receipt of a complete planning application and provided the planning application is received by the cutoff date for the agenda present you planning application to Council for approval at the very next Council meeting.

We will acknowledge complex building and planning applications within seven (7) working days and keep you informed at each stage as the application progresses.

## COMPLAINTS

If you are not satisfied with our service—

Raise your concern with the staff member you have been dealing with to give him/her a chance to resolve the problem.

If you are not satisfied or feel unable to talk to that staff member contact that person's superior.

If you prefer, the "comment form" attached to this charter can be used to bring the problem to our attention.

If you feel your problem is still unresolved write to the Chief Executive Officer at PO Box 43, Ravensthorpe WA 6346.

If you are not satisfied with the Chief Executive Officer's response, you may raise your concerns with the Shire President or your Ward Councillor, or the WA Ombudsman.

### HELPING US TO HELP YOU

You can help us to meet these commitments—

By providing accurate and complete details when writing or phoning with any queries.

By ensuring that applications for building and planning approvals are complete and include all required details.

By phoning to make an appointment if you have a complex enquiry of need to see a specific officer.

If phoning as a result of correspondence from Council, by phoning directly to the officer nominated on the correspondence and quoting the reference number of the letter.

By treating our staff with courtesy and respect.

### HOW TO CONTACT US

By telephone—

9839 0000 from 8:30 a.m. to 5:00 p.m. Monday to Friday

Office Hours—

9:00 a.m. to 4:30 p.m. Monday to Friday

After Hours—

Chief Executive Officer - 0427 381 098

Manager Engineering Services - 0439 918 713

Postal Address—

Chief Executive Officer

Shire of Ravensthorpe

PO Box 43

Ravensthorpe WA 6346

E-mail: [shire@ravensthorpe.wa.gov.au](mailto:shire@ravensthorpe.wa.gov.au)

Website: [www.ravensthorpe.wa.gov.au](http://www.ravensthorpe.wa.gov.au)



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## FEEDBACK ABOUT THE CHARTER AND OUR SERVICES

We value your feedback about our service and invite you to comment about the Charter and our service on the form below and return it to us

### COMMENT FORM

*Please use this form to express your views about the Charter and our service.*

Did you find this Charter—

Easy to understand Yes  No

Useful in helping to deal with the Shire of Ravensthorpe Yes  No

Do you have any suggestions on how to improve this Charter or our service to you?

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If you have recently dealt with us by telephone—

Was your call answered within 7 rings? Yes  No

Was your last contact by mail  fax  Internet

Did you receive a response within 7 working days? Yes  No

Were you satisfied with the way staff responded to you? Yes  No

Were you satisfied with the way your issue was handled?      Yes       No

Were you satisfied with the outcome?      Yes       No

Optional Information—

Your name: \_\_\_\_\_

Your address: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Would you like someone to contact you at the  
above number to discuss any of the issues raised?      Yes       No

If answered yes, when would be the most  
Convenient time to contact you?  
\_\_\_\_\_

*Thank you for your comments.*

## **G 15 HONOUR BOARD POLICY**

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### **Policy Objective:**

*To regulate the hanging of honour boards at the Ravensthorpe Entertainment Centre.*

Policy: All hanging of honour boards at the Ravensthorpe Entertainment Centre shall comply with the following criteria;

Boards to remain uniform – wood colour, lettering and size;

Boards are to be a permanent fixture and not to be removed temporarily unless for maintenance reasons;

That honour boards be restricted to the western wall; and

That all hanging of boards is carried out by a shire builder or CEO delegate.

## **G 16 COMMUNITY CONSULTATION**

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### **Policy Objectives:**

To build a two way communication process between the Shire of Ravensthorpe and the Community to ensure that participation is offered to appropriate stakeholders on the shire of Ravensthorpe projects and programs.

### **Policy:**

Consultation shall be an integral part of the Shire of Ravensthorpe's decision making process.

Emphasis will be on advising stakeholders of projects that are to be undertaken, as well as inviting participation/comment, when appropriate.

Whilst committed to community consultation, the Shire of Ravensthorpe acknowledges that it is not always possible to adopt/accept all community groups and individual's views.

### **Statutory Implications:**

The Local Government Act, 1995 and other State Government legislation requires Council to undertake community consultation on various issues. This policy is designed to provide additional opportunity for community consultation/participation.

### **Guidelines:**

Officer reports to Council on new projects/programmes, policies and review of projects/programmes and policies shall include a community consultation plan.

A Community Consultation Plan shall include:

Objectives of the consultation.

Stakeholders to be consulted.

Timing and duration of consultation.

Method of consultation

- E.g.
- correspondence
  - public meetings
  - public displays
  - advertising (media)
  - questionnaires

Post consultation review to gauge effectiveness of the consultation process.

Council will consider the community consultation plan and make the final determination on the extent and level of communication.

## **G 17 INVITATION OF RATEPAYERS AND RESIDENTS TO COUNCIL DINNERS AND FUNCTIONS**

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### **Policy Objective:**

*To facilitate / promote greater awareness in the community of the Local Government role, functions and responsibilities and to encourage participation in the role of elected members.*

### **Policy:**

Elected members are authorized and encouraged to invite ratepayers and residents to Council dinners following Ordinary Council meetings and other official Local Government functions facilitated by Council.

The following policy statements apply:

Two guests per Councillor

Maximum of four guests per meeting

Guests to attend the Council meeting and participate in Public Question Time if they wish.

Councillors to manage the process, co-ordinate invitations etc. to avoid duplication.

Councillors to advise Chief Executive Officer's PA of the guests.

Cost of meal and refreshment to be met by the Shire of Ravensthorpe.

Official Local Government functions, facilitated by Council could include meetings with Government Department Heads and Regional Managers, visits by Ministers of the Crown.

Invitations to these functions to be authorized by the Shire President in consultation with Councillors and the Chief Executive Officer.

## **G 18 REIMBURSEMENT OF RAVENSTHORPE HOPETOUN FUTURE FUND BOARD CHAIRMAN AND MEMBERS MEETING EXPENSES.**

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### **Policy Objective:**

*To reimburse Board members out of pocket expenses and to set a Chairman Stipend.*

### **Policy:**

Board members will be reimbursed the expenses necessarily incurred by them in respect to the following:

#### Travel Expenses

Board members shall only claim travelling to the destination from their normal place of employment and/or residence and return, in respect to the following journeys:

- A) To attend Board meetings
- B) To attend Board Community presentations

The rate per kilometre applicable to be as prescribed from time to time in the Local Government Industry Award.

Claim forms as deemed appropriate by the Chief Executive Officer be provided to Board members for completion and forwarded to the Manager of Corporate and Community Services.

#### **1. Chairman Stipend**

In addition to reimbursement of travelling expenses the Board Chairman shall be paid a stipend of up to \$5,000 per annum as authorized by the Chief Executive Officer.

#### **2. Meeting Meals/Refreshments**

Board meeting meals and refreshments shall be provided at no cost to the Board members.

All expenses incurred under this policy shall be paid from Ravensthorpe Hopetoun Future Fund funds.

## G 19 RISK MANAGEMENT

The Policy and Procedures form the Risk Management Framework for the Shire of Ravensthorpe (“the Shire”). It sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on Australia/New Zealand Standard ISO 31000:2009 Risk Management.

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

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

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

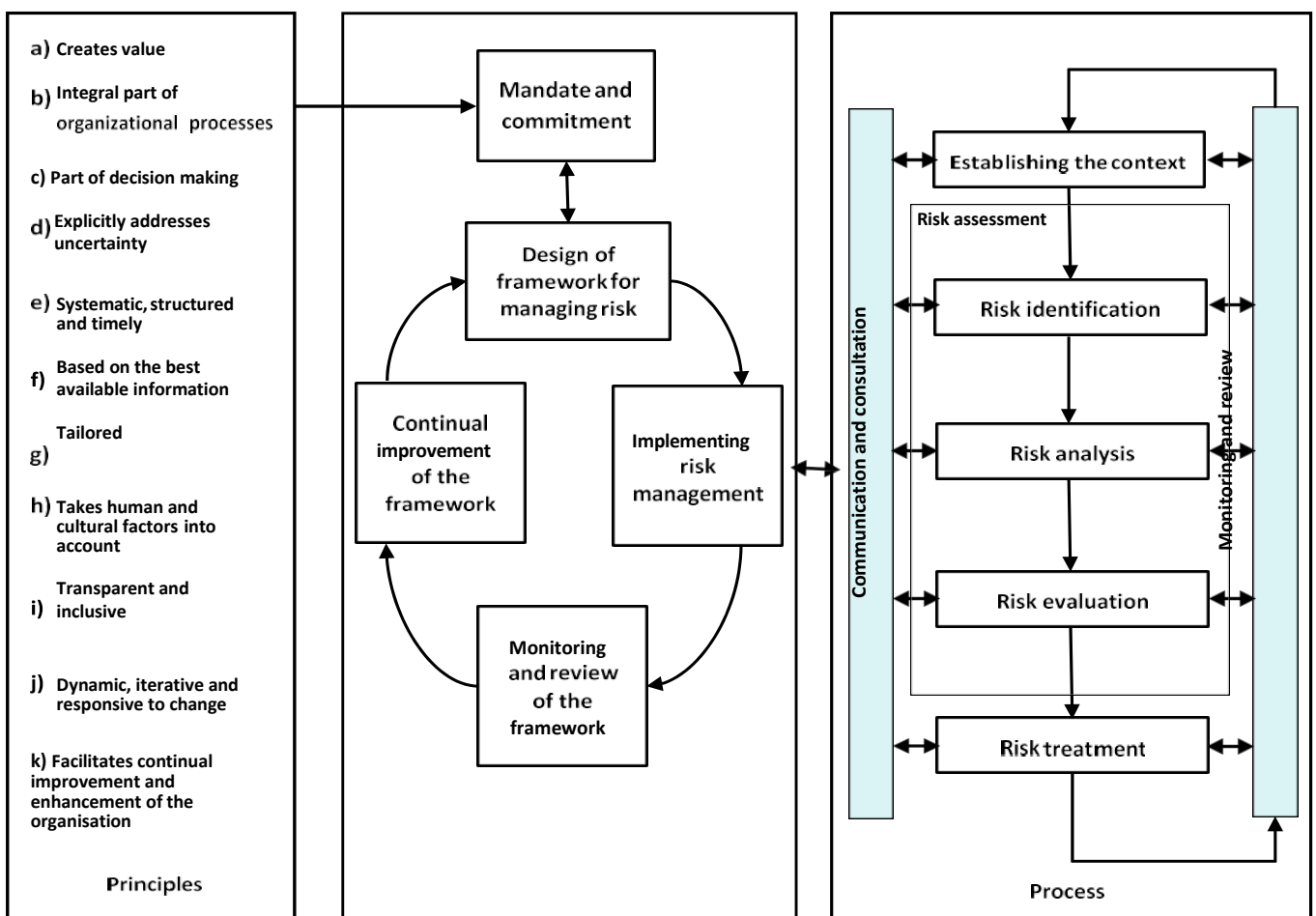


Figure 1: Risk Management Process (Source: AS/NZS 31000:2009)

### Risk Management Policy

## **Purpose**

The Shire of Ravensthorpe's ("the Shire") Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

## **Policy**

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Subject to budget constraints consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

## **Definitions (from AS/NZS ISO 31000:2009)**

**Risk:** Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation- wide, project, product or process).

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

## **Risk Management Objectives**

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.



- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

### **Risk Appetite**

The Shire has quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria and Risk Management Procedures may be reviewed by the CEO from time to time in keeping with the objectives of this Policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

### **Roles, Responsibilities & Accountabilities**

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures that may be amended from time to time by the CEO (Organisation Procedure Manual).

### **Monitor & Review**

The CEO will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be reviewed by the Council as required.

## **ADMINISTRATION**

### **A 1 CONFERENCES – STUDY TOURS**

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#### **Policy:**

#### Attendance at State and Federal Professional Conferences

The Chief Executive Officer and Senior Employees are encouraged to attend the Annual State Conference relating to their profession and are encouraged to attend bi-annually, the Federal Conference relating to their profession. (Note: where the officer's professional organisation does not convene a State Conference the officer is encouraged to attend the organisation's Federal Conference, annually).

The Chief Executive Officer is authorised to approve the attendance of staff at State and Federal professional conferences in accordance with the following guidelines:

Budget authority and/or funding arrangements are in place or are to be considered.

The Chief Executive Officer is to ensure that attendance at the conference will be beneficial to the officer and/or the Council.

The officer is to provide a report on the issues, outcomes, etc of the conference with recommendations as appropriate and the report is to be submitted to Council.

Senior staff will not be precluded from attending a Federal conference only because the conference happens to be held overseas.

If it is considered beneficial for a Councillor or Councillors to accompany the staff member to any State or Federal conference, such attendance is to be at the discretion of the Chief Executive Officer in consultation with the Shire President and will only occur if adequate funds are available in the budget.

#### Fact Finding Tours

A fact finding tour is designed to enable Councillors and staff to travel intrastate, interstate and/or overseas to research, study and lobby for specific issues confronting Council.

Details of tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of tours have been arranged or arrangements are incomplete, an appropriate amount is to be included on the budget to cover the cost of an annual fact finding tour.

Council may approve attendance at fact finding tours but shall apply the following guidelines:

The maximum attendance at any tour is to be two Councillors and one staff.

Attendance at a tour shall only take place where there are appropriate funds provided for in the annual budget.

A detailed report on each tour is to be submitted to Council.

## **A 2 SAFETY – ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) AND HUMAN IMMUNODEFICIENCY VIRUS (HIV)**

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### **Policy Objective:**

*To ensure the safe, effective and sensitive management by the Shire of issues associated with AIDS and HIV.*

### **Policy:**

The Shire of Ravensthorpe is committed to Equality of Opportunity in its employment and service delivery. It is also committed to protecting and promoting the health of its employees and of the citizens of Ravensthorpe. The Shire Council intends to ensure that people with HIV and/or AIDS do not experience discrimination in Council employment or as a receiver of Council services. The Shire Council will work with the Health Authorities and non-statutory organisations involved with the control and spread of HIV infection and AIDS.

In the administration of any HIV/AIDS related legislation that involves the Shire of Ravensthorpe or any of its Officers, the Council insists that such legislation is administered wisely and with compassion.

There will be no discrimination in recruitment against applicants, internally or externally, on the grounds that the applicant has the HIV infection and/or AIDS. Applicants who are deemed to be "medically fit" at the time of the interview will not be refused an offer of work because of HIV. Medical fitness will be determined through the normal process of consideration by the Shire Council's nominated Health Physician and normal rules considering sickness will apply. If it becomes known that any employee has AIDS, the Shire Council will ensure that reasonable arrangements are made to enable work to be continued. Employees will only be redeployed to alternative employment at their own request, except where they are deemed not medically fit. The Shire Council believes that to continue working may enable that person to maintain confidence and social contact and therefore fight AIDS with dignity. No employee or applicant will be required to take the test for HIV anti-body.

No-one will be denied a service to which he or she is entitled because he or she has AIDS or is anti-body positive. The Shire of Ravensthorpe will review all departmental practices to ensure that all users of services and all employees are adequately protected against HIV infection.

The Shire of Ravensthorpe will not require those who are anti-body positive to the virus or who have AIDS to inform the Council. Should the fact become known that an employee or receiver of Council services has HIV then strict confidentiality will be maintained. Deliberate breaches of confidentiality will be made a disciplinary offence under normal consultative procedures.

The Shire of Ravensthorpe recognises the important role of a counselling service for those who have AIDS. For reasons of confidentiality and impartiality, Council believes that this service should be provided by an external organisation. The Shire of Ravensthorpe recognises the important role of other organisations in the non-statutory sector. The Ravensthorpe Shire Council supports a coordinated approach to advice and counselling to those concerned about HIV infection being developed between statutory and non-statutory organisations, and other relevant workers or groups.

In recognition that the fears and prejudices in relation to AIDS need to be addressed, a clear strategy may be developed including the dissemination and presentation of material to help overcome negative reactions.

The Ravensthorpe Shire Council recognises that AIDS, like any other disease, is best dealt with by the application of preventative measures, in accordance with the Code of Practice available from Worksafe Western Australia.

The Ravensthorpe Shire Council will endorse recognised National or State lobbies to persuade respective Governments to allocate adequate resources to deal with the AIDS crisis. The Ravensthorpe Shire Council will cooperate with State and Federal Health Authorities in the provision of rational and logical information for the public. The Shire Council supports and encourages initiatives by State and Federal Health Authorities to establish and provide counselling, educational and treatment facilities within the Shire of Ravensthorpe.

The Chief Executive Officer is to implement this policy.

## A 3 STAFF – HARASSMENT IN THE WORKPLACE

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### **Policy Objective:**

*To facilitate the prevention of harassment in the workplace.*

### **Policy:**

The Shire of Ravensthorpe will not intrude into the personal relationships of its employees.

However, acknowledging its statutory obligations under the WA Equal Opportunity Act, Council wishes to make it clear that any form of harassment of any nature, whether direct or indirect, which creates an intimidating, hostile or offensive work environment and which may adversely affect an individual's work performance, well being or employment prospects, will not be tolerated in any form or fashion by this Council.

The responsibility of Harassment Grievance Officer is delegated to the Chief Executive Officer and any person who feels that they have a legitimate complaint of a sexual harassment nature or other form of harassment, be directed to approach this officer at any time.

## A 4 STAFF – USE OF SHIRE VEHICLES BY EMPLOYEES

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### **Policy Objective:**

*To set rules for the use of Council vehicles by staff members.*

### **Policy:**

The rules may not apply to the Chief Executive Officer and Officers designated as Senior Officers under the Local Government Act 1995 and any documentation between Council and the Officers relating to use of vehicles shall override this policy.

These rules shall apply to existing employees who, on the day prior to adoption of these rules, had use of a Council vehicle.

The use of a Council vehicle, if any use is to be permitted, shall in the case of:

Staff members appointed after the date of adoption of this policy; or

Currently employed staff members who may be promoted to a position in respect of which the present incumbent is granted conditional use of a Council vehicle;

be on such terms and conditions as agreed by the Shire at the time of the appointment/promotion of the employee.

Employees shall be permitted use of Council vehicles in accordance with the terms and conditions as set out hereunder.

The allocation of particular Council vehicles to staff shall be at the discretion of the Chief Executive Officer.

It shall be a condition of driving a Council vehicle that the employee shall have a current driver's licence for the class of vehicle driven, and should a driver have his/her licence revoked for any reason they must notify the Chief Executive Officer immediately. In addition, an employee shall be responsible for the payment of any fines incurred as a result of failing to observe statutory road traffic regulations that may be in force from time to time.

A vehicle used for commuting/private purposes shall be properly housed and secured at the residence of the employee. It is the responsibility of the officer to maintain the vehicle in a reasonably tidy and clean condition.

All Council vehicles used for private or commuter purposes remain part of a 'pool system', and are therefore subject to being used by any authorised employee for Council business, when the vehicle is available.

It shall be the prerogative of the Chief Executive Officer in the event of him/her determining that any action or conduct of an officer using a Council vehicle is in breach of the terms and conditions specified in this policy, to further restrict the use of a vehicle by an employee or withdraw its use.

The Chief Executive Officer shall determine the commuter and private use status of the employee or positions within the Shire. He or she will review the applicability of this status for new positions, when an employee resigns, and existing staff should there be a substantial

change in the employees' duties and/or responsibilities in accordance with the terms and conditions of this policy.

The Chief Executive Officer shall determine the applicability of the terms and conditions contained within this policy and shall make minor modifications when considered necessary.

It is not the intention of this policy to restrict the use of Council vehicles to those employees who are performing a Council function, responsibility or duty.

The transportation of animals within Council vehicles is not permitted. However, where the vehicle is a Utility, the transportation of animals within the rear section of the Utility is permitted provided the said animal is humanely secured to the vehicle.

## **STAFF USE OF LIGHT VEHICLES (AS PER POLICY A 16)**

### **Level 1 – CEO, M CCS, MES**

Unrestricted use of vehicle by the officer and spouse including on periods annual and long service leave within Western Australia.

Council to meet all operating expenses other than fuel and servicing expenses incurred outside of Western Australia.

### **Level 2 – Manager of Airport & Compliance**

Unrestricted private use by the officer and spouse including on periods of annual leave in the S-W Land Division.

Council is to meet all of the operating expenses.

### **Level 3 – Works Supervisor**

Restricted private use by the officer and spouse within local/neighbouring shires or as approved by the CEO.

Council is to meet all of the operating expenses.

### **Level 4 – Pool Vehicle**

Business use only of the vehicle or as approved by the CEO.

Council is to meet all of the operating expenses.

### **Level 4 & 5 – Maintenance Grader & Dozer Operators, Leading Hand, Building Maintenance Officer**

Commuting and business use only of the vehicle or as approved by the CEO.

Council is to meet all of the operating expenses.

## A 5 STAFF – EQUAL EMPLOYMENT OPPORTUNITY

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### **Policy Objective:**

*To ensure the Human Resource activities at the Shire are conducted in accordance with Equal Employment Opportunity legislation and principles.*

### **Policy:**

The Shire of Ravensthorpe is an equal opportunity employer, believing that only the best applicant for a position, based on relevant work experience, qualifications, skills and personal attributes (if applicable), should be promoted to any advertised vacancy.

The Equal Opportunity Act 1984 makes it unlawful to discriminate against job applications on the grounds of sex, marital status, family responsibilities, age, disability, pregnancy, race, religious and political conviction.

The principle of Equal Employment Opportunity is one where all Human Resources activities are conducted to ensure that every individual is judged according to his or her skills, abilities and experience without regard to stereotyped assumptions based on prejudice. Equal Employment Opportunity can be defined as the genuine application of merit to all Human Resources functions.

The arguments for Equal Employment Opportunity may be categorised under economic efficiency, effectiveness of administration, social justice and freedom of choice. These concepts are not new but have gained impetus in recent years as a response to the community's long standing and growing interest in matters involving discrimination and equality.



## A 6 GRATUITOUS PAYMENTS TO EMPLOYEES

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### Policy:

Pursuant to the provisions of Section 5.50 of the Local Government Act 1995, Council has adopted the following guidelines with respect to the payment of gratuities to staff who are leaving the organisation.

Council will provide a gift to the value stipulated in the table below to all departing permanent employees who have served a continuous period of employment with the organisation.

Length of Continuous Service	Value of Gratuity Gift
Less than 3 years	Nil
3-5 years	\$100 for 3 years and \$100 per year to five years
5-8 years	\$400 for 5 years plus \$150 per year to 8 years
8-10 years	\$850 for 8 years plus \$200 per year to 10 years
10-15 years	\$1250 for 10 years plus \$250 per year to 15 years
15-20 years	\$2500 for 15 years plus \$350 per year to 20 years
20 years and more	\$5000

A gratuity gift or payment will not be provided to an employee who has been dismissed for any reason other than redundancy.

A gratuity gift or payment will not be provided to a casual or other non-permanent employee.

For the purposes of this policy continuous service shall deem to include:

Any period of absence from duty by annual leave, long service leave and/or bereavement leave.

Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay or parental leave.

Any period of absence that has been supported by an approved workers compensation claim up to a maximum of one year.

In addition to the provision of a gratuity gift the Council, in recognition of the loyal service of long-serving employees may agree to the provision of a gratuity payment.

Such a gratuity payment is restricted to a maximum payment of \$10,000.

## A 7 SAFETY POLICY

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### **Policy Objective:**

*To ensure the Shire's Occupational Health and Safety obligations are met or exceeded.*

### **Policy:**

The Shire of Ravensthorpe is committed to the Health and Safety of all employees and aims to maintain the highest possible standards practicable to ensure a safe working environment. Accordingly the Shire will:

Ensure Health and Safety is given priority when managing operations.

Accept that all incidents and injuries are preventable.

Continually strive to improve the Health and Safety of all employees and parties impacted by our activities.

Integrate Safety and Health into all aspects of the workplace.

Promote the principle that Health and Safety is the joint responsibility of management and employees.

Comply with all applicable laws, regulation and standards.

Effectively manage risk.

Provide recognition when Health and Safety performance meets or exceeds expectations.

Ensure all employees are effectively trained and competent in safe working practices.

Ensure the effective communication of Occupational Health and Safety Policies and procedures.

## A 8 CORPORATE WARDROBE – INTERNAL

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### **Policy Objective:**

*To improve the public profile of the Shire of Ravensthorpe by presenting a professional image and develop a feeling of pride amongst staff.*

### **Policy:**

Council will provide a subsidy of a \$400 towards each new employee for the purchase of approved Local Government garments. Each year thereafter the Council subsidy will be \$400.

The subsidy is not cumulative.

The subsidy is provided on a financial year basis.

Only permanent full time and part time employees who have satisfactorily completed their probationary period are eligible.

Council requires those employees who participate in the corporate wardrobe to wear the wardrobe in its entirety whilst on work duty.

The apparel must only be worn whilst on official duty including travel to and from work.

The apparel must be worn in its entirety and not mixed with the employee's own personal clothing.

The base corporate wardrobe consists of a range of clothing, including:

Women - 3 blouses, 2 skirts/pants

Men - 3 shirts, 2 trousers, 1 tie

Other items such as belts, scarves, blazers and dresses may be purchased in addition to the base wardrobe.

To assist in the purchase and ongoing maintenance of the corporate wardrobe, an employee representative will be appointed. Only they will liaise with the providers.

Employees are required to forward a copy of all documentation received from the suppliers to the employee representative to assist with account reconciliation as follows:

A copy of the packing slip/invoice (accompanying garments upon delivery).

A copy of credit notes (received by staff members once return/exchange of garments is processed).

When ordering the corporate wardrobe for the first time, it is a requirement of the Australian Taxation Office that employees purchase one complete outfit to qualify for tax deductibility. After this initial purchase, additional items may be purchased. Laundry and dry cleaning costs may be tax deductible and employees are requested to seek their own taxation advice.

There will be two main opportunities to purchase apparel throughout the year. Orders must be forwarded to the employee representative by the specified time.

The cleaning and repair of the corporate wardrobe is the responsibility of the individual employee, who is expected to keep their wardrobe clean and in a good state of repair at all times, and at their own cost.

## A 9 STAFF – SUPERANNUATION SALARY SACRIFICE POLICY

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### **Policy Objective:**

*To document the circumstances where Council will provide opportunities for staff superannuation salary sacrifice and the provision of a Council Co-Contribution scheme to encourage staff members to save for their retirement.*

### **Policy:**

The Shire of Ravensthorpe offers, at its discretion, superannuation salary sacrifice to eligible employees in accordance with appropriate legislation, award provisions and policy provisions as follows:

An eligible employee is a member of a registered Superannuation Plan who is covered by award provisions that provide for salary sacrifice.

The provision of normal superannuation salary sacrifice is offered on the basis that:

There is no additional cost or significant administrative burden to Council as deemed by the Chief Executive Officer;

That all provisions comply with taxation, superannuation and award requirements; and

Salary sacrifice contributions are made direct to a registered superannuation fund from Council remittances.

There are no maximum salary sacrifice caps imposed by Council however employees should familiarise themselves with superannuation concessional caps imposed by the Australian Taxation Office. The Chief Executive Officer also reserves the right to limit the amount sacrificed if he or she feels that there may be a financial impost on the employee by sacrificing such an amount.

In operation with regular superannuation salary sacrifice arrangements the Shire of Ravensthorpe provides a co-contribution scheme whereby the Shire will contribute \$1 for every \$1 salary sacrificed to a superannuation fund by an employee, or as otherwise negotiated with contracted employees. The maximum amount is capped at an additional 5% of the employees base salary. This additional payment is designed to encourage Shire employees to plan and adequately save for their retirements.

The Council shall ensure that the provision of superannuation salary sacrifice complies with taxation and other relevant laws.

The Council reserves the right to withdraw the superannuation salary sacrifice provision and co-contribution scheme, where such provision does not continue to comply with legislative requirements, conditions as specified above or exceeds the financial capacity of the organisation in the case of co-contributions.

Superannuation is a complex issue. Employees are advised to seek the services of a financial adviser or superannuation specialist to determine the most favourable option for their personal situation.

## A 10 RECORDS MANAGEMENT POLICY

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### Purpose:

This policy provides a formal framework and assigns responsibilities for ensuring a responsible and sustainable approach to the management of the corporate knowledge base.

This policy establishes a framework for best practice management and consistency in the keeping of information in the form of documents, images, plans and web based content in both hard copy and electronic environment, in order to meet evidentiary, legislative and good governance accountabilities.

### Definitions

The Act	State Records Act 2000 – Western Australia (the act)
SynergySoft	The system used to electronically store all Council's documents, images, plans and web based information.
Keeper	The Shire of Ravensthorpe
Record	Recorded information in any form, on any medium (paper or electronic) created or received and maintained by Council in the transaction of business or the conduct of affairs and kept as evidence of such activity.

### Scope

This policy applies to all aspects of Council's business activities.

It applies to all Council employees, volunteers and external service providers engaged under contractual arrangements to conduct business on behalf of Council.

It applies to all active and archival records and all core and administrative functions where records are created, maintained, managed and stored, including the various business applications in use by the Council. This includes hard copy documents, images, plans and web based content.

Adherence to the Records Management Policy is a mandatory requirement for all, executives, managers, team leaders, coordinators, staff, contractors of the Shire of Ravensthorpe. No exemptions exist for this Policy.

### Context

*The State Records Act 2000* (the Act) requires public offices to make and keep full and accurate records of their activities. The Act also requires public offices to ensure that such records are effectively and efficiently managed so that they are accurate, complete and available when required. These records must be protected from accidental or deliberate loss, damage or misuse and secured from unauthorised access. The Council is responsible for, and is committed to, the effective management of all records and information in its care.

The Shire of Ravensthorpe is committed to establishing and maintaining practices that meet business needs, accountability requirements, and stakeholder expectations and minimise risks.

The policy aims to ensure that the following is understood:

Council employees have an obligation to identify and keep records of business conducted including records created or received as part of daily work;

Records created are covered by legislation and provide proof of activities and evidence of business; and

Records have many purposes other than the original intent and these are often not evident at the time of creation.

The Shire of Ravensthorpe recognises that Records are vital assets, necessary to:

Support its management, administration and service delivery,

Deliver customer service in an efficient, fair and equitable manner,

Provide evidence of actions and decisions and precedents for future decision making, and

Protect its rights and interests and that of its clients and residents.

Council seeks to ensure that:

It has the Records it needs to support ongoing business activity and customer service, meet accountability requirements and reasonable community expectations,

These Records are managed efficiently and effectively, and can be readily accessed,

It complies with all requirements concerning records and information management practices,

Retention and disposal of council records will be in accordance with the General Disposal Authority for Local Government Records provided by the State Records Office of Western Australia (SRO).

Records of longer-term value are identified and protected for historical purposes and those records identified as permanent are transferred to the State Records Office of Western Australia in due course to become part of the state archives, and;

*State Records Act 2000; and Standards issued by the State Records Office of Western Australia*

*State Records Office Guidelines, Management of Digital Records;*

*Building Act 1993;*

*Corruption and Crime Commission Act 2003;*

*Electronic Transactions (Western Australia) Act 2011;*

*Evidence Act 1906;*

*Financial Management Act 2006;*

*Freedom of Information Act 1992;*

*Limitation Act 1935, Limitation Act 2005;*

*Local Government Act 1995;*

*Public Sector Management Act 1994.*

Refer to:

<http://www.sro.wa.gov.au/state-recordkeeping/legislative-requirements>

## **Policy:**

### Policy Statement

Documents, images and other media created, received or used by Council staff, Volunteers and external service providers in the normal course of business are the property of the Council.

The Council's official Records constitute its corporate memory, and as such are a vital asset for ongoing operations, and for providing evidence of business activities and transactions.

### Roles & Responsibilities

In accordance with the *State Records Office of Western Australia (SRO)*, Council's Chief Executive Officer is responsible for carrying out, with the advice and assistance of the Keeper, a program of efficient management of public records that is in accordance with all Standards issued by the Keeper.

All employees, external service providers and volunteers have a responsibility to create, capture and manage appropriately the complete and accurate records of The Shire of Ravensthorpe business, including records of decisions made, actions taken and transactions of daily business in accordance with the records management program, this policy and Council's records management procedures and processes.

The CEO and DCEO, are responsible for monitoring staff under their supervision to ensure that they understand and comply with the Records Management Policy and procedures. The CEO and DCEO are also responsible for fostering and supporting a culture within their workgroup that promotes good record management practices;

The Records Officers:

develops and implements the SynergySoft program, including training;

advises the CEO and DCEO on the management, storage, classification, retention and disposal of records according to standards and Disposal Authorities issued by the State Records Office of Western Australia (SRO); and

manages the transfer of hardcopy and electronic records such as images, plans and web based content, and the capture and preservation of The Shire of Ravensthorpe.

External service providers will be responsible for:

Ensuring that complete records are accurately created and managed that properly and adequately record evidence of the business activities of the work functions for which they are



responsible. This applies to both hardcopy and electronic information, including email, images, plans and web based content;

Complying with the requirements of the Act, and any other applicable legislation with requirements pertaining to recordkeeping;

Respecting and protecting the confidentiality of these Records from unauthorised access and release of information, and

Ensuring that these Records are returned to Council upon completion or termination of the Contract or work.

### SynergySoft

SynergySoft is a completely integrated application that incorporates the very best features of Local Government software. There are in excess of thirty modules all of which, apart from the core General Ledger, are optional.

It is a comprehensive management system, specifically designed to meet the current and future information processing and management needs of Local Government Authorities. SynergySoft is flexible, with modules being fully integrated, and has been designed to include a consistent and helpful interface between the user and the system. It also encompasses two very important principles:

That data must only be input once and stored once.

All related data must be available for viewing.

All information created or received in the conduct of the Shire of Ravensthorpe business should be considered a public record and therefore captured into SynergySoft.

SynergySoft is a combination of business applications, procedures and practices. The system manages the following processes:

the creation and capture of records;

the storage of records;

the protection of record integrity and authenticity;

the security of records;

access to records;

the disposal of records in accordance with approved disposal authorities; and

guidance and uniformity in method; and

compliance with the requirements of the State Records Office of Western Australia.

SynergySoft assists in making full and accurate records, which include the following characteristics:

compliant with the recordkeeping requirements arising from the regulated and accountable environment;

adequate for the purposes for which they are kept;

complete in content and contain the structural and contextual information necessary to document a transaction;

meaningful with regards to information and/or linkages that ensure the business context in which the record was created and used is apparent;

comprehensive in documenting the complete range of business for which evidence is required by the organisation;

accurate in reflecting the transactions that they document;

authentic in providing proof that they are what they purport to be and that their purported creators did indeed create them;

inviolable through being securely maintained to prevent unauthorised access, alteration or removal, and

retrievable records through the use of a key word discipline intuitive environment.

The following “systems/tools” do not provide adequate recordkeeping functionality and are not to be used to store all organisational Records:

email folders;

local F:drives;

portable storage devices; and

shared (network) drives.

#### Administrative updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of the CEO or DCEO.

#### Review

The next biennial review of this document is scheduled for completion by 30 June 2017.

#### Breaches

Any serious breaches and non-conformance with this Policy and associated policies, procedures and legislative requirements will be dealt with under Council’s Code of Conduct for Employees, Disciplinary Code.

Managers will always need to take into account principles of fairness and reasonableness in dealing with any breaches of this policy.

## SynergySoft PRINCIPLES

Council is committed to achieving best practice through a council-wide consistent approach to the management of electronic information. This will be achieved through the following principles:

### Manage

Council will establish the capability to manage the life-cycle of electronic content by maintaining electronic content and metadata in electronic form for the purpose of delivering services and conducting business. Electronic information is more accessible and continues to contain content when maintained in electronic form.

Council will develop policies, business rules and procedure to enable sound recordkeeping practices in the electronic environment.

Council will ensure the effective establishment and ongoing operation of its electronic content management system.

### Capture

Council will establish business processes to ensure hard copy documents and electronic content generated or received by Council employees, in the course of official duties are treated as official records in accordance with the State Records Act 2000 (the act) Western Australia.

Council will implement electronic recordkeeping practices through the design and operation of reliable recordkeeping or business systems which produce authentic and reliable electronic content.

### Store and Preserve

Council will store and manage electronic content in compliance with relevant legislation and industry standards such as the State Records Act 2000, State Records Office Guidelines – Management of Digital Records.

Maintaining electronic records over time involves a shared responsibility between Council and the State Records Office of Western Australia. Council cooperates with State Records Office of Western Australia to establish arrangements for the long-term management and preservation of electronic records.

### Deliver

Council will establish processes to ensure the delivery and access to electronic content is compliant with legislative requirements such as Freedom of Information Act 1992.

Council will develop and maintain a security classification within the SynergySoft framework to provide a secure single point of access to all electronic content in business and recordkeeping applications.

### Enable

Council will invest in information technology infrastructure to support SynergySoft framework that facilitates integration of business and recordkeeping applications.

Council will establish a security methodology that will enable security management and demonstrate authentication of electronic content within the SynergySoft framework.

## A 11 INTERNET AND EMAIL USAGE

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### **Objective:**

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

*To ensure that all the Shire's business emails are preserved and available as corporate knowledge in accordance with the State Records Act 2000.*

### **Policy:**

The Council will ensure that employee use of the Council's internet and email systems is in accordance with the following:

#### Email Content

All emails sent or received via the local government's email system are the property of the local government although the local government does not accept responsibility for items of an informal nature that are transmitted through its system without consent.

Employees shall only give the Shire of Ravensthorpe email address to people and organisations that are business partners of the Shire of Ravensthorpe.

No employee shall send or distribute emails containing non-business related material.

No employee shall send or distribute emails containing expletives or pornography, messages that are abusive, obscene, libelous, insulting or in bad taste.

No employee shall send or distribute emails containing derogatory, inflammatory, insulting or libelous information about any other local government employee, customer, associate or any other person whatsoever.

No employee shall conduct any business of a private nature via the local government's email/internet system.

Any employee receiving questionable material (as described above in points 3, 4 and 5) should immediately forward all such material to the Chief Executive Officer or their supervisor for appropriate action and then delete all local copies.

Employees shall not use email/internet or electronic messaging systems to infringe copyright or other intellectual property rights of third parties.

All staff are required to protect the confidentiality provisions of the local government, exercise due care and adhere to confidentiality agreements when handling data or information on or from the Council's information systems.

Unauthorised advertising or promotion of products or services via the email/internet system IS NOT permitted.

Electronic records produced or received by an officer in the course of public duties are deemed to be public records. All such records shall be captured in accordance with the Council's Records Keeping Plan.

Staff are discouraged from emailing matters of a legal or contractual nature. This type of correspondence should be handled by written letter sent through Australia Post. Email 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.

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

### Monitoring Emails

Council has installed an email management system. This system is capable of capturing all email business transactions and to trap and report all questionable emails. Employees should be aware that all emails are being monitored to ensure that this policy is being adhered to.

### Consequences of Non-Compliance

Employees found to be acting in contravention of the above directives will be warned by the appropriate manager and requested not to re-offend. Employees who continue to disregard the above directives will be formally warned and then may face suspension pending court action and/or dismissal if the offence is considered to be of a serious nature.

Note – any offence associated with pornography or insulting behaviour will be automatically classified as being of a serious nature.

Whilst spam filters are in place, the Shire of Ravensthorpe is powerless to prevent any inappropriate email being received at a particular email address, but it will in no way condone any pornographic or offensive email 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 Ravensthorpe 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 emails you should report this to the Chief Executive Officer or your supervisor, as it is our practice to advise the organisation that hosts the sender, that such emails are being sent from their organisation and to request them to prohibit the sending of such emails to us.

The sending of offensive or pornographic emails 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 Ravensthorpe'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 on to any other person, either within our internal network or by external email, will have their email services terminated immediately and face the disciplinary actions detailed above.

### Capturing Email

Staff are reminded to forward all emails that need to be retained as a record (in accordance with the Council's Record Keeping Plan) to the Records Officer for capturing in our record keeping system.

### Internet Usage

The internet is a resource, which is to be used for work, related purposes and inappropriate use, including any violation of the conditions and rules, may result in the cancellation of the access. The Chief Executive Officer will determine appropriate use and may deny, revoke, suspend or close any user access at any time.

### Encounter of Controversial Material

Access by employees to sites on the internet which could be construed as obscene, sexual, racist, discriminatory, or unacceptable for business are not to be intentionally visited. It is the user's responsibility not to initiate access to such material. Deliberate accessing of such sites is expressly banned and renders the employee to formal disciplinary procedures. If such a site is accessed unexpectedly, it is expected that the user will immediately terminate the connection.

### Downloading Software

Downloading of software through the internet is strictly prohibited. The reason for this prohibition is that the Shire can be exposed to action arising from possible copyright infringement issues and the Shire's computing network can be open to disruption from virus attacks.

If a user has identified any software package that is useful for the local government's operations and can be downloaded through the internet, they must be referred to the Manager – Finance and Administration for evaluation. The software will be evaluated on the following guidelines:

Compatibility with the Shire's hardware and existing software.

Software licensing arrangements.

Copyright and other intellectual property rights.

Availability of budget funds.

Virus protection.

Ethical and moral issues.

No software is to be either downloaded through the internet or purchased from any other means unless approved (based on the above criteria) by the Manager of Corporate and Community Services.

## **A 12 STAFF AND COUNCILLORS MEMBERSHIP TO THE REC GYM AND FACILITIES AND THE RAVENSTHORPE COMMUNITY SWIMMING POOL**

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### **Policy Objective:**

*To encourage improved employment related productivity and reduce staff sickness/absenteeism, through the provision of physical health and well-being incentives and opportunities.*

### **Policy:**

All Shire of Ravensthorpe Councillors and full time employees will have the opportunity, upon request, to obtain free annual membership and access to the Ravensthorpe Entertainment Centre Gym and Facilities.

All Shire of Ravensthorpe Councillors and full time employees will have the opportunity to participate, at no cost, in Shire facilitated and or programmed health and well-being initiatives e.g. fitness classes, corporate yoga, massage programs and adhoc internal recreation programs.

In addition, subject to completing the necessary safety training, all Shire of Ravensthorpe Councillors and full time employees will be eligible, upon request, for family membership to the Ravensthorpe Community Swimming Pool, free of charge.

All Shire of Ravensthorpe employees of a Part time and or Casual nature, whom have completed their probationary period, will be eligible to apply for pro rata use and membership of the Gym, Facilities and Community Pool, in accordance with their average hours of ordinary work. For example, a part time staff member working 38 hrs per fortnight (.5FTE) will receive a 50% annual reimbursement of the fees for selected use / membership.

Council requires those employees who participate in the health and well-being incentives to comply with all regular rules and conditions of use / membership.

### **Definitions:**

“Gym” is defined as the gymnasium and equipment supplied at the Ravensthorpe Entertainment Centre.

“Facilities” are defined as the ovals, showers and multi-use courts (including tennis, basketball, badminton and netball) located on the grounds of the Ravensthorpe Entertainment Centre and Sporting Complex (REC).

“Community Pool” is defined as the swimming pool facility located on the eastern end of Morgans Street, Ravensthorpe (start of Hopetoun-Ravensthorpe Road).



## A 13 STAFF – EDUCATION AND STUDY ASSISTANCE

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### **Policy Objective:**

*To encourage further education of employees in areas that are of mutual benefit for the employee and to the local government.*

### **Policy:**

Council encourages staff to pursue professional development studies relevant to the functions of Local Government in general and to the disciplines relevant to the duties and responsibilities of the particular staff members.

Staff undertaking courses of study (usually long term, run by a College, TAFE or a University) may be assisted by Council, subject to the following:

Such courses are appropriate to local government and directly related to the duties being undertaken by the employee;

Such courses and the method of undertaking such courses must be supported by the Department Manager and approved by the Chief Executive Officer.

That there are sufficient funds budgeted.

Whilst the Chief Executive Officer may prefer to have staff members attend these courses during normal working hours, other issues such as staffing levels, impact on service or the works program must be examined.

The subjects involved shall not be repeat subjects. Repeated subjects must normally be completed in own time, although submissions for time off for repeated subjects without pay or with such time to be made up, will be considered on merit.

Employees may be permitted time off with pay up to five hours per week, including traveling time, providing the equivalent period of time attending lectures is incurred in the employee's own time.

Employees undertaking examinations arising from an approved course of study may apply to the Chief Executive Officer for time off with pay to sit for examinations that are scheduled during working hours.

An employee who undertakes an approved course of study may apply to the Chief Executive Officer to have compulsory fees (other than for supplementary examinations, higher education contribution scheme and late enrolment or late entry fees) reimbursed, after successful completion of the semester/term. Reimbursement shall be limited to a maximum of up to \$5,000 per annum.

Expenditure for books, stationery, equipment, parking and travel are not reimbursed.

Claims for payment shall be accompanied by official receipts for fees paid, together with an official statement from the educational organisation, indicating passes in those subjects.

To continue to qualify for assistance under the education policy, employees will need to successfully complete each semester's subjects.

Support may be withdrawn subject to:

- ❖ Review of semester results,
- ❖ behaviour and progress of the employee,
- ❖ repeated subject failures associated with any study course.

This policy applies to full time permanent employees only.

## **A 14 HIRE OF FURNITURE AND EQUIPMENT FROM RAVENSTHORPE ENTERTAINMENT CENTRE**

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### **Policy Objective:**

*To limit the removal of furniture from the Ravensthorpe Entertainment Centre.*

### **Policy:**

Furniture and equipment housed in the Ravensthorpe Entertainment Centre is not available for public hire and cannot be removed from the facility unless the purpose is a Shire function/ event.

## A 15 FITNESS FOR WORK POLICY AND PROCEDURE

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### **Purpose:**

The purpose of this policy and procedure is to detail the guidelines and actions required to manage fitness for work within the workplace, including:

Illicit drug use

Alcohol use

Prescription medication

Other medication

Fatigue

Any other factors where concentration and agility of an employee is affected

The Shire of Ravensthorpe recognises there are many factors that have the potential to affect a person's ability to concentrate or function appropriately whilst at work. This risk could adversely affect the safety and health of the employee, other employees and/or members of the public.

This procedure outlines guidelines and the expectations of the Shire of Ravensthorpe to demonstrate their duty of care under the Occupational Safety and Health Act and control the incidence of risk of injury or accident as a result of an employee being unfit for work. Employees found to be under the influence of or suffering from the adverse effects of drugs, alcohol or any other substance whilst at work will be disciplined appropriately. Serious offences may result in instant dismissal. Third offences will result in dismissal.

Drug and alcohol tests shall also be applied to Contractors. Any positive result shall result in immediate removal of the person or persons from site.

References: AS 4308 – 2001; Procedures for the collection, detection and quantitation of drug abuse in urine

Occupation Safety and Health Act 1984

Poisons Act 1964

Definitions: For the purpose of this policy and procedure the following definitions apply:  
Alcohol – any substance containing alcohol

Drugs – Amphetamines, Cannabinoids THC, Opiates, Barbiturates, Cocaine, Methadone, Benzodiazepines, alcohol and other narcotics, prescription drugs and non-prescription drugs

Fatigue – the inability to perform work effectively or safely due to lack of sleep, or the adverse effects of medication, alcohol, drugs and/or other substances (including “hangovers” and/or “come downs”, etc)

Fit for Work – not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance, or not being fatigued

Impaired Work Performance – sudden or gradual deterioration in a person’s ability to function appropriately at work.

Misuse – inappropriate use of a substance on the Shire of Ravensthorpe premises or property, including overdose of a drug or the failure to take a prescribed drug in accordance with medical advice

Substance – any drug that may have adverse effects causing impaired work performance

Unfit for Work – being impaired for work and therefore unable to perform duties in a safe manner

Use – eating, drinking, inhaling, injecting or dermal absorption of any substance or drug

Objectives: The objectives of introducing a Fitness for Work procedure is to reduce the risk posed to the Shire of Ravensthorpe employees by the abuse of alcohol, drugs and substances or impaired work performance.

This procedure is not aimed at regulating individual’s private behaviour outside the workplace providing that behaviour does not have a residual effect on work performance.

Procedure: Alcohol

Persons being under the influence of alcohol will not be permitted to work on premises or with property of the Shire of Ravensthorpe.

Employees will be given the opportunity to self-test for alcohol prior to commencing work to determine their fitness for work.

If an employee deems him/herself fit for work, commences work and subsequently appears impaired due to the influence of alcohol including working under the adverse effects of alcohol, they will be stood down from their duties and taken for a blood alcohol test. If the employee is found positive to having a blood alcohol level equal to or over the limit prescribed for the class or level of motor driver’s licence held then instant dismissal may follow.

If an employee refuses a breath or blood alcohol test then instant dismissal may follow.

If the employee is over the legal limit to drive, alternative transport will be required.

**ALL PERSONS IN CHARGE OF COUNCIL VEHICLES MAY BE REQUIRED TO PROVIDE A BREATH, URINE AND/OR OTHER SAMPLE PRIOR TO OPERATING A VEHICLE TO ASSURE COMPLIANCE WITH THE PROVISIONS OF THE ROAD TRAFFIC ACT 1974.**

**ALL EMPLOYEES MAY BE BE REQUIRED TO PROVIDE A BREATH, URINE AND/OR OTHER SAMPLE AT THE COMMENCEMENT OF THEIR SHIFT OR ANY OTHER TIME AT THE DISCRETION OF MANAGEMENT.**

There may be occasions where alcohol may be included as part of a work function or other recognised work event. Where management has properly approved the consumption of alcohol, employees must continue to behave in a sensible and responsible manner with due care for their own and other people’s safety and wellbeing. Failure to behave in a sensible and responsible manner with due care, or any failure to follow any directions given by management with regard to the consumption of alcohol may result in disciplinary action. It is a condition of the Shire of Ravensthorpe that employees make alternative arrangements to

get home. The Shire of Ravensthorpe accepts no responsibility for employees during travel to and from the function.

## Drugs and Prescription Medication

### Illicit Drugs and Other Substances

Illicit drugs and other substances are strictly prohibited by the Shire of Ravensthorpe. Being under the influence of, suffering adverse effects or in possession of, or found to be cultivating, selling or supplying drugs or other substances whilst on the Shire of Ravensthorpe property or premises will result in disciplinary action and possibly instant dismissal.

If demonstrating signs of the above, an employee must undergo a drug screen (paid by the Shire of Ravensthorpe).

Refusal to a drug screen may result in instant dismissal.

Employees are required to determine their fitness for work prior to commencing their duties.

If an employee deems him/herself fit for work, commences work and subsequently appears impaired due to the influence of drugs including working under the adverse effect of drugs, they will be stood down from their duties and taken for a drug screen. If the employee's drug screen is found to be above the recommended threshold levels (as attached) then instant dismissal may follow.

### Prescription and Other Medication

It is an employee's responsibility to inform their supervisor of any medication they are taking that is deemed to potentially affect their ability to perform their duties.

This information is to be recorded on their personnel file for reference in the event of an emergency.

It is also recommended for the employer to record any information regarding an employee taking prescription medication or known allergic reactions to any medication an employee may have (i.e. penicillin) that may be useful in a medical emergency.

Any prescription and other medication must be used in accordance with medical advice. Any non-prescription or other medication must be used in accordance with the manufacturer's recommendations.

Failure to follow these requirements will result in disciplinary action.

### Fatigue

Fatigue can be the result of many different situations. Due to this, this procedure will directly reflect the implications of fatigue through the following external triggers (but are not limited to):

Lack of sleep due to illness or other personal issues

Voluntary work

External work commitments

In the interest of safety and health it is important that employees remain alert and function at full capacity whilst at work. When affected by fatigue, actions may be impaired through lack of concentration and poor judgement, therefore increasing the potential to cause injury or harm to themselves, personnel or members of the public.

It is the Shire of Ravensthorpe policy to provide a safe place of work for its employees. It is an employee's responsibility to report to their supervisors any other work commitments or voluntary commitments outside their employment with the Shire of Ravensthorpe that may impact accordingly.

Depending on the circumstances, the Shire of Ravensthorpe may agree to come to a compromise with the employee to ensure there is an equilibrium between regular hours worked at the Shire of Ravensthorpe, sleep/rest and additional hours worked elsewhere (including paid and voluntary work).

If deprivation of sleep is the cause of fatigue due to other external circumstances (that are not listed above), a drug and alcohol screen may be required. If a positive result occurs, disciplinary action will result.

If sleep deprivation is due to illness or personal issues the Shire of Ravensthorpe will endeavour to find a short term compromise and support the employee in whatever capacity is appropriate.

In circumstances where the employee is unfit to remain at work as to the judgement of their employer, the employee may be stood down from work for the remainder of the day and depending on the circumstances this may occur with or without pay.

#### Disciplinary Action – Drugs and Alcohol

If the Drug and Alcohol policy or Fitness for Work procedure is in any way contravened by an employee, disciplinary action that may follow is at the discretion of the CEO or Manager of Corporate and Community Services.

#### General Guidelines

Any employee who tests positive to an alcohol or drug screen will be stood down from their work and will not be permitted to resume work until such time as they have proven they are fit for work.

Any person who is found to be significantly fatigued may also be stood down from work with or without pay, depending on the circumstances, until such time as they have proven they are fit for work.

#### Pre-commencement of Work

Employees are expected to present themselves fit for work on all occasions. Should an employee present him/herself for work and prior to commencing their duties is observed to be unfit for work he/she may be required to undertake an alcohol or drug screen. If the screen proves positive they will be sent home without pay. This will act as the employee's first warning. The employee will not be allowed to commence work again until they have proven themselves fit for work.

Following the first instance and warning if the employee continues to come to work unfit for work, then second and third warnings will be given. The employee may be dismissed following a third offence.

### First Offence/Warning

The employee may be immediately suspended from duty without pay if found unfit to work.

The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.

The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.

The employee will be counselled by their supervisor and will focus on:

The unacceptability of the employee's behaviour

The risk that such behaviour creates for the safety of the individual and other employees or members of the public

The employee's responsibility to demonstrate that the problem is being effectively addressed

That any future breach of the policy will result in a second warning or instant dismissal.

The employee will be formally offered the opportunity to contact a professional counsellor. The decision to undertake counselling or other treatment for alcohol or other drug/substance problem is the responsibility of the employee and cannot be made mandatory.

The Shire of Ravensthorpe will insist that the employee provide satisfactory evidence that the effect of work performance and/or safety has been addressed before they are permitted to return to work.

### **Second Offence/Warning**

The employee will be immediately suspended from duty without pay if found unfit for work.

The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.

The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.

The employee will be counselled by their supervisor that will focus on:

The unacceptability of the employee's behaviour

The risk that such behaviour creates for the safety of the individual and other employees or members of the public

The employee's responsibility to demonstrate that the problem is being effectively addressed

That any future breach of the policy will result in instant dismissal.

Counselling will be offered (refer to 6.2 (v)), if counselling was not used in the first instance.

The employee will be submitted fortnightly or randomly, at the supervisor's discretion, for alcohol and/or drug screen for the period of two months, paid for by the Shire of Ravensthorpe. If screen testing confirms positive, instant dismissal may follow.



If the employee refuses to comply, instant dismissal may follow.

#### Third Offence/Warning

The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.

The employee will be immediately dismissed from duty without notice.

#### Post-commencement of Work

If an employee deems himself or herself fit for work, commences work and subsequently appears impaired due to the influence of alcohol or drugs including working under the adverse effects of alcohol or drugs, they will be stood down from their duties and taken for a blood alcohol test or drug screen. If the employee is found positive to having a blood alcohol level in excess of that prescribed for the class/level of licence held or a drug screen result above the cut off threshold limit (as attached) then instant dismissal may follow.

#### Instant Dismissal

The following are guidelines to circumstances that may result in dismissal without notice:

any attempt to falsify the drug and alcohol screen

cultivating, selling or supplying drugs and/or other substances on the Shire of Ravensthorpe's premises

consumption of illicit drugs or unauthorised consumption of alcohol whilst on the work site or during the working period

unlawful behaviour.

#### Other

If an employee is found to be heavily intoxicated, above the legal limit to drive or extremely fatigued and they are sent home, it is a requirement of the supervisors to:

Contact the employee's next of kin to arrange pick up

If next of kin is unable to be contacted or unable to take employee home, alternative arrangements must be made. The employee is to be advised that their vehicle must be collected that day wherever practicable.

As part of their pre-employment medical all new employees may be required to undertake a drug and alcohol screen prior to commencing work at the Shire of Ravensthorpe.

#### **NOTE:**

Where there may be a time lapse between the tests being undertaken and the results being received the employee, if sent home, will be paid. However, if the test results are returned positive the pay for the relevant time will be forfeited. Additional Information – Drug Testing

#### Counselling

The Local Government Insurance team offers free counselling for drug

related issues. The team can be contacted via the Shire Office.

Laboratory Testing

All samples are submitted for testing to a suitably qualified laboratory.

The laboratory complies with Australian Standard 4308.2001 and is NATA accredited for quality assurance.

A 'presumptive positive result' on a screening test is if the result is above the recommended cut off threshold as stated in the Australian Standard 4308. If a presumptive positive result is found then a confirmatory test is performed.

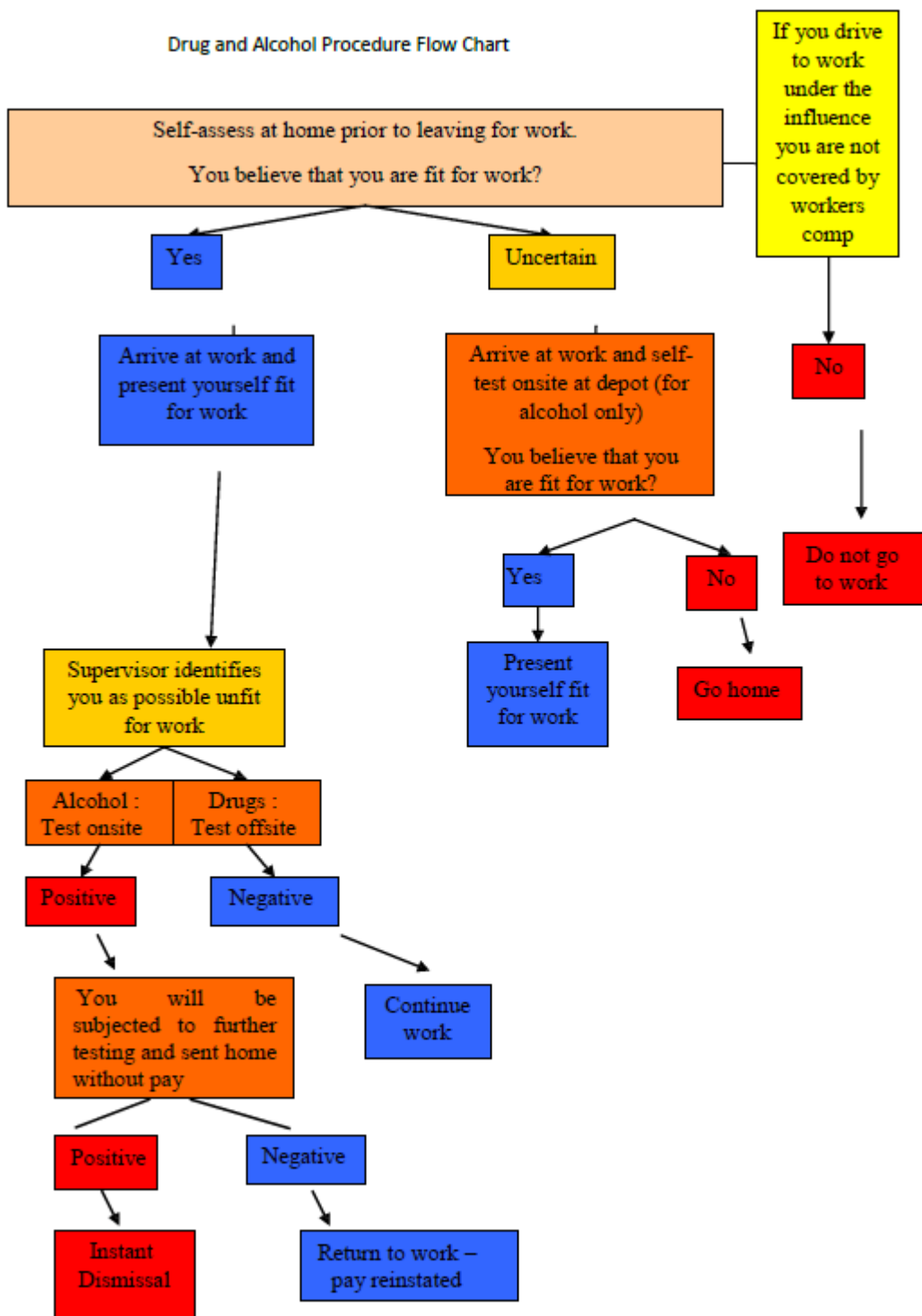
Cut-off Threshold

As recommended by Australian Standard 4308

Class	Individual Drug	Screening Test (µg/L)	Confirmatory Tests (µg/L)
Amphetamines (i.e. Speed)		300	300
Benzodiazepines (i.e. Valium)		200	200
Opiates (i.e. Heroin)		300	
	Codeine		300
	Morphine		300
Cannabinoids (i.e. Marijuana)		50	15
Cocaine	Cocaine	300	150

µg/L = microgram per litre

Drug and Alcohol Procedure Flow Chart



## A 16 VEHICLE POLICY

### Objective

The objective of this policy is to help **guide** Council and administration in vehicles, plant & equipment replacement at a time which optimises its use and minimises the whole of life cost in conjunction with Council.

### Policy Provisions

In order to enable this policy to be implemented effectively and to eliminate the requirement to amend this policy each time vehicles, plant or equipment is replaced, Councils current list of plant has been separated into various categories with a replacement strategy for each category.

This policy is intended to be the basis for the on-going review of Council's 10-year replacement programme.

### **LIGHT VEHICLES – Vehicles to be replaced no later than the listed replacement strategy subject to budgetary constraints and offers available at any one time.**

Level	Type & Description	Replacement Strategy	Accessories
1. CEO	4WD Executive Vehicle – Toyota Prado VX or equivalent	80,000 or 2 years	Roo bar with HID spotlights, towbar, window tint, floor mats, dash mat, seat covers, new UHF radio, first aid kit, fire extinguisher
2. Manager of Corporate and Community Services	2WD Executive Vehicle – Toyota Kluger GXL or equivalent	80,000 or 3 years	Roo bar with HID spotlights, towbar, window tint, floor mats, dash mat, seat covers, new UHF radio, first aid kit, fire extinguisher
3. Manager of Engineering	4WD Executive Vehicle – Toyota Prado GXL or equivalent	100,000 or 2 years	Roo bar with HID spotlights, towbar, winch, window tint, floor mats, dash mat, seat covers, new UHF radio, Bushfire Radio, twin flashing beacons first aid kit, fire extinguisher, Satellite phone
4. Airport	Toyota Hilux Dual Cab – 4WD	100,000 or 2 years	Roo bar with HID spotlights, towbar, window tint, floor mats, dash mat, seat covers, new UHF radio, Bushfire Radio, fire extinguisher, first aid kit, twin flashing beacons
5. Works Supervisor	Toyota Hilux Dual Cab – 4WD	80,000 or 2 years	Roo bar with HID spotlights, towbar, winch, window tint, floor mats, dash

			mat, seat covers, new UHF radio, twin flashing beacons first aid kit, fire extinguisher, Satellite phone
6. Ranger	Mitsubishi Ute – 4WD	80,000 or 3 years	Roo bar with HID spotlights, towbar, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit, satellite Phone
7. Leading Hand Roads	Mitsubishi Dual Cab Ute – 4WD	80,000 or 3 years	Roo bar, towbar, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit,
8. Leading Hand –Parks & Gardens	Mitsubishi Ute – 4WD X Cab	80,000 or 3 years	Towbar, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit,
9. Gardeners	Mitsubishi Ute	80,000 or 3 years	Towbar, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit,
10. Gardener – Hopetoun	Mitsubishi Ute – 4WD	80,000 or 3 years	Roo bar, towbar, fuel pod, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit,
11. Maintenance Grader Operators	Mitsubishi Ute – 4WD	80,000 or 3 years	Roo bar, towbar, fuel pod, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit, EPIRB
12. Dozer Operator	Mitsubishi Ute – 4WD	80,000 or 3 years	Roo bar, towbar, fuel pod, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit, EPIRB
13. Building Maintenance Officer	Mitsubishi Ute – X Cab 4WD	80,000 or 4 years	Roo bar, towbar, window tint, floor mats, seat covers, new UHF radio, fire extinguisher, first aid kit, tool boxes
14. Pool Vehicle Also used by Tech Officer	Toyota Hilux Dual Cab – 4WD SR	80,000 or 4 years	Roo bar, with HID spotlights towbar, window tint, floor mats, dash mat, seat covers, new UHF radio, fire extinguisher, first aid kit,
15. Doctor	2WD Executive Vehicle – Toyota Kluger GXL or equivalent	80,000 or 3 years	Roo bar with HID spotlights, towbar, window tint, floor mats, dash mat, seat covers, new UHF radio, first aid kit, fire extinguisher

## LIGHT TRUCKS

Maintenance Truck	Max GCM 11,000, 3 – 4 metre tipping tray,	100,000 or 7 years	Hiab, Roo bar, towbar, window tint, floor mats, seat covers, UHF radio, twin flashing beacons, tool box
Crew Cabs	Max GCM 13,000, 4 - 5 metre tray,	80,000 or 5 years	Hiab, Roo bar, towbar, window tint, floor mats, seat covers, UHF radio, twin flashing beacons, tool box Satellite Phone (works crew)

## MISCELLANEOUS PLANT ITEMS

Trailers		10 years	
Fuel Tanker Trailer		12 years	

## HEAVY VEHICLES

Construction Grader	12 foot blade, pusher block, rear rippers, spare wheel & carrier, slope meter	10,000 hours or 7 years	Window tint, floor mats, seat covers, UHF radio, first aid kit, fire extinguisher, twin flashing beacons
Maintenance Graders	160 kw engine – approx., 12 foot blade, pusher block, rear rippers, spare wheel & carrier, slope meter	10,000 hours or 7 years	Window tint, floor mats, seat covers, UHF radio, first aid kit, fire extinguisher, twin flashing beacons
Prime Mover – side tipper	GCM 105,000kg approx.	200,000 or 7 years	Roo bar, towbar, window tint, floor mats, seat covers, UHF radio, first aid kit, fire extinguisher, twin flashing beacons
Prime Mover – water tanker	GCM 70,000 approx.	175,000 or 5 years	Roo bar, towbar, window tint, floor mats, seat covers, UHF radio, first aid kit, fire extinguisher, twin flashing beacons,
Tip Truck	8 wheel side/rear tip truck – Hino or equivalent	175,000 or 7 years	Hiab, Roo bar, towbar, window tint, floor mats, seat covers, UHF radio, first aid kit, fire extinguisher, twin flashing beacons
Loader	Approx. 160kw, 3 – 3.5 cum bucket	7,500 hours or 10 years	Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit, twin flashing beacons

Loader (IT)	IT 14G or equivalent – 80kw Forks, GP Bucket, Lift Jib	8,000 hours or 10years	Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit, twin flashing beacons
Backhoe	Approx. 70kw attachments – forks, small trenching bucket, grab bucket	6,000 hours or 10 years	Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit, twin flashing beacons,
Side Tipper Trailers		10 years	
Dog Trailer		12 years	
Vibe Steel roller	Approx. 120 kw – 12 tonne	5000 hours or 4 years	Twin flashing beacons, Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit
Multi tyred rubber Roller	Approx. 65 -75kw – 24 tonne	7,500 hours or 10 years	Twin flashing beacons, Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit
Dozer	D6 RXL or equivalent – 150kw	8,000 hours or 10 years	Twin flashing beacons, Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit
Dozer	D5 or equivalent – 80kw		Twin flashing beacons, Window tint, floor mats, seat covers, UHF radio, fire extinguisher, first aid kit
Dolly		10 years	
Water Cart		7 years	
Low Loader		10 years	

## STAFF USE OF LIGHT VEHICLES

### Level 1 – CEO, MCCS, MES

Unrestricted use of vehicle by the officer and spouse including on periods annual and long service leave within Western Australia.

Council to meet all operating expenses other than fuel and servicing expenses incurred outside of Western Australia.

**Level 2 – Manager of Airport & Compliance**

Unrestricted private use by the officer and spouse including on periods of annual leave in the S-W Land Division.

Council is to meet all of the operating expenses.

**Level 3 – Works Supervisor**

Restricted private use by the officer and spouse within local/neighbouring shires or as approved by the CEO.

Council is to meet all of the operating expenses.

**Level 4 – Pool Vehicle**

Business use only of the vehicle or as approved by the CEO.

Council is to meet all of the operating expenses.

**Level 4 & 5 – Maintenance Grader & Dozer Operators, Leading Hands, Building  
Maintenance Officer**

Commuting and business use only of the vehicle or as approved by the CEO.

Council is to meet all of the operating expenses.



## FINANCE

### F 1 CREDIT AND FUEL CARDS

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#### **Policy Objective:**

*To provide details for the use, allocation, control and safe custody of corporate credit cards and fuel cards.*

#### **Policy:**

##### Policy Definitions

*“Credit Card”* is defined as a facility allowing the cardholder to pay for goods and services on credit.

*“Fuel Card”* is defined as a facility allowing the cardholder to pay for fuel on credit.

*“Business Expense”* is defined as any expense necessary to the conduct of the business or is allowed under the terms of the employee’s contract of employment with the Shire or relevant Council policies.

*“Personal Expense”* is defined as any expense not of a business nature.

The following policy statements govern the issue and use of corporate credit cards.

#### Credit Card - General

An agreement shall be signed by the cardholder and the local government which sets out the cardholder’s responsibilities and legal obligations when using the credit card;

A register of all current cardholders shall be kept which includes; card number, expiry date of the credit card, credit limit and details of goods and services the cardholder has authority to purchase;

All new and existing cardholders shall be provided with a copy of the policies in relation to the use of credit cards;

The card is withdrawn in the event their employment ceases, an extended period of leave is taken or they are moved to position, which does not require the use of a credit card;

The cardholders need to report immediately if they lose or misplace their credit card to the Bank providing the card;

Credit cards shall not be transferred to other users;

Cards are the property of the bank and the Bank should be the responsible for the destruction of all surrendered credit cards; and

Where the cardholder fails to meet the policy guidelines, the CEO, or Council in the case of the CEO, may request that the card be withdrawn or a temporary disqualification from use of the credit card be enforced.

#### Purchasing

**Corporate credit cards** shall only be used for:

Purchasing goods and services on behalf of the local government;

Where Council has approved the purchase of fuel and oil for an officer's private use of a Council provided vehicle;

Personal expenditure is prohibited;

A credit card shall not be used for cash withdrawals;

Maximum credit limits shall be based on the cardholder's need with Council holding a \$22,000 maximum credit card facility.

Current card limits are;

\$10,000 for the Chief Executive Officer

\$ 5,000 for the Manager of Corporate and Community Services

\$ 5,000 for the Manager Engineering Services

\$ 2,000 for the Community Emergency Services Officer

Purchases by facsimile, telephone or over the internet need to be accompanied by a tax invoice / receipt of goods purchased.

Payments

Payments of accounts should be made monthly to ensure that credit charges are minimized (currently direct debit arrangement in place with the Bank to clear the outstanding balance);

Expenditure on entertainment shall be as per CEO's pre-approval.

**Fuel Cards** - General

The following policy statements govern the issue and use of fuel cards.

Fuel Cards may be issued to the following members of staff:

Chief Executive Officer

Manager of Corporate and Community Services

Manager Engineering Services

Manager Airport and Compliance

Manager Recreation and Community Services

Works Supervisor

Building Maintenance Officer

Ranger

Community Emergency Services Officer

Fuel cards may be issued for the following Works vehicles/plant

Hopetoun Depot truck

Traffic Control Ute

Hopetoun Sundry Plant

Fuel cards may be issued to the following non-members of staff:

Doctor

Chief Fire Officer

A fuel card may be issued for the use by Elected Members or staff when using a Shire vehicle for official duties.

Fuel cards are available for the Shire pool vehicles and are to remain in the vehicle.

The use of fuel cards by employees is restricted to fuel purchases only.

The Chief Executive Officer is permitted to utilise his fuel card for his personal vehicle if it is impracticable to utilise the Shire provided vehicle.

## **F 2 FINANCIAL MANAGEMENT – PAYMENT OF ACCOUNTS & PURCHASING AUTHORITY LIMITS**

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### **Policy Objective:**

*To ensure that all payments made by the Council are in accordance with the Local Government (Financial Management) Regulations 1996.*

### **Policy:**

The signing of official purchase orders and certification of invoices for payment can only be carried out by the following positions and in accordance with their respective purchasing limits.

#### Chief Executive Officer

Authorised to incur expenditure to the delegated level approved by Council, including salaries and wages and in accordance with annual budget provisions.

Authorised as a primary signatory for cheques and online payment processing from all Shire bank accounts.

#### Manager of Corporate and Community Services

Authorised to incur expenditure to the delegated level approved by the Chief Executive Officer, including salaries and wages and in accordance with annual budget provisions.

Authorised as a primary signatory for cheques and online payment processing from all Shire bank accounts.

#### Senior Finance Officer

Authorised to incur budgeted expenditure relating to administration and information technology to a limit of \$3,000.

Authorised as a second signatory only for the signing of cheques and processing of online payments from all Shire bank accounts.

#### Executive Assistant to CEO

Authorised to incur budgeted expenditure relating to administration (including official advertising) and Council functions to a limit of \$3,000.

#### Manager of Engineering Services

Authorised to incur budgeted expenditure relating to roads, works, parks, gardens and other technical services to the value of \$75,000.

#### Works Supervisor

Authorised to incur budgeted expenditure relating to roads, works, parks, gardens and other technical services to the value of \$10,000.

Building Maintenance Officer

Authorised to incur budgeted expenditure relating to building maintenance and building supplies to the value of \$7,500.

Airport Manager / Compliance Officer

Authorised to incur budgeted expenditure relating to Airport related goods and services and compliance related goods and services up to the value of \$10,000.

Officers in an acting capacity may sign official orders and authorise invoices for payment for goods and services as detailed above.

All official orders for goods or services must be countersigned by the Manager of Corporate and Community Services where the purchase is likely to exceed \$50,000 and countersigned by the Chief Executive Officer where the purchase is likely to exceed \$75,000.

### **F 3 MATERIAL VARIANCES IN BUDGET AND ACTUAL EXPENDITURE**

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**Policy:**

For the purposes of Local Government (Financial Management) Regulation 34, Council has adopted a variance of 10% or greater for each item of expenditure and income, as a level that requires an explanation or report, with a minimum dollar variance of \$10,000.

## F 4 INVESTMENTS

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### **Policy Objective:**

*To document and provide the necessary information for the delegated officers to invest surplus funds.*

### **Policy:**

#### 1 Purpose of Policy

1.1 The purpose of this policy is to ensure that:

The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);

At all times, the Council has in place a current set of policies and delegations for its Investments Officers (Delegation number 5); and

Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

#### 2 Prudent Person Rule

2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.

2.2 The main features of the prudent person rule include:

Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and

A duty to invest funds in investments that are not speculative or hazardous.

2.3 In exercising powers of investment, there are important matters for consideration:

The purpose of the investment and the needs and circumstances;

The desirability of diversifying investments and the nature of and risk associated with existing investments;

The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation; The potential for capital appreciation;

The likely income return and timing of the income return; The length of the term of the proposed investment;

The liquidity and marketability of the proposed investment; The aggregate value of the investment;

The effect of the proposed investment in relation to the tax liability (if any);

The likelihood of inflation affecting the value of the proposed investment; and

The costs of making the proposed investment; the results of a review of existing investments.

### 3 Investment Objectives

3.1 To add value through prudent investment of funds.

3.2 To have ready access to funds for day-to-day requirements, without penalty.

### 4 Authority to Invest

4.1 The Shire of Ravensthorpe's surplus funds are to be invested in term deposits or negotiable certificates of deposit with one of the "Big Four" Banks in Australia (listed below) and Bankwest. Any proposal to invest funds in another institution, for whatever reason, is to be referred to the Council.

Commonwealth Bank of Australia

National Australia Bank

Westpac Bank

ANZ Bank and

Bankwest

4.2 Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.

4.3 Funds may be invested for a term of up to twelve (12) months based on predicted cash flow requirements.

4.4 Manager of Corporate and Community Services places, withdraws or re-invests sums up to \$500,000.00 jointly with the Chief Executive Officer or Manager of Corporate and Community Services in accordance with the Chief Executive Officer's delegation.

4.5 The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with Manager of Corporate and Community Services in accordance with the Chief Executive Officer's delegation.

4.6 The Council elects to pay for the cost of securing the Federal Government Guarantee on funds if such a guarantee is available.

4.7 In accordance with Financial Management Regulation 19C the Shire of Ravensthorpe will not undertake any of the following investment activities

Lodge deposits with an institution except an authorised institution;



deposit funds for a fixed term of more than 12 months;

invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;

invest in bonds with a term to maturity of more than 3 years;

invest in a foreign currency.

## 5 Review and Reporting

5.1 A cash flow report is to be monitored by the Manager of Corporate and Community Services at least weekly to ensure cash funds are available to meet commitments.

5.2 Investments will be managed actively as they mature with reviews by the Manager of Corporate and Community Services on a monthly basis.

5.3 For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'

## **F 5 DISPOSAL OF SURPLUS FURNITURE AND EQUIPMENT**

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### **Policy Objective:**

*To provide guidelines for the sale of surplus furniture and equipment.*

### **Policy:**

Where furniture and equipment is surplus to Council's requirements and the market value is less than \$20,000 the Council will offer the furniture and equipment up for sale and advertise via local public notice calling for quotations. The advertising period shall be for a minimum of 1 month, after which the highest quotation will be awarded the goods.

A register is to be kept of all furniture and equipment disposed of in this manner.

## F 6 PURCHASING POLICY

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### POLICY

The Shire of [Ravensthorpe (the “**Shire**”) is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the *Local Government Act 1995* (the “**Act**”) and Part 4 of the *Local Government (Functions and General) Regulations 1996*, (the “**Regulations**”) Procurement processes and practices to be complied with are defined within this Policy and the Shire’s prescribed procurement procedures.

### OBJECTIVES

The objectives of this Policy are to ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Shire;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures of the Shire;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Shire and that ethical decision making is demonstrated.

## 1 ETHICS & INTEGRITY

### 1.1 Code of Conduct

All officers and employees of the Shire undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Shire must act in an honest and professional manner at all times which supports the standing of the Shire.

### 1.2 Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire's by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

## **2 VALUE FOR MONEY**

### **2.1 Policy**

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Shire.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

### **2.2 Application**

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties,

guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.

- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Shire's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

### **3 PURCHASING REQUIREMENTS**

#### **3.1 Legislative / Regulatory Requirements**

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire.

#### **3.2 Policy**

Purchasing that is **\$150,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 5.5 of this Purchasing Policy.

Purchasing that **exceeds \$150,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under section 5.6 of this Policy is not deemed to be suitable.

#### **3.3 Purchasing Value Definition**

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of

goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.

3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

### 3.4 Purchasing from Existing Contracts

Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

### 3.5 Purchasing Thresholds

The table below prescribes the purchasing process that the Shire must follow, based on the purchase value:

<b>Purchase Value Threshold</b>	<b>Purchasing Requirement</b>
Up to \$5,000	Purchase directly from a supplier using a Purchasing or Corporate Credit Card issued by the Shire, or obtain at least one (1) oral or written quotation from a suitable supplier, either from: <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or</li> <li>• from the open market.</li> </ul>
Over \$5,000 and up to \$25,000	Obtain at least two (2) or three (3) written quotations from suppliers following a brief outlining the specified requirement, either from: <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul>
Over \$25,000 and up to \$75,000	Obtain at least two (2) or three (3) written quotations from suppliers following a brief outlining the specified requirement, on the basis that there is more than 1 supplier of that particular item, either from:

	<ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul>
Over \$75,000 and up to \$150,000	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p>
Over \$150,000	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 5.6 of this Policy, conduct a public Request for Tender process in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996, this policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p>

### 3.6 Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.
- the purchase is from a Regional Local Government or another Local Government;

- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is from a pre-qualified supplier under a Panel established by the Shire; or
- any of the other exclusions under Regulation 11 of the Regulations apply.

### **3.7 Inviting Tenders Under the Tender Threshold**

Where considered appropriate and beneficial, the Shire may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$150,000 or less in value, the Shire's tendering procedures must be followed in full.

### **3.8 Sole Source of Supply**

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be endorsed by the Chief Executive Officer / Manager of Corporate & Community Services, prior to a contract being entered into.

From time to time, the Shire may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

### **3.9 Anti-Avoidance**

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase



or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

### **3.10 Emergency Purchases**

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Shire in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

## **4 RECORDS MANAGEMENT**

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000 (WA)*, the Shire's Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

- The Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- Request for Quotation/Tender documentation;
- Copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- Copies of quotes/tenders received;
- Evaluation documentation, including individual evaluators note and clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to respondents notifying of the outcome to award a contract;
- Contract Management Plans which describes how the contract will be managed; and

- Copies of contract(s) with supplier(s) formed from the procurement process.

## **5 SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY**

The Shire is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR). Where appropriate, the Shire shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

## **6 BUY LOCAL POLICY**

As much as practicable, the Shire must:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement plans address local business capability and local content;
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to potential suppliers.

To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within the Shire's Regional Price Preference Policy.

## **7 PURCHASING FROM DISABILITY ENTERPRISES**

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

## **8 PURCHASING FROM ABORIGINAL BUSINESSES**

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on [www.abdwa.com.au](http://www.abdwa.com.au), where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

## **9 PANELS OF PRE-QUALIFIED SUPPLIERS**

### **9.1 Policy Objectives**

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and

- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

## **9.2 Establishing a Panel**

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

## **9.3 Distributing Work Amongst Panel Members**

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire/Town/City intends to:

- i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 11.4; or
- ii. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or

- iii. Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 11.3(b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire/Town/City is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

#### **9.4 Purchasing from the Panel**

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

## 9.5 Recordkeeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- Request for Applications documentation;
- Copy of public advertisement inviting applications;
- Copies of applications received;
- Evaluation documentation, including clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of framework agreements entered into with pre-qualified suppliers.

The Shire is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.

**10 ADOPTION**

Adoption of this Purchasing Policy was endorsed by the Shire by:

	<b>Date</b>	<b>Signature</b>
CEO		
President		

Policy/Procedure Links:

	<b>Policy Number</b>	<b>Reference</b>
Records Management Policy		
Regional Price Preference Policy		
Procurement Procedures		

## F 7 REGIONAL PRICE PREFERENCE POLICY

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### **Policy Objective:**

*To support local and sub-regional business and industry by providing price preference to regional suppliers tendering for contracts with Council.*

### **Policy:**

Price preference will apply to all tenders invited by Council for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular tender.

The following levels of preference will be applied under this policy:

Goods and Services up to a maximum price reduction of \$50,000.

10% to businesses located within the Shire of Ravensthorpe.

5% to businesses located within the Shire of Esperance.

Construction (Building) Services up to a maximum price reduction of \$50,000

5% to businesses located within the Shire of Ravensthorpe.

2.5% to businesses located within the Shire of Esperance.

Goods and Services, including Construction (Building) Services up to a maximum price reduction of \$500,000, if Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by Council.

10% to businesses located within the Shire of Ravensthorpe.

5% to businesses located within the Shire of Esperance.

The levels of preference outlined in 2 above, will only apply to businesses that have been located within the local government areas specified for at least 6 months prior to the closing date of tenders.

Only those goods or services identified by the tender as being from the regional sources will be included in the discounted calculation that forms a part of the assessment of tender.

It should be noted that price is only one of the factors to be assessed when Council decides to accept the tender it thinks would be the most advantageous to accept.



## **F 8 RAVENSTHORPE RETURNED AND SERVICES LEAGUE BUDGET ALLOCATION**

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### **Policy:**

Council will donate \$500 annually to the Ravensthorpe Returned and Services League to assist with ANZAC Day activities facilitated by the R&SL.

## **F 9 PURCHASE OF GOODS AND SERVICES – LOCAL GROUPS AND ORGANISATIONS**

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### **Policy:**

Goods and services are not to be purchased on behalf of community groups and organisations unless the goods and services are of a capital non removable nature (fixed assets), which become the property of Council.

## F 10 VALUE OF LAND UNDER ROADS

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### **Policy:**

*The Shire of Ravensthorpe has determined that it will not recognise the value of land under roads and will therefore not recognise land under roads in its Balance Sheet nor any other Financial Report whether the land was acquired on or before the 30<sup>th</sup> June 2008 or after that date.*

## F 11 FINANCIAL HARDSHIP

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### **Policy Objective:**

*This financial Hardship Policy outlines how the Shire will assist a customer who cannot pay a debt because of financial hardship.*

*The policy applies to charges levied against you or your property including water charges if applicable. Tenants who have agreed with the land owner to receive a rate notice are also covered by this policy. We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.*

### **POLICY:**

#### WHAT IS FINANCIAL HARDSHIP?

You will be considered to be in financial hardship if paying an amount to the Shire will affect your ability to meet your basic living needs – in short, if you have the intention but, due to exceptional circumstances, are not able to pay.

Financial Hardship may, for example, be caused by

spousal separation or divorce

loss of a spouse or loved one

physical or mental health issues

a chronically ill family member

#### IDENTIFYING CUSTOMERS IN FINANCIAL HARDSHIP

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask a financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we may refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history. As soon as we have made our assessment we will advise you of the outcome.

#### PAYMENT PLANS

If we determine that you are in financial hardship, we will offer you more time to pay the amount in question or a payment plan. We will not charge you any fees or interest as part of your arrangement.

However, if the arrangement is not honoured fees and interest will be charged and backdated if applicable.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting conditions of the plan, we will consider your capacity to pay and any other relevant issues. We will ensure that you are accessing any applicable pensioner and/or senior rebates. Information on these rebates can be found on your rate notice or by contacting the Shire office. If appropriate, we will review and revise your extension or payment plan.

We do not have to, but may, offer a payment plan to a customer who has had 2 payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the landowner.

## DEBT REDUCTION AND COLLECTION

If you are in financial hardship, we will consider reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt;

while we are assessing whether or not you are in financial hardship, or

if you are complying with your payment plan or another payment arrangement you have made with us.

If you do not comply with your payment plan or other payment arrangement we may commence debt recovery proceedings. When collecting your debt, we, or any third party we engage will comply with part 2 of the ACCC and ASIC's Debt Recovery Guidelines for Collectors and Creditors.

We may outsource the debt to a debt collection agency; additional fees may apply in this instance.

You may be entitled to a rebate on your rates if you are currently in receipt of

A pension and hold a Pensioner Concession Card (Centrelink or Veteran Affairs), State Concession Card or hold a Commonwealth Seniors Health Card AND a WA Seniors card OR

A WA Seniors card only.

Please contact our office if you feel you are eligible for a rebate.

## USEFUL INFORMATION

We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill,

You may pay your rate notice by direct debit, internet, Centrepay telephone or post.

If you feel you may need financial counselling services we suggest you contact the Financial Counsellors Association of WA. It provides a free confidential service. Its contact details are

Financial Counsellors' Association of WA Phone (08) 9325 1617

Email [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org) Website [www.financialcounsellors.org](http://www.financialcounsellors.org)

Financial Counselling Helpline 1800 007 007

A list of the Shires Fees and Charges can be found on its website [www.ravensthorpe.wa.gov.au](http://www.ravensthorpe.wa.gov.au)

## COMPLAINTS HANDLING

The Shire has adopted a complaints handling policy which can be found at its website [www.ravensthorpe.wa.gov.au](http://www.ravensthorpe.wa.gov.au). This policy outlines how complaints are handled by the Shire and the actions you may take if you feel your complaint has not been handled correctly.

An unresolved complaint may be arbitrated by an independent third party such as the Government Ombudsman or the Energy and Water Ombudsman.

The Government Ombudsman contact details are

Phone 1800 117 000  
Email [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au)  
Postal Ombudsman Western Australia  
PO Box Z5386  
St Georges Terrace Perth WA 6831

The Energy and Water Ombudsman contact details are

Phone 1800 754 004  
TIS 131 450  
TTY 1800 555 727  
Email [energyandwater@ombudsman.wa.gov.au](mailto:energyandwater@ombudsman.wa.gov.au)  
Postal Energy and Water Ombudsman Western Australia  
PO Box Z5386  
St Georges Terrace Perth WA 6831

## APPROVAL AND REVIEW

This policy was adopted by the Council on 17<sup>th</sup> February 2014; it has been approved by Economic Regulation Authority.

We will review the policy every five years to ensure it remains up to date and relevant

## OUR CONTACT DETAILS

Address 65 Morgans Street, Ravensthorpe, WA 6346 Phone (08) 9839 0000  
TIS 131450  
TTY 1800 555 727  
Email: [dceo@ravensthorpe.wa.gov.au](mailto:dceo@ravensthorpe.wa.gov.au)  
Website [www.ravensthorpe.wa.gov.au](http://www.ravensthorpe.wa.gov.au)

## F 12 COMPLAINT HANDLING

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### **Policy Objective:**

*The Shire is committed to resolving complaints in a timely, fair and equitable manner. It is important that customers are able to easily lodge a complaint and have the complaint considered by the relevant officer of the department. It is also important that if the customer is not satisfied with the outcome of the complaint that the matter is able to be referred to a higher level for consideration. The customer should be informed of their rights in this regard.*

*Complaints will be used to review and make positive changes to the Councils policies and procedures.*

### **Policy:**

#### Scope

This policy covers all aspects of the Shire's services including water services.

It does not relate to complaints that must be legally addressed in another manner such as the State Administrative Tribunal or under the Whistleblowers Protection legislation. Anonymous complaints are not considered under this policy.

A complaint is defined as a grievance a customer may have against the quality of a service, program or process of the Shire.

It is intended that complaints are resolved within 15 business days from the date the complaint is received.

#### Procedure

The complaints process is outlined in the following steps:

Customers are encouraged to discuss their complaint with the officer of the department which is the subject of the complaint and to attempt to resolve the issue at this level.

If the complaint cannot be resolved at the first point of contact the matter will be reviewed by the Chief Executive Officer and the complainant will be advised of the outcome in writing.

The advice to the customer in step 2 will include the details of an independent party the matter can be referred to if the matter is still unresolved or the complainant is still not satisfied.

Once the matter has been completed the CEO will review the circumstances of the complaint and make any relevant changes to the Shire's operations to lessen the probability of further complaints.

#### Independent Parties

If the matter cannot be resolved to the customer's satisfaction they have the right to refer the matter to one of the following independent parties.

For general complaints

The Ombudsman Western Australia <http://www.ombudsman.wa.gov.au/>

For water services complaints

The Energy and Water Ombudsman <http://www.ombudsman.wa.gov.au/energyandwater/>



## F 13 AUDIT SERVICES

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### **Policy Objective:**

The shire is committed to good governance and the philosophy of continual improvement. To assist in this process and as required by the Local Government Act 1995 and associated Audit Regulations appoints appropriately qualified auditors.

### **Policy:**

Council will appoint auditors for a maximum of 2 terms of either 3 or 5 years before looking to appoint new auditors. It is felt this will ensure there are “fresh eyes” looking at systems and procedures on a regular basis to help ensure high quality control and management systems are in place.

### **Policy Objective:**

This policy outlines what is expected of elected members and staff in relation to the *Australian Accounting Standards AASB 124 Related Party Disclosures* (AASB 124).

### **Guidelines:**

The scope of AASB 124 was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Governments was 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may be affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year the Shire must make an informed judgement as to who is considered to be a related party and what transactions need to be considered when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable and informed judgement to be made.

## F 14 RELATED PARTY DISCLOSURE POLICY

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### **Policy:**

#### **IDENTIFICATION OF RELATED PARTIES:**

AASB 124 provides that the Shire will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances. Related parties includes a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. For the purpose of determining the application of the Standard, the Shire has identified the following persons as meeting the definition of *Related Party*:

- **An elected Council member.**
- **Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of:**
  - **Chief Executive Officer**
  - **Manager Corporate and Community Services**
  - **Manager of Engineering Services**
- **Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependants of that person or person's spouse or domestic partner.**
- **Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).**

Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by the KMP or their close family members and which are likely to have transactions with the Shire. (Refer Appendix 1 – "Related Party Disclosures"-Declaration).

It is the responsibility of the Chief Executive Officer to seek a declaration on upon a change of KMP.

It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.

The Shire will be required to assess all transactions made with these persons or entities and may determine other family members, such as parent, grandparent, sibling, cousin etc., who may be expected to influence , or be influenced by, that person in their dealings with the Shire or a Shire entity.

## **IDENTIFICATION OF RELATED PARTY TRANSACTIONS:**

A related party transaction is a transfer of resources, services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.

For the purpose of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- **Paying rates**
- **Fines**
- **Use of Shire owned facilities such as the Ravensthorpe Entertainment Centre, Ravensthorpe Town Hall, Hopetoun Community Centre, parks, ovals and other public open spaces (whether charged a fee or not).**
- **Attending council functions that are open to the public.**
- **Employee compensation whether it is for KMP or close family members of KMP.**
- **Application fees paid to the Shire for licences, approvals or permits.**
- **Lease agreements for housing rental (whether for a shire owned property or property sub-leased by the Shire through a Real Estate Agent).**
- **Lease agreements for commercial properties.**
- **Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement).**
- **Sale or purchase of any property owned by the Shire, to a person or party identified above.**
- **Sale or purchase of any property owned by a person or party identified above, to the Shire.**
- **Loan arrangements.**
- **Contracts and agreements for construction, consultancy or services.**

Some of the transactions listed above occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with Council and are referred to as Ordinary Citizen Transaction (OCT). Where the Shire can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public **and** that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

## **REGISTER OF RELATED PARTY TRANSACTIONS:**

The Manager Corporate and Community Services is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including OCTs assessed as being material in nature) during a financial year.

## **DISCLOSURE REQUIREMENTS:**

For the purpose of determining relevant transactions, elected Council members and key management personnel as identified above, will be required to complete a *Related Party Disclosures – Declaration* form.

### **1. Ordinary Citizen Transactions (OCTs)**

Management will put forward a draft resolution to Council annually declaring that in its opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the *Related Party Disclosures – Declaration* form will be required

- **Paying rates.**
- **Transactions relating to the registration and control of domesticated animals as defined in the Dog Act 1976 and Cat Act 2011.**
- **Transactions whereby a Fee or Charge is incurred and that are included as part of the Councils endorsed Schedule of Fees and Charges.**
- **Fines.**
- **Use of shire Use of Shire owned facilities such as the Ravensthorpe Entertainment Centre, Ravensthorpe Town Hall, Hopetoun Community Centre, parks, ovals and other public open spaces (whether charged a fee or not).**
- **Attending council functions that are open to the public.**

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures – Declaration* form about the nature of any discount or special terms received.

### **2. All other transactions**

For all other transactions identified as Related Party transactions above, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures – Declaration* form.

### **3. Frequency of disclosures**

- **Elected council members and KMP will be required to complete a *Related Party Disclosures – Declaration* form annually.**
- **Disclosures must be made by all/any Councillors whose terms are up immediately prior to any ordinary or extraordinary election.**
- **Disclosures must be made by any new Councillors immediately following an ordinary or extraordinary election.**
- **Disclosure must be made immediately prior to the termination of employment of/by a KMP.**

#### **4. Confidentiality**

All information contained in a disclosure return will be treated in confidence. Generally related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified if the disclosure requirements of AASB 124 so demands.

#### **5. Materiality**

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality management will consider both the size and nature of the transaction, individually and collectively.



# Shire of Ravensthorpe

## AASB 124 – “RELATED PARTY DISCLOSURES”

### 2. ENTITIES THAT I, OR A CLOSE FAMILY MEMBER CONTROLS OR JOINTLY CONTROLS (See Appendix 2.1)

Name of Entity	Name of person who has control/nature of control
<i>If there has been no change since your last declaration, please complete “No Change”</i>	

## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### 3. ORDINARY CITIZEN TRANSACTIONS – NOT PROVIDED AT ARMS LENGTH

Did you or any member of your close family use facilities provided at Recreation Centre, attend any event at the Civic Centre, or use any other council provided facility AND you received a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person using the facility	Service/Facility used	Nature of transaction	Nature of discount or special conditions received.

Note: Recreation Centre membership provided as part of employment has been provided under the same terms as those memberships provided to the public.

#### 4. LEASING AGREEMENTS - DOMESTIC RESIDENTIAL

Did you, a close family member or related entity, enter into a lease agreement with the Shire of Ravensthorpe (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Shire and privately owned properties sub-leased through the Shire from a real estate agent)? Did you receive or provide a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions



## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### 5. LEASING AGREEMENTS - COMMERCIAL

Did you, a close family member or related entity, enter into a commercial leasing agreement with the Shire of Ravensthorpe for the provision of a commercial property? Did you receive a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arm's length conditions

#### 6. TRADING ARRANGEMENTS

Were you or a close family member (as defined above) the owner of any business (or in a position to substantially control the business) that provided goods or services to the Shire of Ravensthorpe? Were those goods or services provided on the same terms and conditions as those available to any other customer? If not, please provide details of the specific terms provided to the Shire of Ravensthorpe.

Business name	Goods or services provided	Approximate value for the reporting period	Terms & conditions



## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### 8. PURCHASE OF PROPERTY

Did you, a close family member or related entity, purchase any property or other assets from the Shire of Ravensthorpe? (This may include vehicles or other plant items, land or buildings).

Was the purchase made at arm's length (for e.g. at public auction), and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided to you.

Name of person or entity name	Property purchased	Value of the purchase	Terms & conditions

#### 9. SALE OF PROPERTY

Did you, a close family member or related entity, sell any property or other assets to the Shire of Ravensthorpe? (This may include vehicles or other plant items, land or buildings).

Was the sale made at arm's length, and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided.

Name of person or entity name	Property Sold	Value of the Sale	Terms & conditions

## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### 10. FEES & CHARGES FOR APPLICATIONS

Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?

Name of person or entity name	Application type	Application and/or receipt number

#### 11. SELF SUPPORTING LOANS

Did you, a close family member or related entity, enter into a loan agreement with the Shire?  
For e.g. a club for which you have control (See Appendix 2 for example)

Name of person or entity name	Loan details	Value of the loan	Terms & conditions

#### 12. OTHER AGREEMENTS

Please list any other agreement or arrangement you believe is a related party transaction and should be declared.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted.

I have made this declaration after reading the information supplied by Council which details the meaning of the definitions to which this declaration relates.

**SELECT OPTION 1:  Handwritten Signature**

Signed: \_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Date:

Once signed please provide to the Manager Corporate & Community Services.

**OR**

**SELECT OPTION 2:  Electronic Signature**

This form can be sent by email to the manager Corporate & Community Services provided the email is sent by the person making the disclosure from their work or personal (e.g. Councillors) email account.

## Shire of Ravensthorpe – Appendix 2.1

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### Close Family Members

Close family members include:

- a child, spouse or domestic partner;
- children of your spouse or domestic partner;
- dependents of you or your spouse or domestic partner; any other close family member;

who may be expected to influence, or be influenced by, your dealings with the council.

The following table may assist you in identifying your close family members:

Definitely a close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with council
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with council

There may be relationships that a council has which are not identified in this appendix but still meet the definition of a related party.

#### **Example: Cousin of Councillor**

A Councillor for the Shire has lived in the Shire her whole life. In fact her family has been in the area for generations.

The Councillor’s cousin, owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Councillor and her cousin have always been close and regularly socialise together.

From these facts it would appear that the Councillor’s cousin is a close family member of the Councillor because she would be expected to influence, or be influenced by, that person in her dealings with Council.

Both the cousin and the company she controls, ABC Pty Ltd would therefore be related parties of Council.

Any transactions that the Council makes with the newsagent would need to be separately identified and may need to be disclosed.

## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### Control in entities

##### What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Manager Financial Services for a confidential discussion.

#### **Example: Clubs or other incorporated bodies**

(A Shire Councillor is the President of a local football club)

A Shire councillor is the President of Shire Football Club Inc., the local football club. This club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts it would appear that the Councillor does not control or jointly control the football club so it will not be a related party of Council just because the Councillor is the president of the club.

## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### Other examples

##### **Example 1 (Audit committee member)**

Shire of Ravensthorpe’s audit committee comprises two Councillors and a local retired accountant, Fred. Fred has no other connection with the council.

The audit committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of the council but simply provides reports, with recommendations, for the Mayor and councillors to consider.

Based on the facts outlined Fred would not be a KMP of council.

##### **Example 2 (Son of CFO employed by council)**

Shire of Ravensthorpe has recently employed Paul's son (George) in the Council's parks and garden's area. Paul is Council's Deputy Chief Executive Officer but was not involved in hiring George. This process was managed by the Director of Parks and Gardens and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

##### **Example 3 (Cousin of Mayor - related party commonly known but omitted from declaration)**

Shelley, the President Mayor of Shire of Ravensthorpe forgets to include her cousin Mavis, and Mavis' company, when she completes her KMP declaration.

It is commonly known in the community that Shelley and Mavis are close and that Shelley would be expected to influence, or be influenced by, Mavis in her dealings with Council and vice versa.

Mavis and her company are related parties of Council, even though Shelley omitted them from her declaration.

##### **Example 4 (Example of control)**

Fred is the President of Shire of Ravensthorpe and owns 100% of the ordinary shares in Shire of Ravensthorpe Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party declaration.



## Shire of Ravensthorpe

### AASB 124 – “RELATED PARTY DISCLOSURES”

#### **Example 5 (Example of joint control)**

Fred is the president of Shire of Ravensthorpe's and owns 50% of the ordinary shares in Shire of Ravensthorpe Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration.

#### **F 15 DEBT RECOVERY**

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##### **Objective:**

The Shire of Ravensthorpe will actively pursue all outstanding rates and sundry debtors. All outstanding rates and sundry debtors will be recovered in accordance with the *Local Government Act (1995)* and associated regulations.

##### **Policy:**

This Policy will be applied to all:

- Ratepayers with balances outstanding 14 days after the due date of the Initial Rates Notice, Interim Notice or the Instalment Notice. (Excluding Seniors/ Pensioners eligible for a rebate from the Office of State Revenue)
- Sundry debtors with balances greater than 30 days

The Debt Recovery Policy will be administered in accordance with the attached Debt Recovery Guidelines.

## **GUIDELINE**

### **DEBT RECOVERY**

#### **GUIDELINES– RATES**

The following steps will be undertaken to recover outstanding rate debt:

1. A Final Notice will be issued to all ratepayers with an outstanding balance 14 days after the due date (excluding ratepayers that have an approved payment arrangement in place). Final Notice recipients will have 14 days in which to respond.
2. At the conclusion of Final Notice due date, and if the debtor has not entered into an arrangement to pay or made satisfactory efforts to clear the debt the account will be forwarded to a Debt Collection Agency for action.

Before proceeding to this step, the following checks will be undertaken:

- Ownership of the property confirmed through a Title Search;
  - Postal address cross referenced with Water Corporation;
  - Search of White Pages for a contact number
  - Other means deemed appropriate by Management (including phone calls)
3. Any Final Notice recipients who are forwarded to a Debt Collection Agency for action will receive a Final Demand Letter with 7 days to respond. The Debt Collection Agency will send an account of all Expired Demand Letters to the Shire requesting updated information. Any accounts that still remain unpaid will be forwarded back to the Debt Collection Agency for further action.
  4. However if the property is leased, the Shire under Section 6.60 of the Local Government Act (1995) has the ability to give notice to the lessee to pay the Shire any rent as it falls due to apply against the outstanding rates balance. This option is preferable before proceeding with Debt Collection Agency.
  5. Shire's Debt Collection Agency will be requested to issue General Procedure Claim (GPC). During this period, the Bailiff will attempt to deliver the Claim to the ratepayer. The Ratepayer has a further 14 days to respond to the Claim. If a payment arrangement is required by the defendant, payment arrangements are to be made directly through the Shire.
  6. The lodgement of a Claim will immediately affect the Ratepayers credit rating by recording the default payment. Legal costs will also be incurred at this time in which the costs will be charged to the property owner's assessment.
  7. If the ratepayer fails to respond to the GPC, an application for Default Judgment is entered into.
  8. If no response to Default Judgment, the Debt Collection Agency will be requested to issue a

Property Seizure & Sale Order (PSSO) on Goods only.

9. The Bailiff will make several attempts to serve the PSSO, take payment or make payment arrangement. If payment/s is not made with the Bailiff he will then seize goods to the value of the debt – Car or other item/s – this is a “paper seizure”.
10. If no goods are available to seize, the next option is to proceed with PSSO over the land under Civil Judgments Enforcement Act (2004). This requires Council Resolution before proceeding.

11. If the rates remain unpaid for at least 3 years under Section 6.64 of the Local Government Act (1995) the Shire has the option to take possession of the land and in accordance with the appropriate provisions of the above section may

- Lease the land
- Sell the land
- Transfer the land to the Crown
- Transfer the land to itself

Once the debt is settled in full the Shire of Ravensthorpe will notify the Collection Agency and request all action be ceased immediately, a Debt Clearance Letter will be sent to the ratepayer.

### **NOTICE OF DISCONTINUANCE (NOD)**

The Shire of Ravensthorpe will not issue a Notice of Discontinuance unless a Claim was issued incorrectly against the Ratepayer. Should the ratepayer request a NOD, the Shire of Ravensthorpe will contact the Debt Collection Agency and request one to be issued. All fees will be on charged to ratepayer.

### **PAYMENT ARRANGEMENT**

1. An application for an alternative arrangement other than Option 1 (full payment) or Option 2 (4 instalments) must be submitted in writing.
2. Payments are to be made on a regular weekly, fortnightly or monthly basis, the account is to be cleared by 30 June of the Current Financial Year. These payment arrangements require approval from the Manager Corporate and Community Services.
3. In extreme circumstances (i.e. financial hardship) arrangements may be extended beyond 30 June of the current rating year requiring Chief Executive Officer approval. When calculating this option, the next year's estimated rates must be included in the payment arrangement so that they are paid by the due date.

### **DEFAULT ON PAYMENT ARRANGEMENT**

The following process will apply for a default on a Payment Arrangement.

1. If the a ratepayer defaults on the payment arrangement , a Breach of Payment Arrangement letter is issued, notifying the ratepayer that they are required to make payment of the default amount via alternative means before the next payment falls due.
2. If the direct debit defaults twice, a Breach of Payment Arrangement letter is issued, requesting full payment of the defaulted amount, and advising the Ratepayer that if the full amount is not paid with 14 days of issue of the letter the direct debit will be cancelled and the debt will be sent to the Shire's Debt Collection Agency.
3. If payment is not received within 14 days of issue of the 2nd Breach of Payment Arrangement a letter is issued notifying the ratepayer the Payment Arrangement has been cancelled and Debt Recovery Procedure will commence.

### **CENTREPAY**

Eligible ratepayers may elect to have regular deductions taken from their Centrelink payments to pay off outstanding rates and charges.

## **INSTALMENTS**

1. Ratepayers may elect to pay rates in four equal instalments as detailed on the Original Rate Notice.
2. If instalments 2, 3 and 4 are in arrears 14 days after the due date, a Final Notice will be issued requesting full payment of the arrears within 14 days.
3. If an instalment remains unpaid after the issue of a Final Notice, the Shire of Ravensthorpe will revoke the Ratepayers right to pay by instalments and issue a letter to the Ratepayer advising of the action.
4. A ratepayer has the option to enter into a payment arrangement at this stage.
5. If no contact is made from the Ratepayer after the issue of the letter, Debt Recovery will commence.

## **PENSIONERS AND SENIORS**

1. Debt Collection will not proceed against eligible persons registered to receive pensioner or senior rebate under the Rates and Charges (Rebates and Deferrals) Act 1992 as such persons have until the 30 June in the rating year to make payment.
2. Eligible persons will not incur any interest penalty.
3. A reminder letter will be sent to all eligible persons during May every year.
4. Pensioners with arrears (i.e. refuse charges) and who are ineligible to defer payment of rates will be contacted by Shire of Ravensthorpe to discuss an alternative payment arrangement. Debt Recovery Procedure will commence for any outstanding rates and charges that cannot be deferred.

## **GUIDELINES – SUNDRY DEBTORS**

1. All Shire of Ravensthorpe Sundry Debtor accounts are 30 day accounts.
2. Accounts unpaid after the due date will be issued with a Reminder Letter requesting payment.
3. Outstanding debtors after 14 days will be contacted by telephone requesting payment.
4. A Final Demand letter will be issued for all outstanding debtors 60+ days overdue requesting payment within 7 days.
5. If no response from a final demand letter the Shire may cease providing further services to the debtor until the debt has been paid.
6. All accounts overdue at 90 days may be referred to Council's Debt Collection Agency for immediate action.
7. Debt Recovery Procedure will not commence with accounts that are in dispute.

## **LEGISLATION AND OTHER REFERENCES**

Local Government Act (1995)

Local Government (Financial Management) Regulations (1996)

Rates and Charges (Rebates and Deferrals) Act (1992)

## **WORKS AND SERVICES**

### **WS 1 ROAD FACILITIES – PAINTING OF KERB NUMBERS**

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#### **Policy Objective:**

*To ensure consistency when dealing with requests for painting of house numbers on kerbs.*

#### **Policy:**

Council will ensure painting of house numbers on townsite lots where kerbing is in place is completed every 5 years.

At other times, Council will grant permission to owners of properties to have house numbers painted on kerbs subject to the following conditions:

The painting contractor to be approved by the Manager Engineering Services prior to works being undertaken.

The owner of the property indemnifying the Council against any claims that may arise from the painting of the house numbers on kerbs.

The Council not being liable or responsible for the maintenance of the works (other than the 5 year cycle outlined above).

The specification of the work includes:

The numbers are to be reflective and uniform in colour.

Letter height 100mm.

The numbers are to be painted on a rectangular background of suitably coloured paint, nominally 300 x 120mm.

The numbers and background are to be painted on the kerb side vertical face where possible or the largest non-horizontal face should the vertical face be of insufficient height.

Numbers are to be placed on the kerb of the street that the number refers to only.

A traffic control plan (TCP) in accordance with AS 1742.3 – 1996 must be provided to Council.

A copy must be kept on site.

Any departures from the above specification may result in withdrawal of approval unless approved by the Manager Engineering Services.

## WS 2 CONSTRUCTION/UPGRADE OF CROSSOVERS

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### **Policy Objective:**

*To provide specifications and guidance regarding the design, installation and rebating of crossovers.*

### **Policy:**

#### Definition

*A “crossover” is the part of the vehicular access to a property, between the property boundary and the edge of the road carriageway.*

#### Application for Crossovers

Applications shall be made in writing by the landowner/s or their appointed agent to the Shire of Ravensthorpe before any crossover is constructed/upgraded, and the Shire shall respond, either disallowing or approving the crossover, and setting conditions if appropriate (such as culverts or surfacing). This applies to any crossover, whether eligible for Council contribution or not.

Council approval to any application shall have a two-year limit from the date of approval. Once the two-year limit expires then Council’s approval lapses and landowners will need to re-apply. Crossovers started within this two-year period must also be completed within the same period. Council must be notified within 21 days of the completion of a crossover construction/upgrade.

It is noted that it is generally a condition of subdivision that crossovers be applied for, approved and constructed prior to Planning clearance of the applicable subdivision condition. At the discretion of the CEO or nominated officer clearance may still be granted to the subdivider provided that a written undertaking/guarantee is given to Council by the subdivider to construct the crossover(s) within the normal two year approval limit. The written undertaking/guarantee shall be accompanied by a bond per crossover of an amount estimated by the CEO or authorised officer to be the cost of the crossover, which shall be refunded upon construction of the crossover(s). Where crossovers are required as a condition of subdivision no Shire contribution is applicable.

Council does not recognise “temporary” crossovers, however, to address the issue of a crossover being required to gain access to a building site this policy allows the partial construction of an approved crossover (e.g. formed and compacted sub-base) that can be used by vehicles during the construction phase of a dwelling followed by the final surface (final gravel layer/concrete/asphalt 2 coat bitumen seal) once the dwelling has been completed provided the crossover construction has been concluded within the 2 year time limit as per this policy. Any gravel/roadbase/sand or other debris which is transported by vehicle movement, storm water etc or in any other matter onto the road and/or road drainage system as a result of the crossover being in a temporary ‘unfinished’ state shall be removed from the road way (and associated drainage structures) to the satisfaction of the Manager Engineering Services prior to any further work being carried out on the crossover.

All new or modified crossovers which join an existing sealed road shall be sealed, either with a 2-coat bitumen seal<sup>1</sup> or concrete/asphalt/brick. All crossovers which have an overall vertical grade greater than 1 in 6 (either up or down) are to be sealed.

<sup>1</sup> a two-coat bitumen seal, normally using 10mm aggregate first coat, and 7mm aggregate second coat.

## General

The owner, or his nominated contractor, shall construct/upgrade the crossover to the Councils specifications.

The owner, or his nominated contractor, shall give 24 hours' notice prior to construction/work commencing in the first instance.

All unsealed, bituminised or asphalt crossovers shall be constructed of 200mm thick (minimum) compacted gravel or road base.

All brick paved and concrete crossovers shall be constructed on a 100mm (minimum) compacted sand base.

For all crossovers, satisfactory compaction shall be by a minimum of 10 complete passes of an industrial type roller/compactor. Material shall hold adequate but not excessive moisture content so as to aid compaction. The general test for compaction will be that the surface shall not show any depressions when a pick handle is dropped from waist height when tested over various areas of the crossover. Gravel and road base shall be finished to a tightly water bound surface, free of loose stones or excessive slurry. Crossovers which are to be sealed shall be inspected prior to any seal being applied.

Where compaction has not been achieved as determined by the Manager Engineering Services, the owner may be requested to carry out formal geotechnical testing and to provide a copy of those results to ensure compaction is greater than 92% Modified Maximum Dry Density (MMDD) for a residential crossover, and 98% MMDD for a commercial crossover.

The gravel or road base material shall be evenly graded and free of large stones, roots and other deleterious materials.

Moisture shall be maintained through the entire depth of material whilst constructing the crossover, watering the surface prior to compacting is not acceptable. Where fill is required in the construction/upgrade of a crossover, compaction will be required in layers no greater than 300mm.

No changes shall be made to any existing road drainage without prior agreement from the Manager Engineering Services.

## Non Standard Headwalls

All structures other than standard precast concrete culvert headwalls (such as cemented stone pitched) shall be subject to approval prior to construction. Upon prior approval the structure then becomes the responsibility of the owner, i.e. The Council will not accept responsibility for any liable event, costs of maintenance of this structure.

## Rural Crossovers

A standard crossover is either:

A gravel crossover with no pipes, or

A gravel crossover with 375mm pipes

as determined by the Manager Engineering Services to suit the location of the crossover, and is

7.2m wide (nominally 3 pipes)

Gravelled and/or sealed as per policy requirements with

Headwalls (if appropriate) and

Two white guideposts (with reflectors) as per Australian Standards.

It will be at the discretion of the Manager Engineering Services to determine if

Pipes are required and

The standard specification can be modified i.e. should roadside drainage conditions warrant a pipe of alternate diameter.

#### Urban Crossovers

The minimum culvert pipe size shall be 300mm. It will be at the discretion of the Manager Engineering Services to determine if

Pipes are required and

The standard specification can be modified i.e. should roadside drainage conditions warrant a larger diameter pipe.

#### For residential crossovers:

Minimum width 3.0m, maximum 6.0m

Minimum turnout 1.5m, maximum 4.5m

#### For commercial crossovers:

Minimum width 4.5m, maximum 12.0m

Minimum turnout 1.5m, maximum turnout 9.0m with footpath or 15.0m without footpath.

#### Location of Crossovers

No part of the crossover (this includes the crossover turnout and culvert headwalls) shall be adjacent to the adjoining property or within a corner truncation (of next to an adjoining road), desirably it shall be at least 1m clear of the property line. Any variation must have prior approval from the Manager Engineering Services.

Shared crossovers for dual use by two adjoining properties will be considered subject to the location having acceptable sight distances and complying with the normal engineering requirements for a crossover. The required width of a shared crossover will be determined on a case by case basis.

When determining the location of a crossover, the following factors shall be taken into account:-



### Site Distance

Drivers on the passing road must be able to see a vehicle on the crossover in time to avoid collision, and the driver of a vehicle on the crossover must be able to see approaching vehicles on the road with sufficient distance to safely enter the road. The location of the crossover shall have a minimum sight distance relative to the stopping distance<sup>2</sup> of a vehicle in an emergency situation; this is related to the posted speed of the road where the crossover is to be located.

Where sight distance is restricted then the crossover shall be positioned to give the best possible sight distance, on prior approval from the Manager Engineering Services. The applicant may be requested to carry out additional works in the road reserve to ensure a safe sight line for entering vehicles.

Where there is ample sight distance then the following factors may determine the crossover location.

### House Location

Crossovers to houses will not be allowed if they compromise sight distance and it is possible to redesign the driveway layout to get better sight distance.

### Vegetation

If it is necessary to clear native vegetation to allow for construction/upgrade or safe sight distance then the Shire will state any objection if so determined. It is the landowner/s responsibility to obtain any/all approvals to remove vegetation (e.g. Environmental Protection Agency). Clearing must be kept to a minimum and may be conditional on replacing any removed vegetation with the same or similar vegetation at the request of the Executive Manager Works and Services. All vegetation cleared for the crossover/upgrade or to improve sight distance must be removed from the road reserve. All vegetation clearing and removal is at the landowner's expense unless otherwise agreed by the Manager Engineering Services as part of Councils contribution to the construction/upgrade.

### Drainage

If the construction/upgrade of a crossover requires a culvert pipe to be installed, the position and size of the culvert must not interfere with the flow characteristics of the existing storm water/drain course. Culvert pipes must be installed with their classification stamp facing up and the pipes must not be covered until inspected and approved. Pipes must be installed to manufacturer's specification (including the depth of cover). Spigot and socket pipes shall be installed with the socket or 'bell' end facing 'upstream'.

### Other

Other factors, such as existing services, must also be considered when determining the location of crossovers. It is highly recommended that the applicant locate the service utilities by contacting Dial-Before-You-Dig on 1100 prior to commencing earthworks.

### Occupational Safety & Health, Traffic Management

All works performed with the road reserve must comply with the Occupational Safety & Health Act 1984, Occupational Safety & Health Regulations 1996 and The Manual of Uniform Traffic Control Devices AS 1742.3 – 2002 (Part 3).

<sup>2</sup>Stopping distance including reaction time for 110km speed zone is: - 104m

Stopping distance including reaction time for 90km speed zone is: - 72m

Stopping distance including reaction time for 80km speed zone is: - 60m

Stopping distance including reaction time for 70km speed zone is: - 48m

Stopping distance including reaction time for 50km speed zone is: - 28m

Figures supplied by W.A. Department of Transport

## Levels of Crossovers

Crossovers shall be constructed to tie into the level of the “edge of the road”.

For gravel roads, or bitumen roads with gravel shoulders, the “edge of the road” is the outer edge of the gravel shoulder.

For kerbed roads it is the top of the kerb where mountable kerbing is to be used across the crossover, or

The bottom of the kerb if the kerb is to be taken around the crossover turnout.

Crossovers shall be graded back from the “edge of the road” at a grade no greater than 1 in 6, so that there is a reasonably level area of 5m for a car (residential crossover), and 8m or 15m for a truck and semi-trailer respectively (commercial crossover), unless prior approved by the Manager Engineering Services.

Any crossovers given special approval with a gradient greater than 1 in 6, must be bituminised, asphalt, concrete or brick paved.

For crossovers that fall away from the road the level area shall not be steeper than 1 in 6 unless prior approved by the Manager Engineering Services.

For crossovers on kerbed roads where the kerbing is to be removed, the crossover shall rise to the same level as the top of the road kerb within the first 2m. This is to avoid road water running into the crossover. The remainder of the “reasonably level” area shall not be steeper than 1 in 6 unless prior approved from the Manager Engineering Services.

## Number of Crossovers

Normally only one crossover per property will be approved. Where there is a request for two crossovers to one property (for example to allow a “U” shaped driveway so that backing into the road may be avoided or alternate access to a shed/carport or a corner block) then a second crossover may be approved. Any approval will be dependent on the two crossovers being accommodated within the property frontage. Approval will also be dependent on the owner accepting the full cost of the second crossover.

Additional crossovers per property require an application to be lodged with the Shire and subsequently approved prior to construction/upgrade commencing. No Council crossover subsidy is available for second or subsequent crossovers. Such additional crossovers must still comply with Councils specifications.

## Non-Compliant Crossovers

Crossovers that are deemed not to comply with conditions set and/or this policy may be required to be rectified or removed. Crossovers that need to be removed will also require the road reserve to be re-instated to a condition of similar appearance immediately to either side of the crossover. All remedial work will be at the expense of the person who constructed the crossover and/or the current property owner.

## Shire Contribution

Once the crossover is completed the applicant and/or their nominated agent must notify Council of the completion within 28 days, if the owner is requesting a Council contribution then they shall provide a copy of the tax invoice itemising the square area of the crossover, the class and lengths of culvert pipes including headwalls. No Council contribution will be paid if the landowner has not lodged an application and received Council approval prior to the crossover being constructed.

The Council's contribution will not be paid retrospectively and will be payable upon completion of the crossover and inspection by Shire personnel. Re-imbusement must be claimed within 21 days from the completion of the crossover. Re-imbusement can only be claimed by, and made payable to, the original applicant.

Council will contribute (or subsidise) an amount equal to the cost of nine square metres of the standard<sup>2</sup> crossover (one crossover per property) subject to the crossover being deemed to conform to the Shire's specifications and/or conditions.

Where a Council contribution/subsidy is sought at a location where the road reserve is in excess of 20m, resulting in a crossover being required that exceeds the length of a standard 7.0m long crossover, an application for a Shire contribution over and above the standard 6.0m crossover is to be lodged in writing at the time of applying for approval for construction/upgrade of a crossover or within 14 days from the date of the approval. These cases will be assessed on an individual basis and the Manager Engineering Services will determine the level of Shire contribution. Shire contribution may consist of materials, plant, or labour to be supplied or a monetary contribution or a combination of any or all of these equal to the value of the determined Shire contribution.

The subsidy applies to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy will apply to each crossover up to the number of dwellings.

A crossover may attract a second subsidy where it is being up-graded from a gravel construction to a sealed construction/upgrade that complies with Council's specifications.

The Council contribution is claimable once only and for one crossover per property only. Any additional crossovers shall be at the full cost of the landowner.

<sup>2</sup> A standard residential crossover (for the purposes of the Local Government Act 1995) have the following dimensions:

Length (verge width)                      7m

Width (at boundary line)                3m

Width (at edge of road)      6m

Area                              31.5m<sup>2</sup>

#### Maintenance Costs

Landowners are fully responsible for all maintenance of crossovers to their property, that is, the portion which they have constructed (being the sealed surface and gravel base). The Council is responsible for the street or table drains which front the property, and will repair any damage associated with water runoff from Council's roads or verges.

If a crossover has become unsafe or in a state of disrepair, Council may require a person to repair a crossover by issuing a written notice. If that person fails to make those repairs the Council may do so, and may recover the full cost as a debt due from that person.

Reconstruction/upgrade of one crossover to a property will attract a second subsidy where that crossover has exceeded its expected life (taken as 15 years) as determined by the Manager Engineering Services.

Minor repairs that equate to 20% or less of total crossover square area and that does not require the use of driven machinery (e.g. Bobcat/Skidsteer, Backhoe etc) will not need prior approval from the Shire.

#### Non-Approved Works

Written approval (in the form of an approved crossover application form or otherwise) MUST be obtained from the Shire prior to carrying out any works on a crossover within the Shire road reserve. Any landowner/contractor or other party carrying out non-approved works will be issued with an immediate stop work order and/or risk being infringed under local law, and may be instructed to repair all disturbance and/or remove all works until such time as an application is made and approval granted.

#### Traffic Management

A traffic management plan conforming to Australian Standard 1742.3 must be submitted to the shire prior to any works commencing.

## **WS 3 TRAFFIC MANAGEMENT – STREET PARTIES**

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### **Policy Objective:**

*To provide conditions under which the Council will approve street parties.*

### **Policy:**

The Shire will enable street parties to be held within streets in the Shire subject to adherence to the conditions and procedural guidelines set out hereunder:

Application must be made in writing to the Shire. The letter of application must be accompanied by a plan showing the area of the proposed street closure.

The closed area is to be restricted to that section between adjacent intersections or an intersection and adjacent cul-de-sac. The intersections must be left free for cross traffic.

Every resident in the street or portion of the street proposed to be closed, must indicate by signature and address, their support or objection to the street party and at least a two thirds majority of the householders must be in favour before the application can be considered.

The street party may only be held during the hours of 10:00 a.m. and 10:00 p.m. on any day, except Good Friday, Easter Sunday and the morning of ANZAC Day.

Applicants must supply sufficient details such that the Manager Engineering Services can determine that there are no valid objections by the residents and no apparent problems.

The Manager Engineering Services decision is final.

Approval, if granted, shall be granted in accordance with the Road Traffic (Events on Roads) Regulations 1991, whereby the applicant will be required to carry out the following:

#### Temporary Road Closure for Events (Section 81A)

The applicant must obtain from the WA Police an "Application for an Order for a Road Closure". The completed form must be signed by the Chief Executive Officer or his nominee and lodged by the applicant at the Police Station nearest to where the event is to be conducted.

#### Suspension of Road Rules (Section 83(1))

The applicant must also obtain from the WA Police Services an "Application for Temporary Suspension of the Road Traffic Act/Regulations – Section 83 Road Traffic Act". The completed form must be signed by the Manager Engineering Services and lodged by the applicant at the Police Station nearest to where the event is to be conducted.

If approval to temporarily close a street is granted, the organiser of the event shall engage at the organiser's expense, an accredited traffic management company to prepare a traffic management plan in accordance with AS 1742.3. The Plan shall be submitted to the Shire at least seven (7) days prior to the event. Only appropriately accredited person(s) shall be permitted to implement the approved plan and appropriately accredited person(s) must be on site for the duration of the event. Evidence of the accreditation of any person(s) used to implement and monitor traffic plans must be presented to the Manager Engineering Services.

The organisers of the event are to ensure that the consumption of any alcohol within the road reserve complies with the law. The sale of alcohol is illegal and prohibited substances are not to be consumed or administered.

The first signatory on the form shall be deemed to be the applicant with whom all correspondence or liaison will be made.

The applicant shall accept responsibility for the road reserve being left in a clean and tidy condition after the closure period.

This approval does NOT presume to waive or override any Acts or Ordinances, Regulations or Local Law other than to give permission for the temporary closure of the road for the nomination period.

This approval shall be given subject to the payment of a fee as determined by Council from time to time to be lodged with this Council. The cost of remedying any breach of these conditions, as found necessary by Council, may be recovered from the applicant.

Applicants are to comply with the Environmental Protection (Noise) Regulations 1997, and any relevant Shire's Environmental Health, Law and Order, Technical Services and Corporate Services conditions.

The applicant must ensure that appropriate measures are in place to minimise litter, sharps, excessive noise, parking problems and anti-social behaviour.

Organisers are to be mindful of any resident in the street who does not wish to participate in the event by holding it away from their property.

Organisers shall notify all relevant emergency services regarding the event and associated street closure, should approval to close the street be granted. Evidence of this notification may be requested.

The Shire reserves the right to withdraw approval in cases where insufficient or misleading information was provided, upon the motivated request from the Western Australian Police, or should numerous complaints be received during the event.

## **WS 4 PROTECTION OF COUNCIL INFRASTRUCTURE IN ROAD RESERVES**

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### **Policy Objective:**

*To ensure a bond is paid to cover possible damage to kerbs or footpaths by builders.*

### **Policy:**

In the granting of approvals for building demolition and/or building development, a deposit is required to be lodged by the builder. The amount of the deposit shall be based on the cost of reinstating the footpath and/or kerbing abutting the allotment. The deposit will also cover the cost for cleaning the road and/or drain caused by sand drift and any other materials coming from the building site. This amount shall be at the discretion of the Manager Engineering Services.

A pre-work inspection, by the Manager Engineering Services or his representative, is required to identify the condition of the footpath, kerbing, road and drainage. A post-work inspection, by the Manager Engineering Services or his representative, will determine the extent of damage to the footpath and/or kerbing (if any), and the amount of cleaning (if any) of the road and/or drain caused by the builder. The builder is required to pay the cost of reinstating the footpath and/or kerbing damaged or removal of sand and debris from the road pavement or drains as a result of the demolition or building activity. Alternatively, the builder may be permitted to carryout the reinstatement work under the direct supervision of the Manager Engineering Services.

Any disturbance or damage to Council infrastructure shall be signed and/or demarcated to the satisfaction of the Manager Engineering Services.

Upon payment of the cost of reinstatement, or completion of reinstatement, the deposit will be returned. Alternatively, the cost of repairs can be deducted from the deposit paid. It may be necessary in heavy pedestrian areas to make repeated repairs to the footpath during the progress of the works before the final reinstatement at the completion of the activity.

## **WS 5 ROAD IMPROVEMENTS – MUNICIPAL WORKS IN STREET (NOTIFICATION TO OCCUPIERS)**

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### **Policy Objective:**

*To provide adequate notification to property owners and occupiers of impending works.*

### **Policy:**

Where Municipal works are programmed to be undertaken in a street, a notice of what is proposed to be done is to be given by local public notice.

Where Municipal works are programmed to be undertaken in a street, at least 10 days notice shall be served on the occupiers of premises of the section of street that will be affected by the proposed works. The said notices shall be delivered by Council employees, or authorised contractors, by delivery to an individual residing in the affected premises or, where this is impractical, by researching the occupier and mailing the said notice. Industrial or commercial premises shall be visited personally by Council employees and advised.

The notices referred to in the previous clause shall specify the date that the proposed works are to be commenced and the nature of the work (viz. road widening, resurfacing, path construction, drainage works etc) with advice as follows:

Other than where the street is to be resurfaced, any watering systems in the street verge directly affected shall be removed and reinstated by Council;

Where a drain line is to be constructed, and has been designed to allow for property connection, the fee to connect to the drain;

Where the road is to be widened or a path constructed, the cost to provide the premises with a standard crossing where such does not exist or the opportunity to upgrade a substandard crossing;

Where the road is to be herbed, details of Council's policy relating to Openings and Crossing Places;

Applications for drainage connections, crossing places and a second or further opening in the kerb should be forwarded to reach the Chief Executive Officer at least 72 hours before the specified date in the notice referred to above.

These provisions shall not apply to the planting, removal or pruning of street trees, drainage connections to established drainage lines or to the construction of crossing places.



## WS 6 CONSERVATION OF FLORA AND FAUNA

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### **Policy Objective:**

*To conserve natural flora and fauna.*

### **Policy:**

#### Maintenance of natural bush reserves

To ensure the continual integrity and ecological diversity of natural bush reserves, annual maintenance works will include weed control, rubbish removal and replanting with indigenous species.

#### Planning and Development - Subdivision of land

Developers shall be encouraged to retain natural vegetation at the planning stage of new subdivisions.

Landscaping of public open space shall be based, wherever possible, on the principles of water conservation and practical maintenance and shall retain areas of natural vegetation where appropriate.

Developers shall be encouraged to provide conservation management plans with subdivision applications in respect of areas containing significant or unique vegetation.

## **WS 7 STREETScape MANAGEMENT – REGISTRATION OF STREET LAWNS AND GARDENS**

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### **Policy Objective:**

*To provide conditions for registration of street lawns and gardens.*

### **Policy:**

The Shire may approve the 'registering' of street lawns and gardens. Records of which are to be kept and maintained. Applicants shall apply for the registering of their street lawn and/or garden in writing to the Chief Executive Officer. Applicants shall further be aware that the registration of a street lawn and/or garden is not automatic but subject to approval by the Chief Executive Officer, and that successful registration will result in the onus to maintain the site being placed upon the applicant, notwithstanding that council reserves the right to carry out such maintenance as it sees fit should the need arise due to issues related to access, safety, sight distance or any other reason.

Land owners are encouraged to develop lawns on the street verge adjacent to their properties and, in this connection, permission is granted to owners and occupiers of property to plant and maintain street lawns in accordance with this policy and the provisions of policy WS 16 Street Verge Treatments.

Council will not pay an allowance or grant a rates rebate to any person in connection with the maintenance of street verges.

Owners and occupiers shall be permitted to select ground cover of their choice for use on the street verge adjacent to their properties, provided such is placed in conformity with this policy and the provisions of policy WS 16 Street Verge Treatments.

Where no footpath exists adjacent to the property, all garden treatments shall allow for unimpeded access across the street verge by persons using the street by conforming to the provisions stated in policy WS 16 Street Verge Treatments Clause 15.

All shrubs and/or trees shall comply with policy WS 11 – Street Trees.

Applicants, whose requests for garden treatment on street verges are approved, are to be informed that the approval is subject to the Council not being held responsible for any reinstatement or damage occasioned by works within the street verge, either by the Shire or any public utility authority.

## **WS 8 STREETScape MANAGEMENT – MAINTENANCE OF COUNCIL LAND AND ROAD VERGES**

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### **Policy Objective:**

*To ensure the upkeep of road verges and land owned or vested in the Shire and to enhance the appearance of the Shire.*

### **Policy:**

To ensure the upkeep of road verges and land owned or vested in the Shire and to enhance the appearance of the Shire, the following work shall be undertaken:

Verges on major town roads or those roads deemed significant by the Manager of Engineering Services should be mowed, slashed or snipped every 6 - 8 weeks as a minimum.

Additional verge mowing, slashing or snipping will be conducted up to four times a year, or as determined, where:

Road verges are not maintained adjacent to undeveloped lots;

Road verges are not maintained at the side boundary of a street corner;

Road verges are not maintained by the adjacent property owner;

Weeds and long grass create a vision hazard at a road intersection;

Weeds and long grass represent a fire hazard on a street verge.

Undeveloped land owned or vested in the Shire should be maintained to a level to ensure it is free from the hazard of fire and from excessive accumulation of rubbish.

Maintenance of Back slopes and Table drains.

## WS 9 STREET TREES

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### **Policy Objective:**

*To ensure conformity in new verge/street tree installation and maintenance and removal of existing verge/street trees.*

### **Policy:**

#### Planting

Street trees are to be installed as per this policy or at the discretion of the CEO or nominated officer.

Planting of approved street trees by the CEO (or nominated Officer) shall be decided on, in each case, on merit and location.

Upon approval of an application, an adjoining property owner can be allowed to plant a maximum of 2 approved street trees per 20 metres frontage at their own cost. The number and type of street trees approved will be dependent on available verge area and characteristics of the tree/s. Trees are to be supplied by the land owner and maintained by the land owner for a minimum period of three years.

Street trees will be varieties that have the following characteristics:

require minimal pruning;

are not hyper allergenic;

have a non invasive root system;

are non toxic;

do not produce thorns, a prickle or spur seed, or fruit that will cause a hazard;

will typically grow no taller than six metres or three metres if under power lines;

generally will not cause a nuisance by dropping excessive nuts, leaves or fruit.

Street trees approved to be planted on a verge with a footpath or within 1 metres of the back of kerb, seal edge or shoulder, shall have a suitable root barrier installed 300mm deep (min) and 1 metre in diameter to minimise potential damage to Council infrastructure.

Trees shall be planted at an approved location so as to avoid electrical power lines and all other services. No trees are to be planted within 20 metres from a street corner or within 7 metres from a crossover of where they may impede sight distance or pedestrian traffic. Trees are not to be planted on verges less than four metres wide.

#### Maintenance

Street tree maintenance will be undertaken as required and within the allocated street tree maintenance budget. Maintenance on trees impeding sight distances, vehicle and pedestrian movements shall be given a higher priority. Only those trees which are under Western/Horizon

Power's power lines or which constitute a traffic hazard to be pruned each year (contractor to be permitted to use discretion).

Street trees that show a high risk of imminent danger shall be removed/pruned as required at the discretion of the CEO or nominated officer.

### Removal of Street Trees

By Council Staff: The CEO shall have the delegated authority to approve the removal of trees on Council property by Council staff should tree(s) be required to be removed for the following reasons:

Roadworks (including footpaths, etc) associated with the annual works program;

trees that are dead, dying, deformed, damaged or in poor health;

trees considered unsuitable for the streetscape;

trees considered to be located in a hazardous or dangerous position, or in a location contributing to a hazardous or dangerous situation;

or other rational reason associated with the operations of the Works and Services Department.

The above delegation notwithstanding, where a tree is considered:

contentious or large costs are to be incurred;

a heritage or significant specimen; or

a Council response is necessary.

A report regarding the tree removal will be submitted to Council prior to any action being undertaken.

Upon Application for Removal/Replacement of Street Trees by Adjacent Landowners: Should a street tree require removal as a consequence of the approved development or redevelopment of a property, including the removal to facilitate a driveway/crossover installation, the CEO will only consider the request following receipt of an application in writing. The CEO shall have the delegated authority to approve the removal of trees on Council property by adjacent landowners as a consequence of development should the application meet with Officer approval.

The applicant is to be advised of any condition(s) which shall include (but not limited to):

Replacing any removed street tree with the same or similar tree;

All vegetation removed from the road reserve shall be disposed of appropriately.

The adjacent landowner (applicant) is responsible for all association costs, including verge/footpath reinstatement if required.

The above delegated authority notwithstanding, where a tree is considered:

Contentious or large costs are to be incurred;

a heritage or significant specimen; or

a Council response is necessary.

A report regarding the tree removal will be submitted to Council prior to any action being taken.

It is recognised that Council also receives requests from property owners to remove trees for reasons other than as a consequence of development or redevelopment. Generally Council will not support the removal of trees for reasons other than those given in clauses 9 and 10 above. However, any application to remove a tree or trees will be evaluated with the following foreseeable outcomes:

Application rejected, no further action taken.

Tree or trees found to be Council responsibility (such as in clauses 9.2, 9.3, 9.4); action taken by Council staff subject to costs being met by property owner.

Report to Council prior to any action being taken.

#### Native Vegetation on Council Verges

Any removal or maintenance of native vegetation on Council verges is at the discretion of the CEO or nominated officer.

Should a land owner adjacent to a Council verge wish to remove or maintain native vegetation on that verge, it is the adjacent landowner/s responsibility to obtain any/all approvals to remove vegetation (e.g. Department of Environment and Conservation). Clearing must be kept to a minimum and may be conditional on replacing any removed vegetation with the same or similar vegetation at the request of the CEO or nominated officer. All vegetation removed from the road reserve shall be disposed of appropriately. The adjacent landowner is responsible for all associated costs unless otherwise agreed to by the CEO or nominated officer.

## **WS 10 URBAN REVEGETATION AND GREENING**

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### **Policy Objective:**

*To improve the urban revegetation and greening of the Shire.*

### **Policy:**

#### Streetscape Enhancement

It shall be the objective of Council to develop attractive streetscapes along arterial road reserves and within residential streets.

#### Environmental Rehabilitation – Community Participation

Local residents, schools and other interested groups shall be encouraged to assist with tree planting projects associated with the rehabilitation of natural areas in their locality.

Where any streetscape enhancement or environmental rehabilitation is to occur on Council vested or managed land, Council staff members will plan and coordinate all works.

## WS 11 DANGEROUS TREES ON PRIVATE PROPERTY

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### **Policy Objective:**

*To ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.*

### **Policy:**

The issuing of notices under Section 3.25 and Schedule 3.1.9 of the Local Government Act 1995 regarding trees on private property will only be issued where the tree concerned represents a definite threat of imminent harm to persons or catastrophic damage to property and only after the complainant has taken reasonable steps to resolve the issue privately with the tree owner.

Requests from residents for the issuing of a notice regarding trees on neighbouring private property are to be received in writing.

The complainant will be required to:

Demonstrate what actions they have taken previously to resolve the issue privately with the tree owner; and

Commission and submit, at the complainant's cost, a Tree Inspection Report from an independent, professional arborculturalist recognised by the Tree Guild of Western Australia, prior to the Council proceeding with any consideration of the request.

The request will be declined if it does not meet the requirements of subclauses 1, 2 and 3 above.

Where the request meets the requirements of subclauses 1.0, 2.0 and 3.0 above, a notice will be issued to the tree owner to make the tree safe.

Notices are to be issued in accordance with Section 3.25 of the Local Government Act 1995 and shall be enforced by the Council in accordance with Section 3.26 of the Local Government Act 1995, if not complied with.

This policy shall not prevent the Council or its officers from intervening in emergency situations as provided for by Section 3.34 of the Local Government Act 1995.



## WS 12 OUTSIDE STAFF UNIFORM POLICY

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### **Policy Objective:**

*To improve the public profile of the Shire of Ravensthorpe by presenting a professional image and develop a feeling of pride amongst staff.*

### **Policy:**

Council will provide a subsidy of \$300 towards each new employee for the purchase of approved uniform. Each year thereafter the Council subsidy will be \$250. (Note boots are in addition to this amount).

The subsidy is not cumulative.

The subsidy is provided on a financial year basis.

Only permanent full time and part time employees who have satisfactorily completed their probationary period are eligible.

Council requires those employees who participate in the approved uniforms to wear them in their entirety whilst on work duty.

The uniform must only be worn whilst on official duty including travel to and from work.

The uniform must be worn in its entirety and not mixed with the employee's own personal clothing.

Employees wishing to purchase additional items of uniform may do so at their own cost as long as the minimum base uniform is purchased.

In the case of an employee not wearing the uniform, disciplinary action may be taken.

The base outside staff uniform consists of a range of clothing, including:

Women - 5 shirts, 3 pants/shorts, 1 jumper/flying jacket

Men - 5 shirts, 3 trouser/shorts/ 1 jumper/flying jacket

To assist in the purchase and ongoing maintenance of the corporate wardrobe, an employee representative will be appointed. Only they will liaise with the providers.

Employees are required to forward a copy of all documentation received from the suppliers to the employee representative to assist with account reconciliation as follows:

A copy of the packing slip/invoice (accompanying garments upon delivery).

A copy of credit notes (received by staff members once return/exchange of garments is processed).

When ordering the corporate wardrobe for the first time, it is a requirement of the Australian Taxation Office that employees purchase one complete outfit to qualify for tax deductibility.

After this initial purchase, additional items may be purchased. Laundry and dry cleaning costs may be tax deductible and employees are requested to seek their own taxation advice.

There will be one main opportunity to purchase uniforms throughout the year. Orders must be forwarded to the employee representative by the specified time.

The cleaning and repair of the uniform is the responsibility of the individual employee, who is expected to keep their uniform clean and in a good state of repair at all times, and at their own cost.

## WS 13 STREET VERGE TREATMENTS

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### **Policy Objective:**

*To encourage the establishment of street lawns and gardens that are suitably maintained but do not impede traffic vision, safe pedestrian thoroughfare or general public safety. To allow the installation of hard stand surfacing to the street verge.*

### **Policy:**

In the content detailed below, unless indicated otherwise the term 'acceptable material' means brick paving, bitumen, paving slabs, mulch or synthetic turf. Materials not classified as acceptable include concrete, crushed brick, limestone, pea gravel or other unstable material.

A person shall not plant a garden in a road reserve without approval of the Shire and then only in conformity with the conditions set out below.

The Shire shall not issue approval for the planting of a garden in any portion of a road reserve, except on written application of the owner of the land that abuts that portion of the street.

A person requiring an approval to plant a garden in a road reserve shall submit to the Shire a sketch plan setting out details of the proposed garden and the positions of the proposed garden beds and any trees or shrubs proposed to be planted in relation to the adjacent carriageway.

The owner of land that abuts a portion of a road reserve may plant and reticulate a lawn in that portion of the road reserve without obtaining approval to do so except when the lawn is to be a part of a street treatment or paved treatment.

A person shall not plant a garden in a road reserve:

Such that it extends beyond the frontage of the adjoining/abutting property in respect of which the approval is granted.

Such that it encroaches on the pavement of the carriageway or a made path.

Such that it encompasses earth mounding, rocks or retaining walls or built structures, ie fountains, ponds etc.

To the exclusion of any public pedestrian access.

The owner of land abutting a road reserve in which a lawn or garden is to be planted shall make arrangements to determine the location of public utilities which may be located within the road reserve prior to installation and shall be liable for any damage made to any utilities.

The owner or occupier of land abutting onto a road reserve may, on the road reserve in front of such land, install one of the following four permissible treatments:

Treatment 1 - Lawn - Plant and maintain a lawn provided that any water pipe laid to that lawn:

Is laid and kept beneath the surface of the road reserve at a depth of not more than 300 mm nor less than 150 mm and so that any fitting connected to a pipe does not project above the surface of the lawn or garden.

If connected to a public water supply, is laid to comply with the requirements of the Water Corporation being the body constituted for, and having control of, water in the district.

If connected to a private water supply, where passing under road, pavement, made footpaths, or crossings, is of at least class 12 PVC.

Has approved valves, located within the private property where they are connected to the water supply and is fitted so as to give complete control of the flow of water from that supply.

Irrigation sprinklers must be positioned to ensure that water does not spray on either pedestrian pathways or vehicle carriageways.

Treatment 2 - Garden - Plant and maintain a garden provided that:

No part of the garden (or plant, or other vegetation making up the garden) exceeds a height of 750 mm (excluding street trees).

No plant or other vegetation making up the garden is of a thorny or poisonous nature or may otherwise create a hazard.

If there is no footpath, a 2 metre wide strip parallel and adjacent to the kerb be provided and this area be sufficiently stable for foot traffic and conform to the investigating officer's approval.

In the event that a portion of the garden is lawn, that development shall comply with Treatment 1 above.

Treatment 3 - Part Paved Area - A portion of the street verge may be treated with an acceptable material provided that:

The area of hard surface is limited to a maximum of 33% of the total area of the verge (excluding any crossover) if paving bricks or blocks are used, or 25% of the total area of the verge if bitumen or concrete slabs are used.

Hard surface treatments will be installed in compliance with the Shire's specifications for urban crossings.

The remainder of the street verge be developed with lawn or garden.

In the event that lawn or garden is not planted on the remaining portion of the road reserve, that development shall comply with Treatment 1 and/or Treatment 2 above.

Treatment 4 - Complete Paved Area - The Council, at its absolute discretion, may approve the paving of an area that is greater than 33% of the total verge (excluding existing crossings) with an acceptable material provided that:

In the opinion of the Council it would not constitute a negative impact on the aesthetic value of the existing streetscape.

An appropriate storm water drain disposes of excess water into a soak well situated internally on the owner's land.

The construction of the drain and soak well is to specification approved by the Shire.

The land abutting the verge to be paved does not fall within an area not suitable for soakwells as specified by the Shire.

In the event that lawn or garden is planted on the remaining portion of the road reserve, that development shall comply with Treatment 1 and/or Treatment 2 above.

## **WS 14 ADMINISTRATION OF APIARIST ACTIVITY ON COUNCIL VESTED RESERVES**

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### **Policy Objective:**

*To administer the activity of apiarists on Council vested reserves.*

### **Policy:**

Council authorises the Department of Parks and Wildlife (DPAW) by agreement, to administer on behalf of Council, application from 'Registered Apiarists', as prescribed under the Forest Management Regulations 1993, to locate beehives on reserves vested in the Shire of Ravenshorpe, subject to:

The Department of Parks and Wildlife (DPAW) advising Council of all approvals granted to locate beehives on reserves vested in the Shire of Ravenshorpe, and

Council reserving the right to withdraw the authorisation granted to the Department of Parks and Wildlife (DPAW) at any time.

## WS 15 TECHNICAL SPECIFICATIONS FOR SUBDIVISIONAL

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### **Policy:**

See separate document.

## WS 16 ASSET MANAGEMENT POLICY

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### **Policy Objective:**

*The objective of this policy is to ensure that the Shire has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.*

*Service delivery may be via the provision of Shire owned Infrastructure Assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.*

*Alternatively service delivery may be by via third party, in which case the Shire has a role in ensuring third party Infrastructure Assets are optimally provided and managed to achieve financially sustainable service delivery outcomes without the need commit the shire to significant capital expenditure.*

*The policy also assists the Shire to comply with the provisions of the State Government's Integrated Planning & Reporting Framework (IPR) by having an integrated approach to Planning for the Future.*

### **Policy:**

#### Scope & Limitations

This policy covers all asset service delivery of the Shire and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services and the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party. This may include but is not limited to;

Government Agencies

Private Enterprise

Contractors

#### Background

The community relies on the Shire to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery. The Shire must ensure that service delivery is well targeted and aligns with the Community's aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire also needs to continuously consider whether it needs to provide and / or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party, i.e. non-asset ownership service delivery.

To assist with making informed decisions in relation to this issue, the Shire will put in place the following;



An Asset Management Framework that is consistent with national standards in Asset Management.

Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy).

Develop, maintain and regularly review an Asset Management Improvement Framework that clearly articulates a sustainable path for continuous improvement and identifies resources to implement via the budget process.

Develop, maintain and regularly review Asset Management Plans.

Asset Management Plans will document the Council adopted level of service that applies to Infrastructure Assets which will be derived from the Service Levels determined via community engagement and the Corporate Business Plan.

Ensure processes are in place to train Councillors and Officers in key aspects of asset management.

### Guiding Statement

#### KEY COMMITMENTS

Prior to making a decision to either deliver a new service, vary the current level of service (up or down) or cease the delivery of a service, the following key commitments are to be adhered to;

The need for the service will be reviewed.

The service must align with the Strategic Community Plan and fit within the Corporate Business Plan (Capital evaluation process to be developed and utilised to assess this).

Options for the Shire to facilitate delivery of the service by a third party are to be identified and considered.

If the service is needed, and the Shire or a third party cannot deliver the service, infrastructure assets that are required to deliver the service will be identified along with;

The whole of life cost of delivering the service

The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery.

The service delivery and asset whole of life costs must fit within the 10 Year Long Term Financial Plan (once developed).

Options to renew infrastructure asset before acquiring a new infrastructure assets are to be considered.

Options to rationalise assets will be considered.

A cross-functional, multidisciplinary team will be established and maintained to develop the systems and processes to comply with the above key commitments.

#### Linkage to Other Council Policy

This policy links to other policies as follows; to be updated

## RESPONSIBILITY AND REPORTING

Council - is responsible for approving (including amendments to) the following documents;

Asset Management Policy

Asset Management Improvement Strategy

Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's AM Policy, AM Improvement Strategy, AM Plans. The CEO reports to Council on all matters relating to Asset Management.

The Senior Management Group (SMG) – is responsible for monitoring the implementation of asset management across the organisation. The SMG will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The SMG reports to the CEO on all matters relating to Asset Management.

Asset Management Working Group (AMWG) – the Asset Management Working Group will be responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's AM Policy, Improvement Strategy or Plans are identified, the AM Working Group is responsible for reporting this to the SMG for consideration. Where aspects of Council's Policy, Improvement Strategy or Plans are not being achieved or adhered to, the AM Working Group is responsible for reporting non-compliances to the EMG for corrective action. The AMWG reports to the Executive Management Group on all matters relating to Asset Management.

Manager Emergency Services (MES) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The MES reports to the CEO in relation to Asset Management resource allocation.

All Managers – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the AMWG.

## POLICY DEFINITIONS

“Asset” means a physical item that is owned or controlled by the Shire, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.

“Asset Management Plan” means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected council (comprising Councillors) of the Shire.

“Infrastructure Assets” are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Bridges.

“Level of Service” means the combination Function, Design and Presentation of an asset. The higher the Level of Service, the greater to cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire organisation. The Chief Executive Officer of the Shire is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

### Outcomes

Adherence to this policy will ensure that the Shire will continue to deliver (or facilitate the delivery) of financially sustainable services aligned with the aspirations of the community.

## WS 17 TREE MANAGEMENT IN URBAN AREAS AND PUBLIC RESERVES

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### **Policy Objectives:**

The objectives of this policy are to:

Recognise the importance of having well maintained, appropriately selected of trees in council controlled urban areas and public reserves to our residents and local environment;

Identify the criteria for selection and location of trees on public land;

Identify the level of responsibility and role the shire will undertake in relation to upgrade/renewal projects and management of trees in urban areas and public reserves;

Identify that a register of significant trees and appropriate guidelines will be developed;

Identify the delegated authority of the CEO and Council staff in relation to implementation of this policy; and

Identify the role and responsibilities of other stakeholders in relation to management of trees on private land and the public areas covered by this policy.

### **Policy:**

#### Selection and Location of Tree Varieties on Public Land

In all instances the selection of tree varieties to be planted on public land under the control of Council will:

Not be listed as noxious weeds or invasive species by the Department of Agriculture and Food or Department of Parks and Wildlife;

Require minimal pruning;

Not be known to cause very common severe allergic reactions to people (excludes varieties triggering rare conditions);

Be non-toxic;

Will not produce thorns, a prickle or spur seed or drop excessive nuts, leaves or fruit that will cause a hazard or nuisance; and

Will typically grow no taller than six meters in urban areas or three meters if under power lines.

Consideration will be given to planting trees native to the area however this is only mandatory for areas designated by council under section 3.1 of this policy.

In all instances trees to be planted on public land:

Shall be planted on an appropriate location so as to avoid electrical power lines and all other services;

Shall not be planted within 20 meters from a street corner or within 7 meters from a crossover where they may impede sight distance or pedestrian traffic; and

Will not to be planted on verges that are less than four meters wide.

### Selection, Maintenance and Removal of Street Trees (Public Reserves and Urban Environments)

Council is responsible for the selection, maintenance and removal of trees on council managed streetscapes in accordance with the following policy requirements.

#### 2.1 Selection, Installation and Removal of Trees During Upgrade of Major Streetscapes, Significant Road Verges and Parklands

Council will select and designate key areas which serve as a focal point or have major amenity for residents and visitors to the town (i.e. the main st, major roads, town entries and parks). Where council selects upgrade of trees to be included in as part of a designated project to upgrade defined key areas, council will:

Conduct an audit of existing location and species of trees within the project area

Select the varieties of trees to be included as part of design; and

Undertake a systematic process of removing unwanted trees

and planting desired varieties as part of redevelopment of these areas

The selection of criteria for trees in these areas will be the same as that for other urban areas (see below) with the additional criteria that these trees must:

Be species native to the area

Have significant visual amenity reflecting the character of the area

The implementation of any redevelopment project will take into account the time for new trees to grow and may involve phased removal of older trees as appropriate.

This policy will not obligate council to address trees as part of any particular upgrade project and selection of projects and project components will be undertaken as part of review of the Shires Strategic Community Plan, Corporate Business Plan and Long term Financial Plan. Implementation of projects is usually subject to achievement of external funding.

#### 2.2 Selection of Trees in Urban Residential/ Non Major Streetscapes/ Roadways and Verges

##### (A) Selection and Location

Decisions relating to selection of trees to be installed in streetscapes and verges not designated by Council under section 1.1 above will be at the discretion of the CEO or nominated officer in accordance with the following policy statements.

The CEO or nominated officer may implement planting of approved trees on a case by case basis in accordance with merit and location, generally as part of other works to an area or in accordance with a set works plan.

Adjoining property owners can make application and on approval plant a maximum of two street trees (meeting the criteria listed in section 1) per 20 meters frontage at their own cost. The number and type of street trees approved will be dependent on available verge area and characteristics of the tree/s. trees are to be supplied by the land owner and maintained by the land owner for a minimum period of three years.

## (B) Maintenance

Street tree maintenance will be undertaken as required within the allocated street tree maintenance budget. Maintenance of trees impeding sight distances, vehicle and pedestrian movements shall be given a higher priority.

Only those trees which are under Western/ Horizon Power's Power lines or which constitute a traffic hazard will be pruned each year (contractor permitted to use discretion).

Trees showing a high risk of imminent danger will be removed or pruned as required at the discretion of the CEO or nominated officer.

## (C) Removal by Council Staff

Subject to section 2.2 (D) the CEO shall have delegated authority to approve the removal of trees on council property by staff should this be required for the following reasons:

Roadworks (including footpaths, etc);

Trees that are dead, dying, deformed, damaged or in poor health;

Trees considered unsuitable for the streetscape;

Trees considered to be located in a hazardous or dangerous; position or contributing to a hazardous or dangerous situation;

Other operational reasons

## (D) Upon Application for Removal/ Replacement by Adjacent Landowners to Facilitate Approved Development

Should a tree require removal as a consequence of approved development or redevelopment of a property including facilitation of a driveway/ crossover installation the CEO will only consider a request following receipt of an application in writing. Subject to section 2.2 (D) the CEO shall have the delegated authority to approve the removal of trees on council property by adjacent landowners as a consequence of development should the application meet with officer approval.

The applicant will be advised of any condition(s) including but not limited to:

Replacing any removed tree with the same or similar tree;

All vegetation removed from the road reserve shall be disposed of properly; and

The applicant is responsible for all associated costs, including verge/ footpath reinstatement if required.

## (E) Requirement for Council Decision Relating to Removal

The above delegations notwithstanding, where a tree is considered;

Contentious or large costs will be incurred;

A heritage or significant specimen; or

Council response is necessary

A report regarding the proposed tree removal will be submitted to Council prior to any action being undertaken.

#### (F) Application to Remove Trees for Other reasons

It is recognised that Council receives requests from property owners to remove trees for reasons other than those listed in sections 2.1 and 2.2 (C) and (D) above.

On receipt of a written request staff will conduct an assessment and:

In the event it is determined that the subject tree meets the requirements listed in sections 2.1 and 2.2 (C) and (D) undertake the appropriate action or issue approvals in accordance with the timing and conditions detailed in those sections; or

If sufficient merit is not determined and the request is contrary to the conditions in this policy – reject the application with no further action to be undertaken

If circumstances warrant this in the opinion of the CEO, or if the applicant wishes to appeal a decision then a report and recommendations will be presented to council for determination of action

### 3.0 Register of Significant Trees

The Shire will develop guidelines, criteria and an application and assessment process for registering of Significant Trees on Public Land.

Street trees listed by the National Trust, Heritage Council, Tree Society and/or that are listed on the Shires Municipal Inventory and/or that are assessed in the future as meeting all of the requirements to be nominated as a significant tree shall be listed on the Shires Register of Significant Trees on Public Land.

For each tree or group of trees on the Register of Significant Trees a statement of significance and a management plan shall be prepared by the Shire in consultation with an expert arborist.

### 4.0 Trees on Private Property

#### 4.1 Selection, Location and Preventative Maintenance

Landowners are entitled to select and locate trees on their own private property as long as:

The tree is not prohibited in Western Australia;

They comply with their duty of care for the safety of residents and visitors to their property through appropriate maintenance and other measures;

They comply with all requirements relating to firebreaks; and

They maintain the tree in such a state as to not endanger any person or thing or cause a hazard (such as to any power line) or interference with delivery of Council or other services on adjoining land.

They ensure the tree does not impinge across their boundary into that of adjoining residences without express written permission.

#### 4.2 Councils Responsibility Relating to Trees on Private Property

#### (A) Requirements not the Responsibility of Council

Enforcing of requirements for species selection and duty of care for residents and visitors relating to trees on private property are the responsibility of other Government agencies and will not be entered into by Council.

It is recognised that neighbours have the right to trim any part of a tree encroaching on their land as long as they do not encroach on their neighbours land to do so and do not create a hazardous situation or state through or as a result of their actions.

Neighbours are responsible for and encouraged to ensure appropriate communication with each other relating to pruning of overhanging trees.

Council will not enter into Civil Disputes relating to trees encroaching on private land unless in accordance with the provisions detailed in section 4.2 (C).

#### (B) Issues relating to firebreaks

Where an issue is identified, Council will enforce removal of trees and vegetation in accordance with annual fire break regulations.

#### (C) Trees Constituting a Risk of Imminent Danger

Where a complaint is received (in accordance with the conditions detailed below) and it is determined a tree represents a definite threat of imminent harm to persons or potential catastrophic damage to property, council will issue a notice to the tree owner to make the tree safe. The notice will be issued under section 3.25, schedule 3.1.9 and enforced under section 3.26 of the Local Government Act

The following conditions apply:

Requests from residents for issuing of a notice regarding trees on neighbouring property are to be received in writing

The complainant will be required to:

Demonstrate what actions they have taken previously to resolve the issue privately with the tree owner; and

Commission and submit at their own cost a tree inspection report from an independent professional arborculturalist recognised by the Tree Guild of Western Australia, prior to Council proceeding with any consideration of the request.

This policy will not prevent Council or its officers from intervening in emergency situations as provided for by Section 3.34 of the Local Government Act 1995.



## **LAW, ORDER AND PUBLIC SAFETY**

### **LO 1 BUSH FIRE CONTROL – CAMPING & COOKING FIRES**

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#### **Policy:**

That in accordance with the provisions of Section 25 (1a) of the Bush Fires Act, 1954, the lighting of fires in the open air in the Shire of Ravensthorpe, for the purpose of camping, and cooking is prohibited during the prohibited burning times, except in the Starvation and Masons Bay Camping areas.

Lighting of fires in the open air in the Shire of Ravensthorpe, for the purpose of camping and cooking, is permitted during the period 30 April to 19 September, without a permit to burn.

All open fires are to be contained within a cement ring or designated fire areas, i.e. barbecue.

Fires are to be extinguished when not attended.

Wood, including kindling, must be supplied by campers from outside the Shire camping areas.

## **LO 2 REMOVAL AND DISPOSAL OF CERTAIN ABANDONED VEHICLES**

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### **Policy Objective:**

*To enable authorised officers to remove, other than by impounding, and dispose of certain abandoned vehicles found in public places within the district of the Shire of Ravensthorpe.*

### **Policy:**

Upon being reasonably satisfied that an abandoned vehicle, or part thereof, has no value or that the cost of its removal, detention and tendering will exceed the amount likely to be obtained by its sale, the Chief Executive Officer may deem it to be litter within the meaning of the term as defined in the Litter Act 1979 and arrange for its appropriate disposal.

## **LO 3 BURNING ON SUNDAYS**

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### **Policy:**

Burning on Sundays is prohibited, except between 30 April and 1 September. Information to this effect is to be included in the annual Firebreak Notice to property owners.

## **LO 4 BRIGADE UNIT INSPECTIONS**

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**Policy:**

Council's contract mechanic to carry out all service and repairs and ensure road worthiness of all Brigades' self-propelled firefighting units each year.

All costs to be set against funds allocated in the ESL budget.

## **LO 5 BUSH FIRE ADVISORY COMMITTEE**

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### Operational Guidelines

#### Name

Shire of Ravensthorpe Bush Fire Advisory Committee.

#### Governing Legislation

The committee is established under the section 67 of the Bush Fires Act, 1954.

#### Membership

Membership of the committee will comprise of 15 voting members and 18 non-voting attendees.

#### Voting Members

Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer x 2

All Brigade Fire Control Officers

Two Bush Fire Control Officers (Permits)

One Fire Weather Officer

#### Non-Voting Attendees

Community Emergency Services Officer / Secretary

Council Representative

FESA District Manager

DEC Fire Co-ordinator

#### Vision

To promote, encourage volunteerism and to make the Shire of Ravensthorpe a safe community by managing fire risk.

#### Terms of Reference

Continue to review current fire-fighting practices to improve operational effectiveness.

Ensure that all fire-fighting appliances are in a state of operational readiness.

Improve communication and co-ordination in fire-fighting activities.

Promote fire safety to the community through public education and involvement.

Continue to review and upgrade plans and other key documents.

Continue to improve the command and control of incidents.

Continue to support and encourage volunteer participation.

Continue to work in partnership with other organisations.

Support and promote the safety and health of volunteers.

Develop and implement training structures, systems and procedures in conjunction with FESA to support the community.

Provide support and guidance to Bush Fire Brigades in the Shire of Ravensthorpe.

### Meetings

#### - Annual General Meeting:

The Annual general Meeting is to be held in April. Elections for nomination to Council of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers and one of their numbers to be chairperson to be held at the AGM.

Note: The chairperson shall not be the CBFCA or the DCBFCA.

#### - Committee meetings:

The committee shall meet as often as its chairperson and/or the Council decides, but no less than two times per year, once in September and once in April, not including the AGM.

#### - Quorum:

The quorum at any meeting shall be seven members of the committee.

#### - Voting:

Shall be in accordance with the Local Government Act, Section 5.21 with all voting members of the Committee entitled and required to vote (subject to interest provisions of the LGA).

#### - Minutes:

Shall be in accordance with the Local Government Act, Section 5.22.

#### - Meetings:

Meetings shall be generally open to the public.

#### - Members Interest to be Disclosed:

Members of the Committee are bound by the provisions of the Local Government Act, Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

- Secretariat:

A Shire Staff Officer appointed by the CEO will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of agendas and minutes.

- Chairperson:

The Chairperson and Deputy Chairperson are to be elected annually at the Annual General Meeting of the Bush Fire Advisory Committee.

- Ex-Officio members:

The Committee is authorized to co-opt standing ex-office members as non-voting members.

- Meeting Attendance Fees:

Nil

- Delegated Authority:

Nil

## **LO 6 BURNING PERMIT EXEMPTIONS**

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### **Policy:**

A permit to burn is not required to burn within an area not exceeding .1 of a hectare, during the period 30 April, to 19 September each year, except for the district, where the fire is to be lit, is Very High or above.



## LO 6 SHARK RESPONSE

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### Summary:

With the implementation by State Government of Beach Emergency Numbers (BEN) system it became evident that the Shire of Ravensthorpe as a LGA coastal manager did not have a Shark Response Policy.

This item addresses that issue.

### Background:

The Beach Emergency Numbers (BEN) system is a coding system designed to improve emergency response times by installing signs with unique numbers at beach access points.

### Comment:

In December 2017, the Western Australia Government launched a grants program to Local Government Authorities (LGA's) to provide financial assistance to introduce emergency response signs along beaches with public access. Regional LGA's are eligible for grants of up to \$50,000 for the implementation of the signage. To be eligible to apply for the funding assistance, the LGA's must have a "Shark Response Policy".

Once the signage is in place the Emergency Service Organisations including WA Police, DFES, and St Johns Ambulance will integrate the numbering system into their Computer Aided Dispatch (CAD) systems.

Furthermore, the Shire of Ravensthorpe coastline extends for approximately 200 kilometres along the Southern Ocean and this policy will provide a defined uniform approach in response to shark sightings and attacks. A sample design of the signage can be seen below.



### Consultation:

Shire staff  
Department of Primary Industries and Regional Development  
Surf Lifesaving WA

### Statutory Obligations:

N/A

### Policy Implications:

N/A

**Budget / Financial Implications:**

In kind contribution of signage installation

**Strategic Implications:**

1. **Vibrant and supportive community**
2. **Adequate services and infrastructure**
3. **Civic leadership**

**Risk**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Community expectations – severe beach incident	Possible (3)	Moderate (3)	Moderate (9)	Failure to meet expectations of the community and emergency services volunteers	Accept Officer Recommendation

**Sustainability Implications:**

- **Environmental:**  
There are no known significant environmental considerations.
- **Economic:**  
There are no known significant economic considerations.
- **Social:**  
There are no known significant social considerations.

## **B 1 BUILDING PERMIT - PERMIT REQUIREMENTS – INCIDENTAL STRUCTURES**

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### **Policy Objective:**

To formally identify structures which:

- are considered minor in nature
- should not need to be assessed for structural integrity
- will be constructed from all new materials;
- will not have an impact on the amenity of the locality; and
- will not require the approval of a Building Permit.

### **Policy:**

#### **Policy Statement**

This policy classifies certain structures as incidental structures with specific criteria set out for each of the classifications and which, by their minor nature, a building permit will not be required.

#### **General Requirements**

In respect of all incidental structures, the following will apply:

Incidental structures and their use must comply with the requirements of the Shire of Ravensthorpe's current Planning Scheme, the Building Code of Australia, Local Laws and any other legislation.

A Building Permit is required for any masonry structure higher than 600mm form Natural Ground Level.

Incidental structures may only be constructed within the lot boundaries. They may not be constructed on verges or thoroughfares.

#### **Incidental Structures**

For the purpose of this policy the following are incidental structures:

Garden sheds, pergolas, retaining walls, fencing and rainwater tank exemptions are addressed by Schedule 4, Clause 2 of the Building Code of Australia (attached for clarification),

Cubbyhouse - providing that:

it is not located within the front setback;

it does not exceed ten (10) square metres in area;

it is not higher than two point one metres (2m) above the surrounding ground level;  
and

it does not have the floor of any viewing area greater than five hundred millimetres (500mm) above the natural ground level;

Poultry-run - providing that:

- it is no closer than nine metres (9m) to any dwelling;
- it is not located within the front setback;
- no part of the structure is higher than two point one metres (2.1m) above the surrounding ground level;
- the number of poultry kept do not exceed twelve (12) or any mature roosters and

Bird Aviary - providing that:

- It is no closer than nine metres (9m) to any dwelling;
- it is not located within the front setback;
- it does not exceed ten (10) square metres in area;
- it is not higher than two point one metres (2.1m) above the surrounding ground level;
- and

Kennel and/or Dog-run.- providing that:

- they are not located within the front setback;
- they do not exceed a height of one point eight metres (1.8m);
- they do not exceed a floor area greater than four square metres(4m<sup>2</sup>);
- the number of dogs housed does not exceed two (2); and
- the dog-run is not used as a breeding kennel.

Letterbox - providing that:

- it does not exceed one point five square metres (1.5m<sup>2</sup>) in area;
- it does not exceed a height of one metre (1m) above ground level; and
- it does not conflict with those of any other strata owner.

Clothes Line - providing that:

- no part of the clothes line is at any time to be more than three metres (3m) above the ground level;
- no part of the clothes line is to be attached to a boundary fence or wall without the prior written approval of the adjoining owner;
- they are not located within the front setback;
- it is located so that it is not visible from a street; and
- any strata rules allow the clothes line in that location.

Barbeque (including masonry gas and wood-fired barbeques and ovens, but excluding portable units) - providing that:

- they do not exceed more than one point eight metres (1.8m) in height above natural ground level;
- they are not to be constructed any closer than one metre (1m) to any boundary of the lot unless adjacent to a parapet wall on the adjacent lot; and
- they are located such that emissions from the barbeque or oven do not create or cause a nuisance to properties in the locality;

Bird Baths - providing that:

- it does not exceed a height of one point five metres (1.5m) above ground level;
- it does not exceed three hundred millimetres (300mm) in depth or; and
- it does not exceed one square metre (1m<sup>2</sup>) in area where above ground level.

Water Feature (ornamental and fish pond) - providing that:

- it is not integrated with an existing swimming pool or spa;
- no part of the pond or water feature is more than five hundred millimetres (500mm) above natural ground level;
- it does not exceed ten square metres (10m<sup>2</sup>) in area;
- it does not exceed three hundred millimetres (300mm) in depth;
- noise levels of any equipment and use not exceeding noise levels assigned under the Environmental Protection (Noise) Regulations 1997;
- it is not operated between the hours of 9pm and 7am.

Air Conditioner - providing that:

- they require no structural work to install the equipment, (wall piercing only for the reticulation of electricity and refrigerant are permissible); and
- noise levels associated with the use of any air conditioner does not exceed noise levels assigned under the Environmental Protection (Noise) Regulations 1997.

Other Incidental Structures - which the principal building surveyor determines are incidental and essentially minor in nature and unlikely to have an impact on the amenity of the locality or adjoining residents.

## **B 1 BUILDING PERMITPERMIT REQUIREMENTS – INCIDENTAL STRUCTURES**

### **Policy Objective:**

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LOCAL PLANNING SCHEME NO.6  
LOCAL PLANNING POLICY MANUAL

## Document Control

Control Version	DATE	Officer	Distribution	of	Comment
A	14/04/14	CTP	Shire Ravensthorpe	of	First Draft for Comment
B	04/06/14	CTP	Council		Modified version for Council consideration
C	27/06/14	CTP	Shire Ravensthorpe	of	Adopted by Council for final approval 26/6/14
D	14/07/15	CTP	Shire Ravensthorpe	of	Advertising Signs policy revised and adopted for final approval by Council June 2015
E	24/11/16	CTP	Shire Ravensthorpe	of	Sea container policy revised and gained final approval at Council Nov 2016
F	24 /11/16	CTP	Shire Ravensthorpe	of	Draft "Developing in Bushfire Prone Areas" adopted for advertising
G	3/5/17	CTP	Shire Ravensthorpe	of	Final adoption of LPP15 "Developing in Bushfire Prone Areas"
H	21/9/17	RMH	Shire Ravensthorpe	of	Final adoption of: <ul style="list-style-type: none"> <li>• <b>Sportsfields Advertising Signs</b></li> <li>• <b>Second-hand Dwellings</b></li> <li>• <b>Extractive Industry</b></li> <li>• <b>Public Open Space – 3-5 Lot Subdivision</b></li> <li>• <b>Alfresco Dining &amp; Trading in Public Places</b></li> <li>• <b>Farm Forestry</b></li> <li>• <b>Holiday Homes</b></li> </ul>
I	16/1/17	RMH	Shire Ravensthorpe	of	Final Adoption of: <ul style="list-style-type: none"> <li>• <b>Advertising Signs</b></li> <li>• <b>Outbuildings</b></li> <li>• <b>Housing</b></li> <li>• <b>Shipping Containers</b></li> <li>• <b>Industrial Design Guidelines</b></li> </ul>

## CONTENTS

### INTRODUCTION

### BACKGROUND

Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) gives the local government the ability to “*prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply –*

- a) generally or for a particular class or classes of matters; and***
- b) throughout the Scheme Area or in one or more parts of the Scheme area.”***

A Local Planning Policy does not bind Council or the Shire of Ravensthorpe in its decision making. However, the Shire of Ravensthorpe shall have due regard to the provisions of an applicable policy and the objectives which the policy is designed to achieve before making its determination on a planning matter.

The policies included in this Local Planning Policy Manual shall be read in conjunction with the requirements of the Shire of Ravensthorpe Local Planning Scheme No.6 and the Shire of Ravensthorpe Local Planning Strategy.

### OBJECTIVE

This Local Planning Policy Manual has been prepared to guide applicants and staff in preparing and assessing subdivision and development proposals. It aims to consistently apply the objectives of the Shire of Ravensthorpe Local Planning Scheme No.6 in the assessment of all development proposals.

### APPROVAL REQUIREMENTS

Unless stated otherwise within this Policy Manual, all matters are subject to the exercise of discretion by Council in granting Planning Approval. In considering an Application for Planning Approval for each of the policy areas, Council shall have due regard to the specific Scheme clauses, clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) and the objectives and requirements of the relevant policy.

### VARIATIONS

Any variations to a policy will require the applicant to demonstrate exceptional circumstances as to why the policy should be relaxed with the proposal being presented to an Ordinary Meeting of Council for determination. Assessment of the application will require consultation with adjoining and affected landowners.

Council will have regards to any matters set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) and the objective of the specific policy when a proposal seeks to vary the provisions of the Local Planning Policy Manual.

## DEFINITIONS AND INTERPRETATIONS

The below list outlines the definitions and interpretations used within this Policy Manual. Where a definition or interpretation is not listed, refer to the Shire of Ravensthorpe Local Planning Scheme No.6, Residential Design Codes of WA or Clause 37 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2).

**“Outbuilding”** means;

- a) **An enclosed non habitable structure that is detached from any dwelling (as defined under the Residential Design Codes); or**
  - b) **Any Class 10A building under the Building Code of Australia (1996) Volume 2, which is not substantially connected to a dwelling.**
- An open sided carport is not considered to be an outbuilding.**

**“Height”** – is to be measured vertically from the natural ground level, as per the measuring criteria stipulated in the Residential Design Codes.

**“Main building line”** – means the distance from the front boundary of the property to existing buildings on the property, measured at a 90 degree angle from the closest point of the front boundary.

**“Reflective materials”** – means any material with the potential to cause glare , reflection or mirroring and shall include factory applied finishes such as zincalume and light colourbond colours such as white and off-white.

**‘Rural Uses’** – means those land uses listed in the last section of the Local Planning Scheme No.6 Zoning Table & Use Classes and includes (but is not limited to) the use classes Agriculture Intensive, Animal Establishment, Rural Pursuit, Wayside Stall and Winery.

**“Second Hand Dwelling”** – means a building which has been used as a residential dwelling at any place other than on the lot upon which it is to be erected.

**“Transportable Building”** – means a prefabricated building that has been designed to be moved between sites, either being of a permanent or temporary nature.

**“Visually Permeable”** in reference to a **wall**, gate, door or fence that the vertical surface has:

- **continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;**
- **continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or**
- **a surface offering equal or lesser obstruction to view;**

as viewed directly from the street.

### **Advertising and Sign Interpretations**

Definitions for Advertising and Signs are listed separately at Local Planning Policy 2.

### **Farm Forestry Interpretations**

Definitions for Farm Forestry policy are listed separately at Local Planning Policy 13

# 1. LOCAL PLANNING POLICY NO.1 – SPORTSFIELDS – ADVERTISING SIGNS

## BACKGROUND

The Shire of Ravensthorpe Council adopted a policy on controlling advertisements in reserves to allow for advertisements in reserves to help offset the cost of maintaining reserves and to clarify what advertisements are acceptable.

## OBJECTIVES

To allow some forms of advertising signs on reserves.

## LOCAL PLANNING POLICY NO.1 - REQUIREMENTS

### 1. Exemptions from Planning Approval

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a. **All signs at showgrounds, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.**
- b. **Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or council of local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and**
- c. **Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a local government, and**
- d. **Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein**

### 2. General Requirements

In order to offset costs of maintaining reserves, Council shall, subject to the conditions hereunder, be receptive to proposals for corporate sponsorship for selective advertising on reserves:

- a. **Advertisements relating to, or promoting, tobacco/alcohol products shall not be permitted.**
- b. **Clubs obtaining sponsorship for club activities shall be requested to obtain approval from Council before signs relating to such club sponsorship can be erected on sports fields, change rooms or other such structures including fences on sports fields. Signage, if approved, must face towards the playing surfaces only, of the sports fields.**

## 2. LOCAL PLANNING POLICY NO.2 – ADVERTISING SIGNS

### BACKGROUND

Control of signage is in two parts; advertising signs on private land and directional signs on public land (road reserves & reserves). This policy addresses the signage requirements as they apply to private land.

Schedule 2, cl. 80 of *Planning and Development (Local Planning Schemes) Regulations 2015* allows Council to issue a notice pursuant to the Scheme requiring the advertiser to remove, repair, adapt, restore or otherwise adapt the advertisement if the advertisement is “in conflict with the aims of this Scheme”.

Signage will be determined at Council’s discretion in accordance with this Policy.

### OBJECTIVES

To guide the design, materials and siting of advertising structures and signs in the Shire of Ravensthorpe and to provide a clear direction in respect to all sign types.

### DEFINITIONS

In this Policy, unless the context otherwise requires:

“**advertisement**” has the same meaning as “sign”;

“**advertising device**” means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;

“**bill**” means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;

“**business**” includes the conduct of a profession, trade or occupation;

“**depth**” unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign above the ground.

“**development sign**” means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;

“**electoral sign**” means a sign containing an advertisement relating to an election or to a referendum;

“**exempt sign**” means a sign referred to in Section 1 of the ‘Requirements’ section of this Policy;

“**fascia sign**” means a sign erected or displayed on the fascia of a building or the fascia of a verandah;

“**fly posting**” means advertising by means of posters placed on fences, walls, trees and like structures;

**“freestanding sign”** means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

**“illuminated sign”** means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;

**“institutional sign”** means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;

**“Panel / Fence Sign”** – means an advertisement sign which is affixed to a panel or fence, but does not include a Pylon Sign, or any sign attached to a wall.

**“planning consent”** means the approval granted by Shire for the erection or display of a sign pursuant to the Town Planning Scheme;

**“premises”** means land and, unless the context otherwise requires, the buildings upon that land;

**“projecting sign”** means a sign that extends at right angles from a wall of a building;

**“pylon sign”** means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;

**“remote sign”** means a sign that is not located within or immediately adjacent to the business to which the sign relates, but does not include a portable sign.

**“reserve”** includes land vested in, or under the care, control and management of the Shire;

**“roof sign”** means a sign erected on or above the roof of a building;

**“rural producer sign”** means a sign erected on land zoned ‘General Agriculture’ under a Town Planning Scheme indicating the products grown, reared or produced on the property;

**“sign”** includes any advertising device or other sign type defined in this Local Planning Policy;

**“sign infill”** means a panel which can be fitted into a pylon sign framework;

**“tourism sign”** means a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and tourist establishments.

**“verandah sign”** an advertisement above, on or under a verandah, cantilever awning, cantilever verandah and balcony whether over a public thoroughfare or private land;

## LOCAL PLANNING POLICY NO.2 - REQUIREMENTS

### 1. Exemptions from Planning Approval:

**In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:**

Land use and/or development	Exempted Signs	Maximum Size
Dwellings	One professional name-plate as appropriate	0.2m <sup>2</sup>
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m <sup>2</sup>
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	2.0m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building	Not Applicable
Industrial and Warehouse Premises	A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.	Total area of such advertisements is not to exceed 15m <sup>2</sup> or 20% of the elevation of the building whichever is the lesser.
	A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.	Maximum permissible total area is not to exceed 10m <sup>2</sup> and individual advertisement signs are not to exceed 6m <sup>2</sup> .
Showroom, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not designed to be visible from outside the complex or facility concerned either from adjacent private land or from public places and streets.	Not Applicable
Public Places and Reserves	Signs (illuminated and non-illuminated) relating to the functions of Government, a responsible authority or the local government	Not Applicable



	including those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	
	Signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such signs have been constructed or exhibited by or at the direction of Government, a responsible authority or the local government, and	Not Applicable
	Signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	Not Applicable
Advertisements within Buildings	All advertisements placed or displayed within buildings, which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All classes of buildings other than single family dwelling	One advertising sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>
<b>Temporary Signs</b>		
<b>Temporary Signs</b>	<b>Exempted Signs</b>	<b>Maximum Size</b>
Building Construction Sites (signs displayed only for the duration of the construction) as follows:		
Dwellings	One sign per street frontage containing details of the project and the contractors undertaking the construction work.	2m <sup>2</sup>
Multiple dwellings, shops, commercial and industrial properties	One sign as for (a) above which may also include site security information.	5m <sup>2</sup>
Property transactions – Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:		
Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign is not to exceed an area of 2m <sup>2</sup>
All other properties	One sign as for (b) above.	Each sign is not to exceed an area of 4m <sup>2</sup>

- a. any sign which is the subject of an existing approval made prior to the date of effect of this Policy;
  - b. any advertisement affixed to or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop;
  - c. any sign within a building;
  - d. any building name sign on residential flats or home units which has a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
  - e. any newspaper poster;
  - f. 1 freestanding sign (per building or business). The sign is to be placed or erected only to direct attention to a place, activity or event during the hours of that activity or event.
  - g. One (1) 'rural producer sign' displaying the name, street number and owners of the farm that does not exceed 4m<sup>2</sup> in area.
  - h. All electoral signs erected up to four weeks before an election or referendum.
  - i. Temporary signage approved by the local government to advertise events or provide information of community interest.
2. General Requirements

All signs and advertisements shall comply with the requirements set out in Table 1 of this policy and shall:

- a. All sign applications shall stipulate the content of the sign with the application.
- b. Not pose a threat to public safety or health and shall not have any sharp or pointed projections where it is less than 2.75m above natural ground level.
- c. Be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving.
- d. Not extend beyond any property boundary of a lot, overhang or encroach onto any reserve, Council verge or road reserve.
- e. Not be erected on land within a townsite unless it has a direct relationship with the business operated from the property or relevance to the premises on which they are located.
- f. Not be in any position where it obstructs the view from a street or site lines for vehicles entering and departing the subject lot on which the sign is placed;
- g. If illuminated:
  - i. use a low level of illumination and not cause a nuisance, by way of light spillage, to adjoining sites;
  - ii. not comprise of flashing, pulsating, chasing or running lights;
  - iii. not interfere with or be likely to be confused with traffic control signals;
  - iv. have a minimum clearance of 2.75 metres from ground level.
- h. Not undermine or conflict with the objective of this Policy;
- i. Council reserves the right to refuse any sign in which the content of the advertisement:
  - i. could harm or cause detriment to the State;
  - ii. make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
  - iii. contains confusing, misleading, political, offensive or objectionable information; and
  - iv. would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.

Table 1 – Sign Specifications Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
Remote Sign			4.5m <sup>2</sup>		3.0m				<p>i. The remote sign is to be associated with a business or community organisation based in the Shire of Ravensthorpe;</p> <p>ii. It is erected within private property;</p> <p>iii. The owner or owners of the property in which the remote sign is to be erected sign the Application for Planning Approval form;</p> <p>iv. The sign is located not less than:</p> <ul style="list-style-type: none"> <li>• 140m of another remote sign where the speed limit of the adjacent road is 110km/h;</li> <li>• 100m where the speed limit of the adjacent road is 90km/h or less;</li> </ul> <p>v. It is to face the direction of approaching traffic.</p> <p>vi. It is located within 5km of a townsite, or as otherwise determined by the local government taking into account the business location and the importance of the sign to providing information to the travelling public;</p> <p>vii. It is not located within a gazetted townsite;</p> <p>viii. No more than two (2) remote signs per business will be permitted; and</p> <p>ix. Planning approval for a 'remote sign' is valid for five (5) years after which time a new application is required. Council may require the sign to be renewed at this time.</p> <p><b>Note: all remote signs capable of being seen from highways also require separate approval of Main Roads WA in accordance with Main Roads WA own 'Roadside Advertising' policy.</b></p>

<b>Table 1 – Sign Specifications Type</b>	<b>Maximum Height</b>	<b>Maximum Width</b>	<b>Maximum Area</b>	<b>Minimum Height of Sign Above NGL</b>	<b>Maximum Height of Sign Above NGL</b>	<b>Maximum Projection from Building</b>	<b>Minimum Setback to Front Boundary</b>	<b>Minimum Setback to Side Boundary</b>	<b>Special Requirements</b>
<b>Roof Sign</b>		-	-	2.75m	-	-	-		<ul style="list-style-type: none"> <li>i. General presumption against mounted roof signs, unless where the applicant can demonstrate:               <ul style="list-style-type: none"> <li>a. The sign can be incorporated within the architectural design; and</li> <li>b. The form of advertising is determined to be necessary for the business.</li> </ul> </li> </ul>
<b>Verandah Sign</b>	0.6m	-	-	2.75m	-	-	Nil	-	<ul style="list-style-type: none"> <li>i. One sign per tenancy/business;</li> <li>ii. 3m minimum separation to another verandah sign;</li> <li>iii. Be at right angles to the front street boundary, except where located on a corner;</li> <li>iv. Verandah Signs attached to the fascia of a verandah or the like shall not project beyond the outer frame or surround of the fascia.</li> </ul>
<b>Projecting Sign</b>	-	-	4m <sup>2</sup>	2.75m	-	1.0m	-	2.0m	<ul style="list-style-type: none"> <li>i. One sign per tenancy/business;</li> <li>ii. Do not project above the top of the wall to which they are attached.</li> </ul>

Table 1 – Sign Specifications Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
Pylon Sign	6.0m		4m <sup>2</sup>	2.75m ** (see iv)	6.0m	-	-	2.0m	<p>i. Exemptions:</p> <p>a. Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected the Shire may require all pylon signs to be incorporated into one sign in which case:</p> <ul style="list-style-type: none"> <li>• all of the constituent or infill signs are of an equal size; and</li> <li>• one constituent or infill sign is provided for each business, shop or unit on the lot</li> </ul> <p>ii. One sign per tenancy/business;</p> <p>iii. be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions</p> <p>iv. May be permitted at less than 2.75m above NGL where located in a landscaping strip or similar</p>
Hoarding Sign	-	-	-	-	-	-	-	-	Hoardings are not permitted within the Shire of Ravensthorpe.

Table 1 – Sign Specifications Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
Free-standing sign	1.0m	1.0 m	1m <sup>2</sup>	-	1.0m	-	-	-	<ul style="list-style-type: none"> <li>i. Maximum of one sign per business;</li> <li>ii. The sign shall only be displayed during business hours;</li> <li>iii. Once placed, does not have any moving parts;</li> <li>iv. Shall only be used to advertise products and services available from the lot.</li> <li>v. The sign is to generally be located wholly within the boundaries of the lot. However Freestanding signs may be displayed within the verge area of a road reserve subject to the following: <ul style="list-style-type: none"> <li>• Written evidence being provided has public liability insurance cover to an amount not less than \$10 million. The Certificate must note that the cover extends to any sign that is located in a road reserve.</li> <li>• The sign is to be displayed adjacent to and between the business frontage and the nearest kerb. The display location of the freestanding sign is to be approved by the Shire of Ravensthorpe.</li> <li>• No part of the sign is to be less than 600 mm from the face of the nearest kerb or, if no kerb, from the edge of the nearest road surface (or car parking bay)</li> <li>• The effective width of a footpath, pedestrian access way or the like not being reduced to less than 2 metres effective width.</li> </ul> </li> </ul>
Panel/Fence Sign	-	-	5m <sup>2</sup>		6.0m	-	-	-	<ul style="list-style-type: none"> <li>i. Affixed to an existing panel or fence;</li> <li>ii. Are not erected between the existing building and the front boundary of the lot;</li> <li>iii. Are not within 10m of an existing sign on a lot.</li> </ul>

Table 1 – Sign Specifications Sign Type	Maximum Height	Maximum Width	Maximum Area	Minimum Height of Sign Above NGL	Maximum Height of Sign Above NGL	Maximum Projection from Building	Minimum Setback to Front Boundary	Minimum Setback to Side Boundary	Special Requirements
Development Sign			32m <sup>2</sup>	-	-	-	-	-	i. A development sign shall be removed from the site within 2 years from the date of the approval or when 80% of the lots in the subdivision (or stage of subdivision) have been sold, whichever is the sooner. ii. Be displayed at the entrance to the subdivision and not remote from the lots being sold.
Rural Producer Sign			4m <sup>2</sup>		3.0m				i. Maximum of one sign per property; ii. A rural business sign shall – <ul style="list-style-type: none"> <li>• not indicate or display any matter other than for the purpose of advertising the sale of produce grown or made available on the land on which the sign is erected;</li> <li>• be erected within the boundaries on the land on which the produce offered for sale was grown or made or alternatively on the adjoining road verge if in the opinion of Council, existing vegetation would otherwise obscure the sign</li> </ul>
Flags	-	-	4m <sup>2</sup>	2.75m	6.0m	-	-	-	i. Maximum of two flags permitted per business/tenancy; ii. The pole to which a flag is affixed is to be of sufficient size and strength to support a flag; iii. No flag shall be permitted within 5m of another sign.

### 3. LOCAL PLANNING POLICY NO.3 – OUTBUILDINGS

#### BACKGROUND

Outbuildings are Class 10a buildings under the Building Code of Australia (1996) which are not substantially connected to a dwelling.

Residents of the Shire of Ravensthorpe have different needs to those in metropolitan Perth, therefore this Policy recognises the need to vary the usual Residential Design Code recommendations by increasing outbuilding space (areas and heights) for garaging of vehicles, storage of boats, caravans and other items, domestic workshops, games rooms, studios, stables, etc. As a general rule people expect to be able to have larger outbuildings on larger lots.

It is important to note that outbuildings are ‘ancillary’ buildings and therefore must be constructed in conjunction with another permitted land use such as a house or a rural use such as a ‘rural pursuit’, animal establishment or intensive agriculture..

The Shire is also aware that in some instances outbuildings may result in problems including:

- **Use of outbuildings for unapproved commercial or industrial purposes, which may result in adverse noise, traffic, and visual impacts for neighbours and the locality. With the exception of those used for commercial farming purposes on rural lots, or approved home businesses, outbuildings may only be used for domestic purposes.**
- **Illegal use of outbuildings as residences, which often incorporate inadequate health and building standards for human habitation.**
- **Unlike most dwellings, outbuildings are usually very bland metal clad structures devoid of architectural features such as windows, verandas, etc. Construction of large and/or high sheds may have adverse impacts on visual character of streets and neighbourhoods, neighbours and scenic rural or coastal landscapes.**
- **When outbuildings incorporate reflective materials such as zincalume and are sited in visually prominent locations there is greater potential for adverse impacts on the landscape, and in some instances reflection can cause a serious nuisance for surrounding/nearby residents. The Town Planning Scheme specifically has regard to all development “*using ‘materials and colours ... on the exterior surfaces of all buildings with the objective of buildings blending with the surrounding landscape and environment.’*”**

As in many rural local governments there is often a desire to occupy a shed whilst building a house, particularly in the rural residential zones. This is not permitted by the Building Codes of Australia as an outbuilding is ‘non-habitable’ by definition. However, the Caravan and Camping Regulations 1997 allow for someone to camp on their property with the approval of the local government for up to 3 months and up to 12 months with approval from the Minister for Local Government.

Camping in this fashion should be in a caravan and is only likely to be supported in the Rural zone.



## **OBJECTIVES**

The objectives of the policy are as follows:

- a) **To provide clear guidelines for the development of outbuildings in the Residential, Rural Townsite, Mixed Use, Rural Residential and Rural zones; and**
- b) **To achieve a balance between providing for the various legitimate needs for outbuildings, and minimizing any adverse impacts outbuildings have on the neighbours, the streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.**

## **LOCAL PLANNING POLICY NO.3 - REQUIREMENTS**

### **1. Exemptions from Planning Approval**

**In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:**

- a. **Where a proposed outbuilding complies with the requirements specified in sections 2, and Table 1 of this policy, Planning Approval is not required.**
- b. **Pre-fabricated garden sheds and animal enclosures (such as kennels and aviaries) less than 9m<sup>2</sup> in aggregate area and less than 2.4 metres in height are exempt from the requirements of this policy.**

### **2. General Requirements**

- a. **Outbuildings are required to comply with the requirements of the Residential Design Codes of WA or as varied by the criteria set out in Table 1 below.**
- b. **Outbuildings proposed for vacant Residential, Town Centre, Rural Small Holdings, Rural Conservation and General Agriculture zoned land require Council approval and will generally not be supported unless:**
  - i) **A Building Permit has been issued for a Single House;**
  - ii) **The outbuilding is associated with an approved 'Rural Use';**
  - iii) **In the Rural Residential zone a written undertaking is provided to build a house within 2 years of the outbuilding building permit being issued together with a bond of \$5000. The bond is fully refundable upon substantial commencement of the house on the same property**
- c. **Council will not permit residential habitation of a building approved as an outbuilding or shed on any land in the Shire of Ravensthorpe.**
- d. **In the Residential, Mixed Use and Rural Residential zones, the use of non-reflective materials is required.**
- e. **Ablutions are only permitted in an outbuilding where a house exists or has been substantially commenced on the same site.**
- f. **Use of outbuildings for commercial or industrial purposes is not permitted. Use of an outbuilding for a home occupation or cottage industry is to be in accordance with Council's Home Occupation, Home Business and Cottage Industry requirements.**

**Table 1 – Outbuilding Requirements**

Zoning	Maximum Wall Height	Maximum Ridge Height	Maximum floor area (aggregate)	Special Requirements
Residential	3.0metres  2.4m (where wall is < 1.0m from boundary)	4.5metres  3.9m (where wall is < 1.0m from boundary)	60 sq metres	Setbacks are to be in accordance with the Residential Design Codes of WA.  Any setback variation will be assessed on its individual merit and Council may consult with adjacent landowners.  Floor area is not to reduce the amount of open space required by Table 1 of the R-Codes.  Council will not support the construction of outbuilding/s in front of the main building line.
Rural Townsite and Mixed Use	3.0metres  2.4m (where wall is < 1.0m from boundary)	4.5metres  3.9m (where wall is < 1.0m from boundary)	60 sq metres	As per Residential requirements where the Rural Townsite or Mixed Use zoned property is used for residential purposes and constructed with an approved Single Dwelling or Grouped Dwelling.
Rural	N/A	N/A	N/A	Outbuildings are required to be setback in accordance with the following:  <ul style="list-style-type: none"> <li><b>i. Front/Rear – 20metres</b></li> <li><b>ii. Side – 10metres</b></li> </ul> Planning approval is not required for outbuildings on General Agriculture zoned land unless:  <ul style="list-style-type: none"> <li><b>i. The proposed outbuilding does not comply with the setback requirements listed above; and/or</b></li> <li><b>ii. The lot does not have frontage to a constructed public road; and/or</b></li> <li><b>iii. The lot, area or closely associated building/s are listed on the Municipal Inventory or State Register of Heritage Places.</b></li> </ul>

Rural Residential				
Lot Size	Maximum Wall Height	Maximum Ridge Height	Maximum floor area (aggregate)	Special Requirements
< 2ha	4.5metres	5.5metres	200 sq metres	Outbuildings proposed in the Rural Residential zone is to be in accordance with the requirements set out in Clause 4.15 and Schedule 2 of the Scheme.
2ha – 5ha	4.5metres	6metres	250 sq metres	
< 5ha	4.5metres	6metres	250 sq metres	

## VARIATIONS TO THE POLICY

Any variations to the policy will require the applicant to demonstrate exceptional circumstances as to why the policy should be relaxed with the proposal being presented to an Ordinary Meeting of Council for determination. Assessment of the application will require consultation with adjoining and affected landowners.

Council will have regard for matters such as;

1. The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;
2. The need for removal of any native vegetation or major trees;
3. Comments from affected neighbours/landowners;
4. Preservation of useable on site open space areas;
5. The ability for the outbuilding(s) to be screened by existing or proposed landscaping;
6. Whether support for the application will set an undesirable precedent for similar sized surrounding lots;
7. The impact of the development on streetscape and the character of the area;
9. The objectives of the zone;
10. All relevant general matters as set out in Clause 67 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2); and
11. Any other matter considered relevant by the Council.

## 4. LOCAL PLANNING POLICY NO.4 –HOUSING

### BACKGROUND

The Shire of Ravensthorpe has had separate policies in the past for governing the development of houses in the Hopetoun Residential Development Area (also known as Maryanne Waters), the Rural Small holding and Rural Conservation zones and a separate policy on the 'Appearance of Dwellings'. There was considerable repetition in these policies, this policy unifies and replaces these previous policies.

Development of Single Houses is to comply with the requirements of Local Planning Scheme No.6 and in the 'Residential' zone, the Residential Design Codes of WA (R-Codes).

This Policy compliments the existing Scheme provisions and varies the 'deemed-to-comply' provisions of the R-Codes to the extent stated in this Policy as a 'regional variation' as permitted by clause 7.3 of the R-Codes.

This policy refers to the development of 'Single Houses', 'Grouped Dwellings' and 'Multiple Dwellings' in the Residential, Rural Townsite, Mixed Use, Rural Residential and Rural zones.

### OBJECTIVES

The objectives of the policy are as follows:

- a) **To provide clear design guidelines for the development of housing in the Residential, Rural Townsite, Mixed Use, Rural Residential and Rural that complement the requirements of the Scheme and where applicable the R-Codes and**
- b) **To provide design guidelines for housing in the Shire that establishes the standards expected of all residential development.**

### LOCAL PLANNING POLICY NO.4 - REQUIREMENTS

#### 1. Exemptions from Planning Approval

- a. Where a proposed Single House (including any extension) complies with the requirements of the Residential Design Codes of Western Australia and the requirements specified in this policy, Planning Approval is not required. (Note: This exemption is provided by Clause 61.(c) and (d) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*)

#### 2. General Requirements

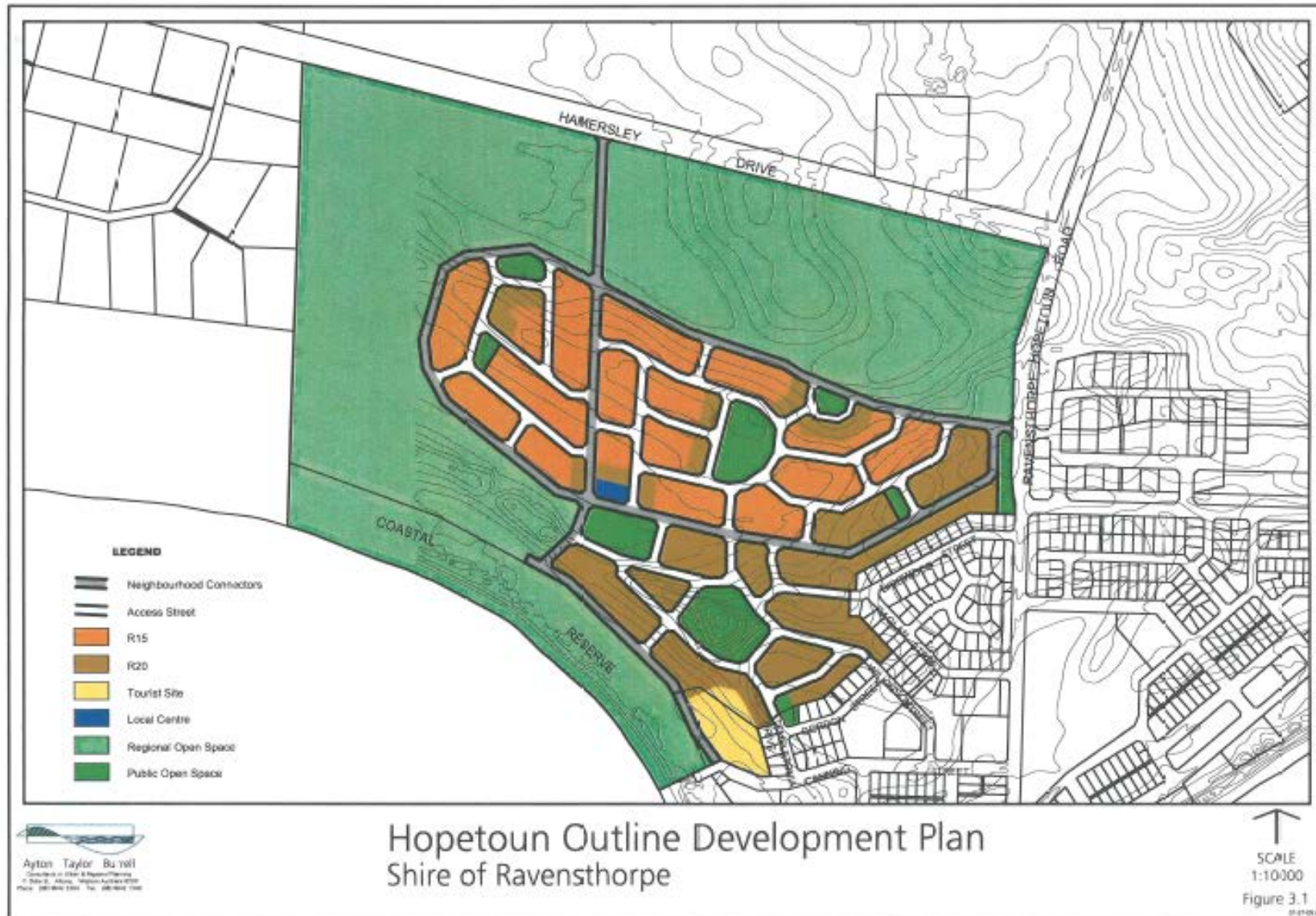
- a. Single Houses, Grouped Dwellings and Multiple Dwellings are required to comply with the requirements of the Residential Design Codes of WA (Where they apply) or as varied by the criteria set out in the clauses and Table 1 "Housing Requirements" below.
- b. Split-coded areas
  - i) **With the exception of the minimum lot size, all the requirements of the higher density coding shall apply to development on land zoned R10/20, R10/25 and R10/30.**
  - ii) **All development above the R10 density is required to connect to the reticulated sewerage system '**

- c. Sheds and temporary accommodation units such as dongas are not permitted for use as dwellings unless specifically approved as a 'Repurposed Dwelling'.
- d. All houses are to provide verandahs, porticos, porches or other architectural relief on the elevations that are viewed from the street with a minimum length of 25% of the front façade of the house.
- e. Rural Residential zone specific requirements
  - i) **Where a building envelope is shown on a Subdivision Guide Plan it may be varied on application to the Council and the new building envelope location assessed against:**
    - The objective of the zone;
    - Protection of landscape values;
    - Impact on views from neighbouring properties; and
    - Fire management requirements impacting remnant vegetation.
  - ii) **Fencing around yards:**
    - Solid panel fencing permitted around private areas of house and immediate yard but within the building envelope.
    - Fence between house and street is to be visually permeable.
- f. Ancillary Accommodation requirements
  - i) **Ancillary accommodation is to meet the following criteria (within the Residential, Rural Townsite and Mixed use zones):**
    - The ancillary accommodation can be attached or independent from a single dwelling located on the same lot;
    - The ancillary dwelling is a maximum of 80m<sup>2</sup> in floor area, excluding verandahs, patios, carports and similar non-enclosed areas; and
    - Materials and colours used on external walls and roof complement the main dwelling.
  - ii) **Ancillary accommodation is to meet the following criteria (within Rural Residential and Rural zones):**
    - The ancillary dwelling is a maximum of 80m<sup>2</sup> in floor area, excluding verandahs, patios, carports and similar non-enclosed areas; and
    - At least one parking bay is to be provided.
    - Where an 'Ancillary Accommodation' unit exceeds the floor area stated in the first dot point of Clause F.ii), a variation of up to 25% may be permitted subject to the advertising requirements of Clause 64 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Table 1 Housing Requirements**

Policy Requirement	Residential zone	Hopetoun Residential Development Area**	Rural Townsite and Mixed Use zones	Rural Residential zone	Rural zone
<b>Location of Housing</b>	As per R-Codes	As per R-Codes	As caretakers accommodation above or to the rear of commercial development that fronts the primary street. Refer clause 4.25 of the Scheme	As per specific zone requirements, either setback from boundaries or located within a building envelope.	Front/Rear setback – 20metres Side setback – 10metres
<b>Reflective materials</b>	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Roof only; at discretion of Local Government; Care must be taken to avoid glare nuisance to neighbouring residences and passing traffic.	Not permitted	Permitted
<b>Minimum internal floor area</b>	-	140m <sup>2</sup>	-	-	-
<b>Front fence</b>	As per R-Codes	Front fencing discouraged, use of hedges and landscaping acceptable; Maximum height of 1.2m in front of building line and must be visually permeable; and Fibro cement fencing is not permitted	Front fencing discouraged, where provided a maximum height of 1.2m in front of building line and the fence must be visually permeable.	Where permitted by the Scheme 5-strand 'ring-lock' type fencing. Barbed wire not permitted Solid panel fencing not permitted	'Standard fence' is post and strand fence.
<b>Side &amp; Rear</b>	'Standard fence' is 1.8m high	'Standard fence' is 1.8m high No fibro cement fences, colourbond minimum standard	'Standard fence' is 1.8m high	Where permitted by the Scheme 5-strand 'ringlock' type fencing. Barbed wire not permitted Solid panel fencing not permitted	'Standard fence' is post and strand fence.
<b>Carparking, Garages and Carports</b>	As per R-Codes	Garages & carports to be constructed of same materials and under the same roof as main residence. Discretion applies to carports which may be located as close as possible to the dwelling and express architectural sympathy with main dwelling. Garages to be setback behind front building line of the dwelling.	As per R-Codes	Gravel hardstand area required for the house. Garages and carports attached to the house are to be constructed of same materials.	-
<b>Driveways &amp; carparking</b>	As per R-Codes	Driveways to be completed concurrently with the dwelling. Maximum 1 driveway per dwelling.	As per R-Codes & Scheme requirements	Minimum width 3.0m Maximum width 5.0m Maximum 1 driveway per dwelling. Located to minimise noise and dust on neighbouring properties	-
<b>Landscaping</b>	As per R-Codes	Retention of existing vegetation on the site is to be included as part of any landscaping requirement.	As per R-Codes	House and driveway location is to minimise the removal of existing remnant vegetation	-

\*\* Plan of the Hopetoun Residential Development Area is appended to this Policy



## **5. LOCAL PLANNING POLICY NO.5 –SECOND-HAND DWELLINGS**

### **BACKGROUND**

The Shire of Ravensthorpe Local Planning Scheme No.6 lists a second-hand dwelling as a discretionary land use in the Residential, Rural Townsite, Mixed Use, Rural and Rural Residential.

The Residential Design Codes of Western Australia outline provisions relating to the appearance of a retained dwelling, but do not specifically outline provisions relating to a second hand dwelling being used as a new building on a property.

The Shire is aware that although the use of second hand dwellings is sometimes a more cost effective option, the use of second hand dwellings can sometimes cause an undesired impact on the streetscape and amenity where that dwelling is not of an appropriate standard or not updated appropriately to blend in with the property and the surrounding context.

### **OBJECTIVES**

The objectives of the policy are as follows:

- a) **To provide clear guidelines for the use of second hand dwellings in the Residential, Rural Residential and Rural Residential zones; and**
- b) **To achieve a balance between providing for the various legitimate needs of residents to utilise second hand dwellings as a cost effective housing solution, whilst minimizing any negative impacts on the neighbours, the streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.**

### **LOCAL PLANNING POLICY NO.5 - REQUIREMENTS**

1. Exemptions from Planning Approval
  - a. **Where a transportable building is new (from factory) it is exempt from the requirements of this policy and is to be processed as a single dwelling in accordance with the requirements of the Scheme.**
  - b. **Shipping containers which are addressed through a separate policy of Council.**
2. General Requirements
  - a. **Planning approval is required for a second hand dwelling on a property within the Shire of Ravensthorpe.**
  - b. **Upon receiving an application for Planning Approval, Council may seek the views of adjacent neighbours.**
  - c. **Compliance with Clause 4.27 of Local Planning Scheme No. 6**
  - d. **Where a second hand dwelling is approved, a \$10,000 bond is to be lodged with the Shire of Ravensthorpe as a condition of Planning Approval. The bond will be held until such time as all conditions of the Planning Approval and Building Permit have been complied with.**
  - e. **Council needs to be satisfied that the external appearance of a second hand building is equivalent to that of a new dwelling or that its appearance is not discernible from existing development in the street.**
  - f. **Where a second hand dwelling contains asbestos it is to be removed prior to transportation**
  - g. **The following Minimum Dwelling Standard applies:**



- i) A minimum gross floor area of 50m<sup>2</sup>;
  - ii) At least one (1) bedroom separate from the other rooms in the dwelling;
  - iii) A lounge, meals and kitchen area (may be open plan); and
  - iv) A separate bathroom and laundry.
- h. Temporary accommodation units such as 'Dongas' are not permitted to be used as dwellings unless approved as a 'Repurposed Dwelling'.
- i. In determining applications, Council will have regard for;
- i) The age of the building and whether the external appearance shows obvious signs of aging or disrepair (e.g. rust, faded paintwork or damage);
  - ii) The street appeal of the front façade and any architectural features (e.g. verandahs, windows with surveillance to the street);
  - iii) Site improvements which have potential to result in street appeal through;
    - Construction of quality front fencing such as pickets or brick piers with open infill.
    - Landscaping and replacing substandard boundary fencing.
    - Provision of coloured concrete or brick paved driveways.
- j. Council will require all works for the re-erection of the second hand dwelling on a property to be completed within six (6) months of Planning Approval being issued. Those works include:
- i. The house being transported and stumped, joined, all walls, doors and openings being in working order and all external surfaces repainted, re-clad or rendered to the satisfaction of the Shire of Ravensthorpe;
  - ii. Replacing or professionally recoating roof sheeting;
  - iii. Replacing/repairing and painting gutters and downpipes;
  - iv. Concealing or removal of plumbing fittings, meter boxes and other utilities visible from a street or public place;
  - v. Modifying, upgrading or replacing older steel or wood framed windows
  - vi. All septic tanks, drains and plumbing being completed;
  - vii. The site being cleared of any debris associated with the improvement of the second hand dwelling;
  - viii. Landscaping of the area between the street and building;
  - ix. Providing a verandah, portico, porch or other architectural relief on the elevations that are viewed from the street; and
  - x. The second hand dwelling complying with the requirements of the Building Code of Australia 1996 Volume 2.
- k. Where a second hand dwelling is stumped, Council may require the installation of a verandah, porch, decking or similar to improve the look of permanence of a second hand dwelling.

#### **Special Application Requirements**

- i. All applications for Planning Approval and the issue of a Building Permit for a second hand dwelling require the following details to be submitted to the Shire of Ravensthorpe:
  - i. Photographs showing each elevation of the second hand dwelling in situ prior to removal to the proposed location;
  - ii. Floor plans, elevations, cross section, site plan and specifications; and
  - iii. A practicing structural engineer's certificate stating the design of the dwelling is suitable for transportation and re-erection.

Where these details are not provided, the Shire of Ravensthorpe may refuse to process an application for Planning Approval or the issue of a Building Permit.

## **6. LOCAL PLANNING POLICY NO.6 – SHIPPING CONTAINERS**

### **BACKGROUND**

In recent years there has been an increased use of shipping containers for storage purposes within the Shire of Ravensthorpe. Shipping containers provide a cheap and secure way of storing goods, but have the potential to affect the amenity of an area, given their industrial design and often poor location and maintenance.

### **OBJECTIVES**

The objectives of this policy are as follows:

- a) **To establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;**
- b) **To ensure that any shipping container does not detract from an existing (or reasonably desired) streetscape; and**
- c) **To achieve a balance between providing the legitimate need for shipping containers as an affordable and secure storage option, and minimizing any impact on neighbours, streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.**

### **LOCAL PLANNING POLICY NO.6 – REQUIREMENTS**

#### **1. Exemptions from Planning Approval**

In addition to the works and development specified in Schedule 2, cl. 61 of Planning and Development (Local Planning Schemes) Regulations 2015 development approval of the local government is not required for the following works:

- a. **A single shipping container does not require Planning Approval when located on a property zoned Light Industry or General Industry by the Scheme, provided it meets with the General Requirements set out below.**
- b. **Shipping containers directly associated with an approved transport or storage premises in the General Industry zone**
- c. **Up to three (3) shipping containers does not require Planning Approval when located on a property zoned 'Rural' by the Scheme, provided they meet with the General Requirements set out below.**
- d. **Shipping container/s fully enclosed within a building does not require Planning Approval.**
- e. **Shipping container/s placed temporarily on the property for the purposes of furniture and/or goods removal or delivery do not require Planning Approval where they are located on a property for twenty eight (28) days or less.**
- f. **In all zones a shipping container may be placed on a property temporarily, for a period of up to 12 months, for the storage of materials used to construct an approved dwelling or building.**
- g. **Where a shipping container is proposed to be modified for a dwelling or commercial building, it will be required to be assessed against the requirements of Local Planning Policy No.3 and is to be modified to meet the requirements of the Building Codes of Australia (1996) Volume 2. Once a sea container is modified, it is no longer considered a sea container for the purposes of this policy.**

2. General Requirements

- a. **Shipping container/s are to comply with the criteria set out in Table 1 of this policy.**
- b. **Shipping container/s are to be suitably screened and/or fenced from the road frontage, public space and neighbouring properties. Where a shipping container has high visibility from a public space, the installation of screening to a minimum height equal to that of the shipping container may be required.**
- c. **Shipping container/s shall not be located over on-site effluent disposal infrastructure or other utilities and shall be located on a flat, compacted area with adequate foundations in accordance with the Building Code of Australia.**
- d. **Shipping container/s shall be adequately ventilated, in good repair and painted a uniform colour to complement the building to which it is ancillary.**
- e. **In all zones a shipping container will not be permitted on vacant land unless for the purposes of storage for construction purposes as outlined in 1d.**

3. Special Application Requirements

- a. **Where it is proposed to use a shipping container, Council will require the applicant to submit photographs of the shipping container showing that it is in good condition.**

Table 1 – Sea Container Requirements

Zoning	Setback Requirements	Special Requirements
<b>Residential</b>		No sea containers permitted.
<b>Rural Townsite and Mixed Use</b>	The Shipping Container shall not be located in front of the building setback and shall be screened from view of the street, including secondary streets and adjoining properties	A maximum of one (1) Shipping Container up to 12m in length per property. The Shipping Container is to be used in association with the approved commercial enterprise on the property. Shipping Containers for domestic storage associated with a residential use is not permitted. The Shipping Container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.
<b>Rural Residential</b>	The Shipping Container to be located in accordance with the boundary setback and building envelope provisions for outbuildings for the particular property. The Shipping Container shall not be located in front of the building setback and shall be screened from view of the street, including secondary streets and adjoining properties. Council will not support the placement of a sea container in front of the main building line.	Only one shipping container, up to 6m in length is permitted per property. The shipping container is considered part of the permitted outbuilding floor space detailed in Local Planning Policy No.2 – Outbuildings. The shipping Container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property. The shipping Container to be used for domestic storage purposes only.
<b>Light Industry and General Industry zones</b>	Shipping Containers are to be located behind the main building or in the case of a property without a main building, they are to be located towards the rear of the property	Where it is proposed to utilise multiple shipping containers, Planning Approval will be required.
<b>Rural</b>	On land zoned Rural, the setbacks are as follows: <b>a. Front/rear 20metres;</b> <b>b. Side 10metres.</b>	Where more than three shipping containers are proposed, Planning Approval will be required.

## 7. LOCAL PLANNING POLICY NO.7 –INDUSTRIAL DESIGN GUIDELINES

### BACKGROUND

Local Planning Scheme No.6 (the Scheme) has two zones which are intended to accommodate industrial development; 'Light Industry' and 'General Industry'. The objectives of these zones are as follows:

#### Light Industry

- *To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in rural townsite and mixed use zones.*
- *To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.*

#### General Industry

- *To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.*
- *To accommodate industry that would not otherwise comply with the performance standards of light industry.*
- *Seek to manage impacts such as noise, dust and odour within the zone.*

The Scheme sets standards for industrial development at 'Schedule 2 'Additional Site and Development Requirements' and Schedule 4 'Car Parking Standards.

The scheme lists specific development requirements for the land uses and zones in 'Schedule 2 - Additional Site and Development Requirements' and 'Schedule 4 – Car Parking Requirements'.

It is important that the Shire's industrial areas maintain a reasonable level amenity and that a level playing field is maintained for all landowners in these areas. Providing adequate parking for customers and staff within the lot boundaries to a consistent standard as well as a reasonable standard of landscaping in these zones is considered essential.

The development requirements need to be balanced with the need to encourage new business activity and what can be reasonably expected of and maintained by an industrial business operator.

The standard of development particularly within the front setback area of a development sets the standard for how an industrial area presents to the general public. This policy stipulates the minimum standards of development that the Shire of Ravensthorpe will accept for all new development in the Light Industry and General Industry zones.

### OBJECTIVES

The objectives of this Policy are to:

- a) **Ensure the orderly and appropriate development of industrial areas in the Shire;**  
and
- b) **Provide acceptable development standards for industrial areas in the Shire.**

## LOCAL PLANNING POLICY NO.7 - REQUIREMENTS

1. Exemptions from Planning Approval
  - a. **There are no exemptions; all development in the Light Industry and General Industry zones requires Planning Approval.**
2. General Requirements
  - a. **This Policy applies to applications for development in the Light Industry and General Industry zones.**
  - b. **Unless stipulated otherwise in the Scheme, the development standards set out in Table 1 are the minimum standards:**

	Minimum Requirement
Parking	As per Schedule 4 of LPS 6
Landscaping	10% of lot area
Plot Ratio	0.6
Setbacks	As per Schedule 2 of LPS 6

- c. **Use of Front Setback area**
  - i) **The front setback area is the area in front of the 'main building line' and shall generally be used only for the purposes of landscaping, car parking, access or an approved 'trade display'.**
  - ii) **No materials or product are to be stored in the front setback area (with the exception of an approved trade display).**
  - iii) **No loading and unloading of goods and materials is take place in the front setback area.**
  - iv) **An open storage area that is visible from a public place or street is to be screened to the satisfaction of the Shire.**
- d. **Building Facades**
  - i) **The facade of the building that addresses the primary street shall be either a purpose built office or constructed of brick, stone, concrete or glass or a combination of one or more of these materials.**
  - ii) **Other materials of a type and to a design approved by the Council may be permitted on a facade provided that the materials to be used are structurally and aesthetically acceptable to the Council. Zinalume cladding is not acceptable.**
- e. **Building Materials**
  - i) **The use of un-painted 'Zinalume' is not permitted on any building in the Light Industry Zone.**
  - iii) **The use of 'Zinalume' on buildings greater than 150m<sup>2</sup> is not permitted in the General Industry Zone.**
- f. **Carparking & Trafficable Areas**
  - i) **All car parking bays and maneuvering areas, including the driveway access in the front setback area, being properly drained, kerbed and sealed. All parking spaces are to be line-marked and maintained in good repair thereafter.**
  - ii) **A minimum of a 2 coat bitumen seal is requirement for car parking and maneuvering for visitors and staff in front setback area.**
  - iii) **The dimensions of parking bays and maneuvering areas are to comply with Australian Standard 2890.1 *Off-street parking*.**
  - iv) **All other parking, truck turnarounds, storage and hardstand areas may be of gravel construction; constructed to ensure that dust does not cause a**

nuisance.

**g. Landscaping**

- i) Landscaping areas are to generally located in the front setback and down the side boundaries.**
- ii) A landscaping plan is to accompany any application for planning approval, and landscaping is to complement the appearance of the proposed development.**
- iii) Landscaping shall generally consist of lawns, gardens or the planting of trees and shrubs. The use of native and water efficient plants is encouraged.**
- iv) Landscaping is to be established within 3 months of the completion of the building.**
- v) Landscaped areas are to be reticulated and maintained at all times.**
- vi) With the approval of the Shire fifty (50) per cent of the landscaping requirement identified in the Scheme Text and this Policy may be met by landscaping the verge area, providing that reticulation is installed and on-going maintenance of the total road verge bordering the subject lot is undertaken. For corner lots, this credit will be eighty (80) per cent of the landscaping requirement identified in the Scheme Text where the whole of the verge is treated.**

**h. Stormwater**

- i) Stormwater is to be contained on site before discharged to road or district system.**
- ii) The development may require oil separators or nutrient stripping infrastructure (such as retention basins) at the discretion of the Shire.**
- iii) The use of rainwater tanks for storage and reuse on site is encouraged.**

**i. Fencing**

- i) Boundary fencing is permitted to a maximum of 2.1m.**
- ii) Fencing along the primary street frontage is to be visually permeable.**
- iii) The use of barbed wire is not permitted.**

**j. Use of Transportable Buildings**

- i) The use of transportable buildings (including second-hand buildings), such as offices and ablutions is permitted only with Council Planning Approval.**
- ii) Transportable buildings are to be painted and/or clad to complement other buildings on the property.**
- iii) Council may require modification of the roof line to ensure the building is made visually acceptable in the streetscape.**



## 8. LOCAL PLANNING POLICY NO.8 – EXTRACTIVE INDUSTRY

### BACKGROUND

The Shire of Ravensthorpe Local Planning Scheme No.6 defines an extractive industry as follows:

**“industry – extractive”** means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

Extractive industries are a Advertising land use in the ‘Rural’ zone and *not permitted* in any other zone. Council may require that they be referred to neighbouring landowners for comment.

Extractive industries can have a high impact on the surrounding road infrastructure, existing vegetation and amenity of surrounding landowners and will therefore be referred to the relevant government agencies during the assessment period for comment. These may include Main Roads WA, Department of Biodiversity Conservation and Attractions, Department of Water and Environmental Regulation, Department of Mines, Industry Regulation and Safety and Department of Primary Industries and Regional Development depending upon the nature of the application.

Where existing remnant vegetation is proposed to be cleared the applicant may need to seek a Vegetation Clearing Permit from the Department of Water and Environmental Regulation in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Larger extractive industries may require registration or a license as a ‘prescribed premise’ from the Department of Water and Environmental Regulation under Part V of the Environmental Protection Act 1986 (Environmental Protection Regulations, 1987, Schedule 1)

Finally, the Department of Mines, Industry Regulation and Safety (DMIRS) have a separate role under the *Mine Safety & Inspection Act 1994 to ensure the safety of extractive industries throughout the Shire. A separate approval and process is required with the DMIRS including preparing a ‘Project Management Plan’.* More information is available at <http://www.dmp.wa.gov.au/Safety/Submitting-a-project-management-9184.aspx>.

### OBJECTIVES

The objectives of this policy are as follows:

- a) To assist Council in determining applications for extractive industries by providing general guidelines and outlining matters Council will have regard for in assessing applications.
- b) To protect and maintain the existing landscape character, native vegetation, productive agricultural uses and general amenity of the Shire.
- c) To set out standard conditions that will be considered by Council in their assessment of extractive industry applications.

- d) To provide for appropriate 'buffers' between extractive industries and sensitive land uses.

## LOCAL PLANNING POLICY NO.8 – REQUIREMENTS

1. Exemptions from Planning Approval
  - a. **No exemptions are applicable to this policy.**
2. General Requirements
  - a. **The following setbacks will generally be applied to excavation areas/ pits;**
    - i) **A minimum of 75 metres to any road or thoroughfare;**
    - ii) **A minimum of 50 metres to any property boundary in a different ownership;**
    - iii) **A minimum of 50 metres to any water course or stand of remnant vegetation.**
  - b. **Excavation areas/ pits are to be separated from the closest 'sensitive land use' on a different lot (usually a house) by the recommended generic buffer distance listed in Table 1 unless a site specific technical study is prepared.**
  - c. **Where an extractive industry proposes direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface.**
  - d. **Those portions of public roads as are affected by the activities related to an extractive industry shall be maintained to a 'pre-development' standard acceptable to Council at the applicants cost. A road maintenance contribution and / or bond may be payable to Council prior to commencement of works to ensure roads are maintained to satisfactory standards. The contribution may be applied at the discretion of Council. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.**
  - e. **An *Environmental Management Plan* is to be submitted addressing dieback controls, spread of noxious weeds, dust and noise is to be compiled in consultation with the Department of Biodiversity Conservation and Attractions and submitted to the Shire for separate written endorsement prior to commencement of any site work or an alternative time period agreed to in writing by the Shire.**
  - f. A ***Rehabilitation Plan*** is to be submitted and approved by the Shire in writing. This plan is to address (but not be limited to) the following issues:
    - i) **Restrict the area of open pit to 2 hectares. Larger pits may be considered for gravel extraction where the applicant can demonstrate that it will not have any detrimental impact on the environment or amenity of the area (by lodging a detailed environmental management plan).**
    - ii) **How the portions of land subject to extraction are to be rehabilitated (following each stage of extraction) to allow for future rural use and shall include;**
      - **Flattening the land;**
      - **Spreading of stockpiled topsoil (capable of supporting seed and plant re-growth);**
      - **Forming stable battered banks not to be steeper than 1 in 5; and/or**

- **And revegetation using native trees, shrubs and groundcovers/ undergrowth.**
- g. An extractive industry licence is valid for twelve (12) months from issue of the Planning Approval starting from the 1<sup>st</sup> July. It is renewable annually by the Shire subject to no complaints being received by the Shire.
- h. Should Council be informed by the Permit Holder that renewal of the Approval is not required; Council will formally revoke the Approval. The operator is to ensure that the excavation is properly rehabilitated.**

Table 1 – Generic buffers to sensitive land uses

Industry	Description of Industry	Buffer distance in meters
Clay extraction or processing	Mining, extraction or processing of clay	500-1000 depending on size.
Extractive Industry – hard rock	quarrying (including blasting), crushing and screening	1000
sand and limestone extraction	no grinding or milling works	300-500 depending on size

### 3. Special Application Requirements

- a. Where a new extractive industry is proposed, or an existing industry is to be increased in size over what was originally approved, planning approval is required prior to the industry commencing or extending. Applicants need to lodge;
- A completed planning application form to be signed by the owner of the land.
  - A detailed written submission explaining the application, and addressing the matters to be considered at part 3b of this policy (as per below).
  - Detailed, accurate and scaled plans.
- b. In considering any application, Council will have regard for the following matters;
- i) It is important that each application be examined on its individual merit having regard for the existing land uses, topography of the land, and its specific location.
  - ii) Whether the site is in a visually significant location such as on a ridge, adjacent to the coast or an estuary, close to a national park or nature reserve, visible from a major road, tourist destination, scenic route or tourist route\*1.
  - iii) Compatibility with adjoining land uses.
  - iv) Noise, dust and vibration abatement measures.
  - v) Proximity and buffers to wetlands and water courses.
  - vi) Whether the proposal includes clearing of significant remnant vegetation and the quality of vegetation.
  - vii) Drainage implications including surface and ground water impacts.

- viii) Rehabilitation measures.
  - ix) Intended end use of the land and future planning for the area.
  - x) Prevention of spread of dieback or other disease.
  - xi) Environmental management and measures proposed to be undertaken by the proponent to address environmental issues.
  - xii) Whether the access roads proposed are suitable for the volume of traffic and type of heavy vehicles proposed.
  - xiii) Whether the site has access to major roads, and whether the existing roads to be used by trucks are in good condition.
  - xiv) The proposed road haulage route and whether the use of any state controlled roads are proposed.
  - xv) Size of trucks and number of truck movements.
  - xvi) Existence of other extractive industry or heavy haulage-associated use in the vicinity.
  - xvii) Details of the storage of fuel and flammable materials on the site;
  - xviii) The material to be excavated, including maximum depth of excavation, area to be open at any one time and expected pit life;
- c. Council has discretion to advertise any application for extractive industry through letters to adjacent and nearby landowners, letters to relevant authorities, newspaper advertising and / or a sign on site.

Whilst the need for advertising can be determined on a 'case by case' basis, this Policy recommends that all 'extractive industry' applications be advertised due to potential impact on amenity and application of buffers.

Advertising will be for a minimum of 14 days in accordance with Clause 64 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The application may also be referred to relevant authorities in accordance with Clause 66 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The types of authorities that Council may liaise with include (but are not limited to);

- Environmental Protection Authority (EPA)
- Department of Biodiversity Conservation and Attractions (DBCA) Water Corporation (WC)
- Department of Water and Environmental Regulation (DWER)  
Department of Mines, Industry Regulation and Safety (DMIRS) Department of Primary Industries and Regional Development (DPIRD)
- Main Roads (MRWA)
- Western Power (WP)
- Department of Planning, Lands and Heritage (DPLH).
- Tourism WA
- Any other authority Council considers relevant.

## 9. LOCAL PLANNING POLICY NO.9 – PUBLIC OPEN SPACE – 3-5 LOT SUBDIVISION

### BACKGROUND

Section 153 of the *Planning and Development Act 2005* (as amended) establishes that Public Open Space cannot be requested from a subdivision that creates less than 3 lots.

Where a subdivision proposes to create in excess of 5 lots, it has been the consistent approach of the Western Australian Planning Commission to require the ceding of 10 percent of the land as Public Open Space (POS).

Since the gazettal of the Planning and Development Act in 2005 it is now possible to require POS to be ceded where 3-5 lots are created.

The Western Australian Planning Commission's Development Control Policy No.2.3 specifies that:

*"3.1.6 The Commission may impose an open space condition where an application would create five lots or less where:*

- ***The imposition of the condition would yield an area of land which the Commission and Council agree is adequate and suitable for public open space purposes; or***
- ***The local government has identified an existing or potential deficiency of public open space and has an adopted strategy to improve or provide open space by land acquisition in the locality of the subdivision; or***
- ***Similar proposals containing five lots or less would be likely to eventuate in the locality. "***

The Ravensthorpe, Hopetoun and Munglinup townsites have historically been developed at a low density, with the majority of subdivision occurring prior to the requirement for the contribution to or establishment of Public Open Space. With the exception of their recreation complexes, this has resulted in a large deficiency in useable and quality Public Open Space areas.

Whilst the Shire of Ravensthorpe would be asked to comment on any subdivision within the Shire boundaries, it is important to note that the final decision on any proposed subdivision lies with the Western Australian Planning Commission and that Council can only recommend a Public Open Space contribution condition to the Western Australian Planning Commission during the referral period.

## OBJECTIVES

The objectives of this policy are as follows:

- a) To ensure that there is adequate provisions of Public Open Space within the townsites of the Shire of Ravensthorpe.
- b) To ensure that Public Open Space owned and maintained by the Shire of Ravensthorpe is of a high quality for use; and
- c) To provide suitable guidelines to Council where it should request a land or cash-in-lieu contribution to Public Open Space for subdivisions creating between 3 – 5 lots.

## LOCAL PLANNING POLICY NO.9 – REQUIREMENTS

1. Exemptions from Public Open Space contribution:
  - a. **This policy only applies to subdivision which creates 3-5 lots zoned 'Residential' by the Shire of Ravensthorpe Local Planning Scheme No.6.**
2. General Requirements:
  - a. **The following contribution of land or cash-in-lieu shall be applied:**
    - i. 5 percent where a proposal creates three (3) 'Residential' zoned lots;
    - ii. 7.5 percent where a proposal creates four (4) 'Residential' zoned lots; and
    - iii. 10 percent where a proposal creates five (5) 'Residential' zoned lots.
  - b. **The Shire of Ravensthorpe shall determine if a land or cash-in-lieu contribution to Public Open Space is appropriate. In making this decision, Council shall consider:**
    - i. The proximity of the proposed subdivision to any nearby reserves;
    - ii. If the proposed subdivision immediately adjoins a reserve for recreation and whether a land contribution could be amalgamated with that reserve;
    - iii. If funding from a cash-in-lieu contribution for Public Open Space would be able to be used to improve nearby existing reserves that would be used by the proposed subdivision; and
    - iv. If the proposed subdivision contains land which the Shire of Ravensthorpe wishes to secure for Public Open Space purposes.

## **10.LOCAL PLANNING POLICY NO.10 – ALFRESCO DINING & TRADING IN PUBLIC PLACES**

### **BACKGROUND**

Alfresco dining in appropriate locations within the Shire's townsites can contribute to its ambience by adding colour, vibrancy and interest to the streetscapes. Alfresco dining is encouraged in all town centres, and especially in locations closely associated with retailing, entertainment and tourism.

The Shire of Ravensthorpe supports and encourages the establishment of alfresco dining areas which:

- i) Enhance the amenity, vitality and ambience of the town's retail, commercial, entertainment and tourism areas;**
- ii) Contribute to the activation of streets or laneways on which they are located;**
- iii) Provide innovative, unique and creative alfresco street furniture;**
- iv) Do not interfere with the safe and reasonable movement of pedestrians, people with prams and motorised wheelchairs; and**
- v) Are located so that they do not cause danger or unnecessary distraction to motorists, pedestrians or other road users.**

In the interests of encouraging alfresco dining and street activity the additional floor space will not attract a requirement to provide additional parking.

### **OBJECTIVES**

The objectives of this Policy are:

- a) To enhance the functions, appearance and character of the commercial areas by permitting alfresco dining associated with existing food establishments on Council controlled land such as road reserves;**
- b) To allow for the operation of trading activities in public places in such a manner and location that they do not conflict with, or act prejudicially towards the Shire's retail and service base, or any other function of the town centre.**

## LOCAL PLANNING POLICY NO.10 - REQUIREMENTS

1. Exemptions from Planning Approval
  - a. **There are no exemptions from Planning Approval.**
2. General Requirements

This Policy applies to applications seeking approval to use public land for alfresco dining and trading in public places activities whether on a permanent or temporary basis. Council will have regard to the policy statements below in assessing and considering all applications.

- a. **The proposed dining area or display is to be attractively integrated with, and enhance the character of the immediate locality and overall streetscape**
- b. **Council will not approve dining and/or display activities where, in its opinion, approval would conflict with or inconvenience other existing businesses. Council in its consideration of the impacts may consult with the owners/occupiers of other nearby premises**
- c. **Generally, dining and/or displays will be approved only where they are directly associated with an existing adjacent business. Activities that are not directly associated with an adjacent business may be considered in special circumstances but only where they meet a demand for goods and services that are not available already**
- d. **All objects for dining and/or display placed within the footpath area must not obstruct pedestrian movement or access to and from kerbside parking bays and a minimum clear footpath width of 2m shall be maintained in all cases.**
- e. **All objects and furniture located as part of the dining and/or display area are to be readily removable. However, where it is demonstrated to the satisfaction of Council there are positive benefits to the public, more permanent features may be permitted providing all costs associated with removal and restoration are borne by the applicant and Council is satisfied with the form, construction and appearance of those more permanent features**
- f. **Objects placed on the footpath within the road reserve must not obstruct sight lines for either vehicles or pedestrians, either at road junctions and crossovers.**
- g. **The applicant is responsible for attending the dining and/or display area and ensuring it is maintained in a good condition and clean and tidy state at all times.**
- h. **If a dining area and/or display are not maintained in a good condition and clean and tidy state and/or the conditions of Council's approval are not adhered to, Council may withdraw the approval and all associated materials and objects associated with the approved use must be removed.**
- i. **The applicant shall be solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction to Council's satisfaction of the street carriageway, footpath or any part thereof arising from the use of the approved area. If an applicant does not complete the necessary works, Council may recoup such costs from the applicant.**
- j. **The installation of transparent, roll-down blinds to provide weather protection for an alfresco area is supported in principle but they must be taken down each night at the close of business.**



- k. An Alfresco Dining and Trade Display permit is valid for twelve (12) months from issue of the Planning Approval starting from the 1 July. It is renewable annually by the Shire subject to no complaints being received by the Shire**

**3. Special Application Requirements**

- (i) The applicant is required to show evidence of appropriate comprehensive public liability insurance covering any activity, object or provision within the approved public place and indemnify Council against any claim from its use by them and/or patrons.**
- (ii) In addition to normal planning application requirements, applications for Alfresco Dining Areas or Street Displays must be accompanied by plans, drawn to scale, which clearly indicate the proposed location of tables, chairs and any other object(s) and shows their relationship to existing features such as the building, kerb line, street furniture, landscaping and adjoining buildings**
- (iii) Applications must contain a written submission and must specify proposed days and hours of trading in the public area.**

## 11. LOCAL PLANNING POLICY NO.11 – FARM FORESTRY

### BACKGROUND

There is potential for commercial timber and associated products in the Shire, but the choice of species is restricted to well defined ranges due to soil type and rainfall. Another emerging plantation industry is the establishment of carbon plantations to create carbon offsets through the establishment and management of plantations dedicated to that purpose.

These carbon plantations are not subject to harvesting and may be left in place for 70 years. The accumulated carbon dioxide in these plantations is 'traded' with entities that have an obligation to reduce their greenhouse gas emissions profile (such as vehicle manufactures and petroleum companies). Carbon dioxide sequestered by these plantations needs to be certified under the National Carbon Offset Standard of the Commonwealth Government Department of Environment and Energy..

The environmental benefits of such plantations include lowering of water tables (and salinity levels), improved biodiversity (including habitat linkages), improved soil conservation and reduced sediment loads in waterways. Also from a local government perspective, additional road construction and maintenance is not required as the plantation may never be harvested.

However, carbon plantations do generate areas of concern particularly from a local government perspective. After the initial planting and other than annual firebreak maintenance, nothing is returned to the local community. There is essentially no production of food from the land which once was carrying livestock and/or being used for cropping. There is the real potential that extensive areas planted to carbon plantations exacerbate population drift and rural re-population.

However, at this stage the Shire has not taken a position in regard to limiting or controlling carbon plantations as a land use, this policy governs plantations that are harvested such as Blue Gum and pine plantations.

The active management of plantations is critical to ensure that fire, weed and vermin issues are kept to a manageable level. These matters (and others) are addressed by the *Code of Practice for Timber Plantations in Western Australia*.

Farm Forestry and Agroforestry operations are defined as 'Tree Farm' by the Scheme. A 'Tree Farm' is a permitted land use in the "Rural" zone. The Scheme requires Planning Approval to be granted by the Local Government prior to the establishment of a plantation.

### OBJECTIVES

The objectives of this Policy are to:

- a) **To facilitate a more consistent, efficient and effective planning process for tree farms.**
- b) **To facilitate the establishment, management and harvesting of plantations consistent with the *Code of Practice for Timber Plantations in Western Australia*, as amended.**
- c) **To support and encourage the development of Agroforestry in the Shire for its combined economic, environmental and social benefits and its greater contribution to sustainability in rural areas.**

## DEFINITIONS

For the purposes of this Policy, the following definitions apply:

**Agroforestry** - Land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

**Farm Forestry** - Any commercial tree production on farmland.

**Plantation** - A stand of trees of 10 hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantations. Implicit in this definition is the recognition that plantations will be harvested.

**Plantation Management Plan** - A plan that details the establishment and tending procedures for a plantation in a manner consistent with Part A of Appendix 1 of the *Code of Practice for Timber Plantations in Western Australia; Protocols for management Plans*.

**Transport Strategy** - A plan and/or agreement outlining the transport arrangements related to the subject property and the surrounding local and district road system for transporting harvested or processed product from the site of production prepared in a manner consistent with Part B of Appendix 1 and Appendix 2 of the *Code of Practice for Timber Plantations in Western Australia; Plantation Timber Haulage Notification to Local Governments*.

## LOCAL PLANNING POLICY NO.11 - REQUIREMENTS

### 1. Exemptions from Planning Approval

There are no exemptions from planning approval.

### 2. General Requirements

#### a. In assessing an Application for Planning Approval that proposes a Plantation, Council is to have regard to the Development Control Provisions of this Policy and the following criteria as appropriate:

- i) the provisions of the *Code of Practice for Timber Plantations in Western Australia*, as amended;
- ii) the need to encourage farm forestry in locations where it is significant to the State, regional and local economies;
- iii) the benefits of farm forestry in addressing land degradation, including soil erosion, water logging and salinity;
- iv) the role of farm forestry in protecting water quality and preventing adverse effects on groundwater recharge;
- v) Any loss of high quality, productive agricultural land;
- vi) the impact on the natural environment and on visual amenity; and
- vii) the compatibility of farm forestry with adjacent land uses.

#### b. Compliance with the Code of Practice for Timber Plantations in Western Australia (as amended) is required. The Code of Practice for Timber Plantations in WA ('the Code') which sets out goals and guidelines for specific areas, including management plans, planning and design, plantation roads, weed and pest control, waterway protection, drainage, harvesting, fire prevention and control, research and development, safety and investment.

All plantation applications will be required to meet the minimum standards as outlined in the Code of Practice. All applications will be assessed having regard for the general principles of the Code.

- c. **The preparation and submission of a *Plantation Management Plan* to accompany applications in accordance with the protocol of the *Code of Practice for Timber Plantations in Western Australia (as amended)* (Code of Practice).**

Appendix 1 of the Code of Practice provides a detailed description of matters to be addressed so will not be replicated in this policy (e.g.. establishment and maintenance plan, fire management plan, weed control, vermin and insect control, planting details, native vegetation management etc).

- d. **The preparation and submission of a *Transport Strategy* as part of the Application for Planning Approval. The Transport Strategy is to include the following information:**
- i) **Area of land to be planted to trees and subsequently to be harvested;**
  - ii) **Anticipated season/s and year/s of harvest;**
  - iii) **Anticipated tonnage of product at harvest;**
  - iv) **Whether trucked product is likely to be in the form of logs or chips or other;**
  - v) **Anticipated haul routes on local and district roads;**
  - vi) **Proposed destination of haulage; and**
  - vii) **Proposals for upgrading/rehabilitation or making financial contribution towards the upgrading/ rehabilitation of the local and district road system.**

The Transport Strategy is to be updated and presented to the Local Government for final approval a minimum of eighteen (18) months prior to harvesting commencing.

- e. **The Local Government may require a report on the general pre-condition of the main haulage roads and payment of a bond to cover any potential road damage.**
- f. **The Local Government will require the preparation and submission of a *Fire Management Plan* as part of the Application for Development Approval. The Fire Management Plan is to be prepared by an experienced fire professional in accordance with the Guidelines for Plantation Fire Protection, as amended.**
- g. **In order to reduce the potential for conflict between farm forestry practices and areas of sensitive land uses, Council will not approve the development of Tree Farms within:**
- i) **500m of the Townsites of Hopetoun, Munglinup and Ravensthorpe.**
  - ii) **250m of the Townsite of Jerdacuttup.**
  - iii) **500m of areas zoned 'Rural Conservation'.**
  - iv) **250m of areas zoned 'Rural Small Holding'.**

Notwithstanding the separation distances stated above, Council may consider reducing the separation distance where it can be demonstrated that the planting of trees closer to sensitive land uses will address pre-existing environmental damage, such as salinity. The proponent is to demonstrate in this case that the plantation can be operated without adverse impact on the amenity of residents in the adjoining areas.

- h. **All plantations shall be setback:**
- i) **50 metres for permanent water or greater ephemeral streams (intermittent);**
  - ii) **30 metres for ephemeral streams and margins of water supply**

Variation to these setbacks can be considered following referral to the department of Water for advice.

**i. Agency referrals**

- i) Where a property subject to an Application for the establishment of a Tree Farm adjoins land managed by the Department of Biodiversity Conservation and Attractions as part of a designated Nature Reserve, Conservation Area or National Park, the Application is to be referred for comment to the Department.**
- ii) Applications that use Main Roads WA controlled highways for access will be referred to Main Roads for comment.**
- iii) Applications in close proximity to waterways will be referred to the Department of Water and Environmental Regulation for comment prior to determination.**

## 12. LOCAL PLANNING POLICY NO.12 – HOLIDAY HOUSES

### BACKGROUND

Holiday houses are private residential dwellings that are leased out for short term accommodation for a period not exceeding three (3) months. Holiday homes are a small but growing aspect of the tourism industry in the Shire of Ravensthorpe and have long been an important part of local and Western Australian lifestyle and culture.

The informal development of this section of the tourist accommodation market has meant that holiday homes have so far operated with minimal regulation, resulting in an uncertain legal & insurance environment, issues of inequity with other service providers and increased potential for land use conflict. Community concerns about holiday homes often relate to the behaviour of tenants, rather than being associated with the use per se. In addition there has been concern that some holiday homes are not maintained to a satisfactory standard, which in turn reflects negatively on the Shire's tourism industry.

The Western Australian Planning Commission (WAPC) has prepared Planning Bulletin 99 - 'Holiday Homes Guidelines' that sets out the WAPC's position in relation to the planning and regulation of holiday homes in Western Australia. The bulletin provides guidance to local governments when dealing with issues associated with holiday homes in the local government planning framework. This policy is consistent with the recommendations of this Bulletin.

The Shire of Ravensthorpe Local Planning Scheme No.6 (the Scheme) lists 'holiday home' as an 'A' use in the 'Residential', 'Rural Townsite', 'Mixed Use', 'Rural' and 'Rural Residential' zones..

### OBJECTIVES

The objectives of this Policy are:

- **To establish clear guidelines for the short stay use of holiday houses for tourism accommodation.**
- **To ensure that the predominant residential nature and character of neighbourhoods is retained.**
- **To minimise negative impacts of holiday homes on the amenity of adjoining residents.**
- **To encourage the provision of good quality, well managed holiday houses.**

### DEFINITIONS

**'holiday house'** means a single dwelling on one lot used to provide short term accommodation but does not include a bed and breakfast;

**'short term accommodation'** means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.

**Holiday home** means a single house, which might also be used for short stay accommodation for no more than twelve people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

**Short stay** means that no person is to stay for more than three months in any 12 month period.

**Property Manager** means a person or company responsible for the day to day administration of the holiday home and may be the landowner.

## **LOCAL PLANNING POLICY NO.12 - REQUIREMENTS**

4. Exemptions from Planning Approval
  - a. **This policy does not apply to houses used by absentee landowners for their own holidays but only to houses rented out for commercial gain.**
5. General Requirements
  - a. **Holiday homes are generally considered an acceptable land use where permitted in Clause 3.2 of the Scheme, subject to appropriate management measures being put in place.**
  - b. **The holiday home may only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.**
  - c. **Car parking bays are to be provided on-site at a rate of one bay per two adults accommodated.**
  - d. **The applicant is to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by the Shire.**
  - e. **On-site holiday home signage is not permitted with the exception of a 0.2m<sup>2</sup> nameplate (i.e. identifies the name of holiday home if relevant).**
  - f. **Business Directional Signs are not permitted for holiday homes.**
  - g. **The use of grouped or multiple dwellings will generally not be supported for holiday home accommodation given the potential impacts on adjoining residents, unless all owners/strata owners or the body corporate are in agreement.**
6. Special Application Requirements
  - a. **A Property Management Plan is required to be submitted and approved by the Shire. Matters that need to be addressed in the Property Management Plan include:**
    - (i) **Details of the appointed property manager;**
    - (ii) **Details of the maximum number of adults to be accommodated at any one time.**
    - (iii) **Details of how bookings are to be made;**
    - (iv) **Duties of the property manager;**
    - (v) **In relation to the appointment of a Property Manager, the following is applicable:**
      - **is a person/company that will have day-to-day management of the holiday home; and**
      - **will specifically respond to complaints pertaining to guest behaviour made before 1am within a two hour timeframe; and**
      - **in relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.**
    - (vi) **Fire and emergency plan arrangements (i.e. location of smoke alarms, fire blankets, exit lighting, fire extinguishers, external taps/garden hoses, a fire evacuation route leading to the nearest main road and emergency information details); and**
    - (vii) **A Code of Conduct for guests based on the template provided in this policy.**

**To ensure consistency in Property Management Plan details, a proforma Property Management Plan is attached to this Policy.**

7. Renewal & Approval Period
  - a. **All initial planning approvals for holiday homes shall be granted for a one year period unless the local government determines otherwise.**

- b. In determining an application for renewal, the Shire will consider the nature of any comments made regarding the operation of the activity and any other information available relating to the adverse impact of the activity on the amenity of neighbours and surrounding area.**
- c. Where complaints have been made, issues relating to impact on amenity have been verified or other non-compliance with the planning approval has occurred, approval of the renewal application is unlikely to be granted.**
- d. Where the Shire is satisfied that the holiday home has been appropriately managed an approval of the renewal application for a period of up to three years may be granted.**

**Note:**

Property Managers are fully responsible for the holiday home and to ensure there is minimal impact on the amenity of neighbouring properties. This provides a degree of certainty to operators, while also enabling the Shire flexibility to terminate approval of non-compliant operators, particularly where valid complaints are received, conditions of approval are not being complied with and/or there are concerns relating to the holiday home operations.



# **HOLIDAY HOME** **PROPERTY MANAGEMENT PLAN**



**PROPERTY ADDRESS:**

**PROPERTY MANAGER DETAILS:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number:

Email:

Details of where bookings are made:

Internet (please specify):

Property Manager:

Other (please specify):

**NOTE: In relation to the nominated Property Manager, the following is applicable:**

- **Is a person/company that will have day-to-day management of the holiday home; and**
- **Will specifically respond to complaints pertaining to guest behavior made before 1am within a two hour timeframe; and**
- **In relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.**

## **DUTIES OF PROPERTY MANAGER**

General Information: The Property Manager will supply readily visible in the kitchen or living area of the home the Code of Conduct, the Property Management Plan and the Fire and Emergency Plan (including the Fire Evacuation Route). Other duties include:

- Liaise with tenants for the occupancy and vacation of the premises;
- Ensure the correct maximum number of people is staying overnight in accordance with planning approval conditions;
- Ensure the premise is registered with the Shire of Ravensthorpe as a Holiday Home provider;
- Ensure guests are aware of the Code of Conduct;
- Ensure guests are aware of the Fire and Emergency Plan;
- Maintain a register of all people who utilise the premise, available for inspection by the Shire of Ravensthorpe upon request;
- Ensure the premise is clean and maintained to a high standard;
- Ensure rubbish and recycling bins are put out and collected as required.

**DATE:**

**HOLIDAY HOME**  
**FIRE AND EMERGENCY PLAN**

**PROPERTY ADDRESS:**

**FIRE SAFETY INFORMATION:**

The following floor plan of premises clearly identifies the location of:

- Hardwired smoke alarms;
- Fire blanket (in kitchen);
- Fire Extinguishers; and
- External Taps/Garden Hose Locations; and
- A fire evacuation route leading to the nearest main road; and

*Please attach a floor plan for each level of the premise with the above clearly located and identified.*

The above information is to be clearly displayed in accordance with the Property Management Plan.

**EMERGENCY CONTACT DETAILS:**

**FOR ALL EMERGENCIES DIAL 000**

Property Manager:	
Ravensthorpe Police:	9838 1004
Hopetoun Police:	9838 3724
Shire of Ravensthorpe:	9839 0000
Ravensthorpe Hospital:	9838 2211

**EMERGENCY PROCEDURE:**

In the event of a fire or emergency, evacuation information may be broadcast or available from the following sources:

ABC Radio: 558AM

DFES: <http://www.dfes.wa.gov.au/alerts/Pages/default.aspx>  
1300 657 209

Shire of Ravensthorpe: [www.ravensthorpe.wa.gov.au](http://www.ravensthorpe.wa.gov.au)

## **HOLIDAY HOME** **CODE OF CONDUCT**

### **PROPERTY ADDRESS:**

The following Code of Conduct governs tenant behavior and use of the property. The tenant agrees to follow the guidelines below, for themselves and any visitors they allow at the property:

**TENANTS:** A responsible adult (over 18 years of age) shall be on site at all times when children are present. No unauthorised people are permitted to stay overnight.

**NOISE AND NUISANCE:** The tenants agree not to cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behavior. Noise should generally cease after 9pm Sunday through Thursday and 10pm Friday and Saturday.

**VEHICLE PARKING:** The tenants agree to use the parking spaces provided and not to park on lawn or garden areas on the property, or on the street verge or street itself outside the property. The guests agree not to park any additional vehicles on the property in excess of the parking spaces provided.

**SHIRE REGULATIONS:** The tenants agree to all Shire regulations, including noise and fire limitations.

**FIRES:** The tenants agree not to allow any candles, open fires or similar burn unsupervised within the premise. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner.

**RUBBISH DISPOSAL:** The guests agree to contain all their rubbish in the bins provided. Tenants are responsible for the putting out and collection of the bins where your stay coincides with collection days.

**TERMINATION OF ACCOMMODATION:** If tenants are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately the accommodation booking may be terminated with 2 hours notice at the Property Managers discretion. No refunds will be made.

## **FIRE EVACUATION ROUTE**

*Map of Locality  
(Insert).*

*The map of the property is to clearly show (or detail) the nearest Emergency Evacuation Point.*

*The primary route used to evacuate the locality in the event of an Emergency which must lead to a main road.*

**PROPERTY ADDRESS:**

**LEGEND**

Subject Property

Roads to be used in the first instance for Emergency Evacuation

**FLOOR PLANS OF PREMISE**

**PROPERTY ADDRESS:**

*UPPER FLOOR PLANS (Insert).*

*LOWER FLOOR PLANS (Insert).*

## LEGEND

Hardwired smoke alarms Fire blanket (in kitchen)

Fire Extinguishers

You are here.

## 13. LOCAL PLANNING POLICY NO.13 –DEVELOPMENT IN BUSHFIRE PRONE AREAS

### BACKGROUND

Large areas of the Shire of Ravensthorpe are prone to bushfires due to topography, vegetation and climate. In 2015 the state government released a suite of reforms in response to the Keelty Report 2011 that apply across the state and elevate bush fire issues to the highest level of planning policy.

The Department of Fire and Emergency Services (DFES), Building Commission and Western Australian Planning Commission (WAPC) collectively released a ***Bushfire Policy Framework*** which includes:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

The intention of this policy framework is to “*implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.*”

The recent release of this policy framework has increased the level of complexity when lodging development applications. The majority of landowners and developers in the Shire of Ravensthorpe are 'owner builders' or reasonably unfamiliar with the development process and requirements.

Additionally, the townsites are remote to professional services, any service usually comes with considerable travel costs added. Large areas of the townsites are required to prepare a BAL Assessment being identified as 'bushfire prone' by the recently released State-wide Bushfire Prone mapping.

This policy seeks to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over Ravensthorpe and Hopetoun Townsites and a template for lodging Bushfire Management Plans.

## PURPOSE OF THE POLICY

The purpose of this Policy is to:

- c) **Adopt and apply BAL Contour Plans for the townsites Ravensthorpe and Hopetoun in order to assign a Bushfire Attack Level (BAL) rating to the residential areas within these townsites.**
- d) **Clarify and streamline the development process for residential development in bushfire prone areas zoned General Agriculture, Rural Conservation and Rural Small Holdings by providing a Bushfire Management Statement template.**

### Scheme Requirements

Regulation 10A of the Planning Regulations 'Deemed Provisions' require planning approval for all development within a designated bushfire prone area; except lots less than 1100m<sup>2</sup>.

The Scheme then requires that Council have 'due regard' for State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Area when determining planning applications in bushfire prone areas.

Therefore, this policy is to be read in conjunction with:

- **the Deemed Provisions contained in the Planning and Development (Local Planning Schemes) Amendment Regulations 2015, which form part of every local planning scheme;**
- **Where relevant, any supplementary provisions of a scheme;**
- **State Planning Policy 3.7 and the supporting Guidelines; and**
- **Australian Standard 3959: Construction of buildings in bushfire-prone areas.**

***Importantly, this policy compliments the above requirements only and does not supersede any other requirement of this policy framework.*** It seeks to streamline, add clarity and consistency to the requirements of the abovementioned documents when applied in the Shire of Ravensthorpe.

## DEFINITIONS

***These definitions are largely from State Planning Policy 3.7 and apply in the context of SPP 3.7, the Guidelines and this policy.***

***AS 3959: Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas.***

***BAL:*** Bushfire Attack Level (BAL) as set out in the *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (AS 3959), as referenced in the Building Code of Australia (as amended).

***BAL assessment:*** An assessment prepared in a manner and form set out in AS 3959 to determine a BAL. It is required that BAL assessments are prepared by accredited Level 1 BAL Assessors.

***BAL Contour Map:*** A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is complete. The intent of the BAL Contour Map is to identify land suitable for development based on the indicative BAL rating.

***Bushfire Policy Framework:*** The collective term for the package of requirements released in December 2015 that guide development in bushfire prone areas. These documents include:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;



- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

***Bushfire Protection Criteria:*** means Appendix Four of the Planning for Bushfire Risk Management Guidelines (2015).

***Bushfire Management Plan:*** means a plan which sets out the proposed fire mitigation measures for land. It is normally required to comply with the Bushfire Protection Criteria (Appendix 4 & 5 of the Bushfire Risk Management Guidelines). A bushfire management plan or bushfire management plan is to be prepared by a person with expertise in fire management planning who is preferably accredited under the national BPAD scheme.

***Bushfire Management Statement:*** means a statement prepared by an experienced person or BAL Assessor that demonstrates how a development proposal complies with the 'acceptable solutions' listed in Appendix 4 of the Bushfire Risk Management Guidelines and this Policy. A template and list of requirements for a Bushfire Management Statement are attached to this Policy.

## LOCAL PLANNING POLICY NO.13 - REQUIREMENTS

3. Exemptions from Planning Approval
  - 1a. **There are no exemptions; all development in bushfire prone areas require assessment against the Bushfire Policy Framework, including this policy.**
  4. BAL Contour Plan
    - 2a. **The Shire of Ravensthorpe has prepared a BAL Contour Plan for the townsites of Ravensthorpe and Hopetoun (2 Townsites BAL Contour Plans). This Plan and report apply a BAL rating to all properties capable of residential development. It is to be applied in the context of the WAPC's 'Bushfire Policy Framework'.**
    - 2b. **The BAL Contour Plan applies BAL ratings to those areas designated bushfire prone.**
    - 2c. **An applicant can choose to prepare their own BAL Assessment should they chose to not accept the BAL Contour Plan recommended BAL rating. This must be prepared by a suitably accredited fire consultant.**
    - 2d. **The BAL Contour Plans will be reviewed annually in order to respond to any townsite mitigation actions completed in the previous year.**
    - 2e. **The BAL Contour Plans are not applicable to strategic planning proposals and subdivisions.**
5. Bushfire Management Statement

That planning applications on land zoned 'General Agriculture', 'Rural Conservation' or 'Rural Small Holdings' in the Study Area are to be accompanied by:

- A. **A BAL Assessment prepared by an accredited person.**
- B. **A Bushfire Management Statement prepared by as experienced bushfire practitioner that addresses the matters listed in the template provided at Appendix 1 of this policy. These measures include:**

***"Essential":***

- i) **Define the proposed Building Envelope (where applicable)**
- ii) **Incorporate findings of BAL Assessment including:**
  - **House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas"**
  - **Distance to classified vegetation**
  - **Attach a copy of BAL Assessment as an appendix**
- iii) **Asset Protection Zone (APZ) -minimum of 20m wide managed to the standard described at Element 2, Appendix 1 of the Guidelines for Planning in Bushfire Probe Areas (attached).**
- iv) **Council may consider a lesser width APZ where there are environmental, topographical, visual amenity or erosion issues. In all cases the minimum width of the APZ must allow the house to achieve a BAL-29 rating.**
- v) **Driveway maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m, vertical clearance of 4.5m and maximum grade of 1 in 10.**
- vi) **An emergency services vehicle turnaround within 50m of the dwelling (three point or circular)**
- vii) **Dedicated water supply of 10,000L accessible from the driveway or turnaround and provided with a 50mm male camlock fitting**
- viii) **Fire Breaks (as appropriate).**
- ix) **Sheds located at least 6m from the house or assessed as part of the house and a BAL rating applied as appropriate**
- x) **Fences and sheds within the APZ are constructed of non-combustible materials; and**
- xi) **Avoid areas of Kwongkan Shrubland**

“Desirable/Complimentary”:

- **Use a simple house design to reduce wind turbulence around house**
- **Method for managing vegetation on balance of property;**
- **Secondary access points through neighbouring property, developed in conjunction with neighbouring landowner;**
- **Sprinkler Systems; and**
- **Fire Bunkers.**

*This list is a collection of the ‘acceptable solutions’ listed at Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas and responses specific to the topographic and environmental conditions around Hopetoun; see **attached template**.*

- C. **Where any ‘essential’ element of the Bushfire Management Statement cannot be complied with a full Bushfire Management Plan shall be prepared by an appropriately accredited fire consultant.**



## BUSHFIRE MANAGEMENT STATEMENT

The Shire of Ravensthorpe may accept a Bushfire Management Statement as described in the template below for development proposed in the General Agriculture, Rural Conservation and Rural Small Holdings zones. This statement must be prepared by an experienced person or the BAL Assessor.

The elements of the Bushfire Management Statement are to comply with the "acceptable solutions" set out in Appendix 4 of the "Guidelines for Planning in Bushfire Prone Areas". Where it is not possible to comply with the listed 'acceptable solutions' a full Bushfire Management Plan is to be prepared by an accredited Bushfire Planning Practitioner.

### Bushfire Management Statement

<b>1. Property this statement relates to</b>				
<b>Property Street Address</b>	Street no	Lot no	Street name	
	Suburb		State	Postcode
	Diagram or Plan No	Certificate of Title No	Folio	
	Title Encumbrances (e.g. easements, restrictive covenants)			
<b>4. Proposed Development</b>				
Type of Development				
<b>2. Owner details</b>				
Owner's name				
Postal address	PO Box or street address	Suburb	State	Postcode
Email address				
Phone/fax	Phone	Fax	Mobile	
Owner's signature				Date
<b>3. Fire Consultant details</b>				
Fire Consultant's name				
Postal address	PO Box or street address	Suburb	State	Postcode
Email address				
Phone/fax	Phone	Fax	Mobile	
Fire Consultant's signature				Date



## BUSHFIRE MANAGEMENT STATEMENT



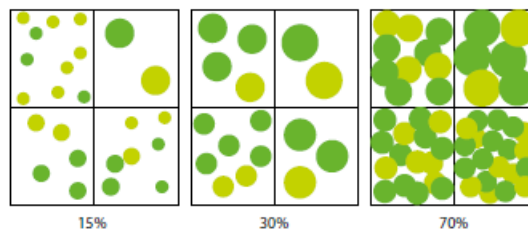
Bushfire Management Statement	Yes	N/A
<b>Essential</b>		
1. Define the proposed Building Envelope (as appropriate)		
2. Incorporate findings of BAL Assessment including: <ul style="list-style-type: none"> <li>• House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas"</li> <li>• Distance to classified vegetation</li> <li>• Attach copy of BAL Assessment as an appendix</li> </ul>		
3. Asset Protection Zone (APZ) -minimum of 20m wide managed to the standard described at Element 2, Appendix 1 of the Guidelines for Planning in Bushfire Prone Areas (attached). Council may consider a lesser width APZ where there are environmental, topographical, visual amenity or erosion issues. In all cases the minimum width of the APZ must allow the house to achieve a BAL-29 rating.		
4. Driveway maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m, vertical clearance of 4.5m and maximum grade of 1 in 10.		
5. An emergency services vehicle turnaround within 50m of the dwelling (three point or circular)		
6. Dedicated water supply of 10,000L accessible from the driveway or turnaround and provided with a 50mm male camlock fitting		
7. Fire Breaks (as appropriate)		
8. Sheds located at least 6m from the house or assessed as part of the house and a BAL rating applied as appropriate		
9. Fences and sheds within the APZ are constructed of non-combustible materials		
10. Avoid areas of Kwongkan Shrubland		
<b>Desirable/Complimentary</b>		
A. Use a simple house design to reduce wind turbulence around house		
B. Secondary access through neighbouring property.		
C. Method for managing vegetation on balance of property;		
D. Sprinkler Systems;		
E. Fire Bunkers;		

## ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

### SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 16: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m<sup>2</sup> in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.