



POLICY MANUAL

Reviewed 20 April 2016

The Shire of Moora Vision and Mission Statement

Vision

A vibrant, affordable Regional Centre with a growing, caring community.

Mission

To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds.

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CODE OF CONDUCT

PREAMBLE:

This Code of Conduct provides elected 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

- (a) better decision making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government

This Code provides a guide and a basis of expectations for elected 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.

ROLE OF ELECTED MEMBERS:

The President shall have a role in maintaining harmonious relations and adherence to the Code of Conduct by Councillors in consultation with the Chief Executive Officer.

A Councillor's primary role 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 Councillor's public life.

A Councillor is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected 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 Councillors and on Local Governments.

CODE OF CONDUCT FOR ELECTED MEMBERS AND STAFF:

I. Conflict and Disclosure of Interest

I.1 Conflict of interest

- Members and staff 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 for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to their 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.
- Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- Members and Staff who exercise 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-discrimination legislation.

1.2 Financial Interest

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

1.3 Disclosure of Interest

(a) In addition to disclosure of financial interests, members and staff, including persons under a contract for services –

- attending a council or committee meeting;
or
- giving advice to a council or committee meeting;

are required to disclose any interest they have in a matter to be discussed at the meeting that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

(b) Where an interest must be disclosed under (a) above, the disclosure is to be made at the meeting immediately before the matter is discussed or at the time the advice is given, and is to be recorded in the minutes of the meeting.

2. Personal Benefit

2.1 Use of Confidential Information

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, or to improperly cause harm or detriment to any person or organisation.

2.2 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.

2.3 Improper or Undue Influence

Members and staff will not take advantage of their position to improperly influence other 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.

2.4 Gifts and Bribery

- (a) Members and staff are not to accept a gift, other than a gift of or below **\$200**, from a person who is undertaking, or is likely to undertake, business –
- that requires the person to obtain any authorization from the local government;
 - by way of contract between the person and the local government; or
 - by way of providing any service to the local government.
- (b) Members and staff who accept a gift of *between \$50 and \$200* from a person referred to in (a) above are to record in a register of token gifts –
- the names of the persons who gave and received the gift;
 - the date of receipt of the gift; and
 - a description, and the estimated value of the gift;
- unless the Local Government decided that –
- specified gifts given by way of hospitality; or
 - specified classes of gift given by way of hospitality,
- need not be recorded.
- (c) This clause does not apply to gifts received from a relative (as defined in section 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

3. Conduct of Members and Staff

3.1 Personal Behaviour

- (a) Members and staff will:
- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (iii) 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;
 - (iv) 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

- (v) always act in accordance with their obligation of fidelity to the Local Government.
- (b) Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

3.2 Honesty and Integrity

Members and staff will:

- (i) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards,
- (ii) 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.
- (iii) be frank and honest in their official dealing with each other.

3.3 Performance of Duties

- (a) 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 favourably both on them and on the Local Government.
- (b) 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.
- (c) ***Staff wishing to undertake employment additional to duties performed for Shire of Moora should obtain the approval of the CEO annually.*** No other employment should compromise the activities performed by Council.

3.4 Compliance with Lawful Orders

- (a) 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.
- (b) Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

3.5 Administrative Management Practices

The CEO will keep the Council fully informed of the capacity of its administrative structure to comply with the purposes and legislative requirements of the Local Government Act 1995.

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

3.6 Corporate Obligations

(a) Standard of Dress

Staff and Councillors are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

(b) Communication and Public Relations

- (i) 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.
- (ii) As a representative of the community Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so 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 be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures, and decisions of the Council is conveyed accurately.

3.7 Relationships between 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 Members and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies.

To achieve that position Members need to:

- 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.
- that Members seek appointments with staff on enquiries they have.

3.8 Appointments to Committees

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

- clearly understand the basis of their appointment, and
- provide regular reports on the activities of the organisations.

4. Dealing with Council Property

4.1 Use of Local Government Resources

Members and staff will:

- (a) be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use Local Government resources entrusted to them effectively and economically in the course of their duties and;
- (c) not use 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).

4.2 Travelling and Sustenance Expenses

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 provision of the Local Government Act.

4.3 Access to Information

- (a) Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.
- (b) 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.



KM SEYMOUR

SHIRE PRESIDENT
20 April 2016



AJ LEESON

CHIEF EXECUTIVE OFFICER
20 April 2016

SECTION I

ADMINISTRATIVE STRUCTURE

I.1 Monthly Council Meetings

The Council shall meet on the third Wednesday of each month unless specifically resolved by Council to allow for other circumstances.

I.2 Disclaimer

The following disclaimer will appear on the Agenda document of all meetings of Council and will be read aloud at the commencement of each Council meeting by the President/Chairman:

“No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council’s decision, which will be provided within fourteen (14) days of this meeting.”

I.3 Chief Executive Officer (CEO)

The CEO shall have the powers and duties delegated in this document and as resolved from time to time.

I.4 Senior Employees

The following are designated senior employees for the purpose of s.5.37 of the Act -

Deputy Chief Executive Officer
Manager Engineering Services
Manager Development Services

David Trevaskis
John Greay
Peter Williams

1.5 Asset Management

POLICY INTENTION:

The key objective of this policy is to ensure that services delivered by the Shire of Moora continue to be sustainably delivered. This will be achieved by ensuring that the Infrastructure Assets used to support the service delivery continue to function to the level of service determined by Council.

It will also provide clear direction as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework.

POLICY:

To achieve the policy objective, the Shire of Moora is committed to ensuring that Asset Management is recognised as a major corporate function within Council, and that staff are committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of Asset Management practices across the organisation with the major outcome being the adoption by Council of an Asset Management Plan for the following classes of infrastructure assets:

- Roads, Footpaths and Drainage
- Buildings
- Parks, Ovals and Other Infrastructure
- Bridges
- Sewerage System
- Plant and Equipment

Asset Management Plans will form part of the Shire's day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, upgrade existing assets or dispose of existing assets to support service delivery.

Asset Management plans will define and document the functional and operational level of service for each asset class. This will include long term (10 year) financial modelling of the renewal profile of each asset class and will be underpinned by long term financial plans and based on risk management principles.

In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and, where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the service for which the asset was acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
 - Need for facility (short and long term)

- Legislative requirements
 - Opportunities for rationalisation
 - Future liability including ultimate retention/disposal
 - Opportunities for multiple use
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost (“whole of life” cost assessment).
- Management of assets utilising a team approach supported by the multi discipline cross-functional asset management working group.
- Developing and implementing a 10 year “rolling” financial plan that incorporates infrastructure renewal requirements as identified within the various Asset Management Plans.
- The commitment to involve and consult with the community and key stakeholders when determining service levels.

The outcomes of decisions will be included in any subsequent report to Council.

SECTION 2

STAFF

2.1 19 Day Month

That the principles for operation of a 38 hour week / 19 day month be as follows--

1. RDO arrangements shall apply to ASU, MEU and LGIA staff
2. One RDO shall apply in every four-week period. RDO is achieved by working 8 hours a day for 19 days (i.e., 152 hours work equivalent to 4 weeks x 38 hours).
3. The pool manager is excluded from the RDO arrangements due to the nature of his work.
4. The CEO and Acting CEO will not take any rostered days off while the CEO is on annual leave.
5. 13 rostered days off per year will be allocated. Annual leave is to be 20 days, including one of the rostered days off. (Effectively reducing RDO's to 12 per year).
6. Hours of Duty (Admin staff)

Commence	8.00am
Finish	5.00pm
Lunch	60 min
Length of Day	8 hours

(Full RDO document held by CEO and issued to newly appointed staff)

2.2 Service Pay Scheme

The arrangements for the service pay scheme are as under -

This is based on sliding scale with the maximum of \$37.50 per week being paid after five years service as under.

1. Service pay would be paid in addition to existing wages / salary currently paid i.e., in addition to any over-award, machine bonus etc.
2. After the completion of -

ONE YEAR SERVICE - additional per week	\$ 7.50
TWO YEARS SERVICE - additional per week	\$15.00
THREE YEARS SERVICE - additional per week	\$22.50
FOUR YEARS SERVICE - additional per week	\$30.00
FIVE YEARS SERVICE - additional per week	\$37.50
3. Maximum service pay - per week \$37.50

4. For part time officers the service pay is rounded off to the nearest 1/4 and paid accordingly i.e., a 1/2 time officer would receive \$3.75 increment as against a full time officer receiving \$7.50.

This scheme does not apply to casual employees.

2.3 Sick Pay Bonus Scheme

This operates as under, and applies to the Shire of Moora Municipal Employees Union Collective Agreement 2008 staff and Council's Caretakers.

Council will pay up to 5 days untaken sick leave at Christmas each year. These 5 days are the first 5 days due each year. The first 5 days sick leave taken will be deducted from the 5 days Council will pay. So a person who has taken no sick days gets 5 days paid, a person who has taken one sick day gets 4 days paid, a person who has taken five sick days gets no days paid.

This scheme will not affect an employee's entitlement to sick leave under any award.

2.4 Relocation & Removal Expenses

That the policy relating to removal assistance for newly appointed Senior staff is as follows:-

1. An amount of \$10,000 or 50% of the actual, whichever is the lesser, be paid towards the costs of relocation & removal expenses on the following basis – 50% on arrival and 50% after 1 year service.
2. Relocation expenses to be refunded in full if the Officer leaves of their own accord within the first 12 months.

2.5 Corporate Wardrobe

CORPORATE UNIFORM SCHEME - GUIDELINES

1. A 'Corporate Wardrobe' subsidy will only be available to permanent full time, part time and contracted officers, after a qualifying period of 3 months for new employees.
2. Contributions by Council will be up to a maximum of \$500 per year per employee by Council for replacement/new items. Any cost above this will be met by the employee.
3. Staff transferring to another Local Authority or terminating with Council will be required to repay any outstanding balance of their contribution upon termination through a payroll deduction, but will not be required to reimburse Council any portion of its contribution.
4. Staff transferring from another Local Authority and already having corporate wardrobe clothing will be provided with a top-up issue at the discretion of the CEO in accordance with Clause 2.

5. Staff should make every endeavour to maintain the corporate clothing in a clean and tidy condition and to wear such clothing as a complete outfit and not mix with personal clothing.
6. Staff shall not wear the uniform other than for work related purposes. These guidelines may vary at the discretion of Chief Executive Officer.

2.6 Long Service Recognition

That to recognise long serving staff:-

An appropriate gift is presented to long serving staff in Council's employ on the following basis, and that the presentation is at a suitable function attended by full Council.

- 10 years service \$250
- 20 years service \$500
- 30 years service \$1,000
- 40 years service \$2,000

2.7 Use of Council Vehicles by Council Officers, Councillors & Authorised Persons

A policy, which provides for the use of Council Vehicles by staff, Councillors & authorised persons within the following guidelines and conditions, and subject to employment contracts where they exist.

All authorised persons must provide details of current licence. All new staff are to provide a copy of their current licence to Human Resources. All shire staff are to notify Human Resources of any changes to their licence including suspension or loss of licence.

1. Employees to whom vehicles are provided and in accordance with their current terms of employment, may use them for their own private purposes, including weekends and annual leave periods. Employees are to meet the cost of fuel for private usage. A vehicle log book is to be kept for all private use.
2. Vehicles may be driven by the following persons:
 - an authorised officer of the Council;
 - outside of normal working hours by the spouse or partner of the employee allocated the use of the vehicle;
 - the holder of an appropriate current driver's licence when accompanied by an authorised officer or Councillor
 - Councillors when travelling to or from forums to represent Council, or regional Western Australia.
 - Other such persons as are authorised by the Chief Executive Officer.
3. Such vehicles are to be brought onto the job every working day (except those days an officer concerned is on paid leave), and used for all normal organisational duties. The vehicle is to be available for use by other Council drivers during normal working hours and on occasions, may be required outside working hours.

4. All employees, Councillors and authorised persons to whom vehicles are allotted are responsible for their care, including interior and exterior cleaning.
5. No modifications are to be made to the vehicle without the approval of the Chief Executive Officer.
6. At the discretion of the Chief Executive Officer, an authorised person or officer convicted of drink, drugs, careless, dangerous or reckless driving in a Council vehicle may be required to pay the cost of associated repairs.
7. There is to be NO SMOKING in Council vehicles at any time.

2.8 Staff Rental Conditions

That the following terms and conditions apply to housing premises made available on a rental basis by Council.

1. Garden, surrounds and yard to be maintained to a good standard and the building to be kept clean to normal standard.
2. Council will pay for utility costs in accordance with relevant employment contracts/conditions.
3. 4 weeks bond at market rental value shall be paid by the employee upon commencement of employment and retained in Council's Trust Fund to cover any damage to the residence required on the vacation of the premises.
4. Occupation of the residence to cease at any time employment with the Council ceases.
5. On vacating the premises the carpets are to be cleaned by a professional carpet cleaner at the cost of the employee and a copy of receipt provided to Human Resources.
6. Gutters to be kept free of leaves and debris.
7. Council reserves the right to inspect the residence at reasonable times. (See also Policy 8.2)

2.9 Transport for Workmen

1. Within a 10 kilometre radius of Moora start and finish at the depot in Council time.
2. Between 10-24 kilometre radius travel to and from the job in a Council provided vehicle in employee's time for which each person is paid 1/2hour extra per day.
3. Between 24-40 kilometre radiuses, with the same arrangement as above each employee is paid 1 hour per day travelling.
4. Beyond 40 kilometre radius is by arrangement. In past times this has resulted in employees being paid up to 1 1/2hours (in total) per day for travelling.

5. The person driving the vehicle gets paid overtime rates. The employees being transported get paid standard time. Driving is on a rotational basis.

2.10 Occupational Safety & Health Policy

At Shire of Moora our Occupational Safety & Health Policy is based on a belief that the wellbeing of people employed and of the people affected by our work, is a major priority and must be considered during all work performed on our behalf. People are our most important assets and their safety and health is one of our main responsibilities. The safety of public affected by works carried out by the Shire of Moora shall be taken into consideration and treated as a priority before commencing a project, and during a project.

The objectives of our safety policy are:

- To achieve an accident free workplace;
- To ensure safety & health is considered in all planning and work activities;
- To involve our employees in the decision making process through regular communication, consultation and training;
- To provide a continuous program of education and learning to ensure that our employees are trained and competent in the tasks that they undertake and work in the safest possible manner;
- To identify and control all potential hazards in the workplace through hazard identification and risk analysis;
- To ensure that all potential accidents/incidents are controlled and prevented through a employee Take 5 risk assessment prior to commencing hazardous work;
- To provide effective injury management and rehabilitation for all employees;
- To ensure compliance with all National and State safety legislation pertaining to the Local Authority, and adherence to applicable codes of practice, guidelines and necessary Australian Standards.

The success of our Safety and Health management is dependent on:

- Pro-active planning of all work activities with due consideration given to implementing Occupational Safety & Health (OS&H) controls that are suitable to each given situation.
- Understanding the total work process and associated OS&H risks through consultation and communication.
- Ensuring the work team is totally committed to achieving our objectives.
- Ensuring that open and honest communication and consultation exists between management and all employees.

2.11 Sexual Harassment Policy

Council strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual and/or sexist nature (whether physical, verbal or non-verbal) which is unwelcome and unsolicited and rejection of which may disadvantage a person in their employment or their life in general.

The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public:-

- Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.
- Subtle or explicit demands for sexual activities or molestation.
- Intrusive enquiries into a person's private life.
- Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.
- Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

Council recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.

Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face-to-face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

A formal complaints/grievance procedure is attached to this Policy and will be utilised to effectively resolve complaints of sexual harassment.

Complaints/Grievance Procedure

Introduction

All complaints of sexual harassment will be treated confidentially and resolved promptly

Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser are victimised.

It is recognised that cases of sexual harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.

Procedure

1. A complaint of sexual harassment may be lodged with any of the following persons;
 - Chief Executive Officer.
 - President (only if the alleged harasser is the Chief Executive Officer)
2. A person receiving a complaint of sexual harassment will
 - Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management;
 - Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure;
 - Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow- up reports are provided until the matter is resolved;
 - Ensure no information regarding the complaint is discussed outside this procedure-
 - In a case where a union shop steward receives the complaint the Chief Executive Officer is to be advised of the details of the complaint.
3. The person handling the complaint, whether it is the person who received the complaint or another appointed senior person will, with the approval of the complainant:-
 - As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour;
 - Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard;

- Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.
4. If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser:-
 - The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union will be party to the investigation.
 - All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity.
 5. During the period of the investigation of a case of serious sexual harassment:-
 - If requested by either party or by management, alternative working arrangements may be made.
 6. If, following investigation and resolution, a complaint is judged to have foundation:-
 - Appropriate remedial action will be taken including where appropriate disciplinary / counselling action appropriate to the circumstances and/or seriousness of the matter.
 - A record of the detail of the disciplinary action will remain on the employee's personal file for a period of 12 months whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.
 7. If, following investigation, a complaint is judged to have no foundation:-
 - The complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.
 - Continued reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

2.12 The CEO Performance Review

1. That the performance of the CEO be reviewed at least once in relation to each year of employment using the performance criteria contained in Appendix I of this Manual or alternatively a performance agreement document, subject to agreement between the parties
2. That part of the ordinary Council meeting, prior to a review, is closed to enable all Councillors to have input into the review of the CEO's performance.

3. That the performance review be carried out by the Council or by resolution of Council a suitably qualified consultant in a closed meeting with the CEO.
4. That a review of delegations from Council to the CEO be part of the review process.
5. That the record of the review outcomes shall be provided to the Council but not retained by individual Councillors. The final written report of the performance review and resolution of Council relevant to the review shall be retained by the Council's Human Resources section.

2.13 Acting Chief Executive Officer

1. In the absence of the Chief Executive Officer during leave periods or other extended periods of absence an acting Chief Executive Officer is to be appointed.
2. The Chief Executive Officer is delegated the authority to select and appoint an Acting Chief Executive Officer in accordance with the delegations register. The person selected to act in the position will be remunerated in accordance with current Chief Executive Officers Salary.
3. Dates of leave and delegated Acting Chief Executive Officer to be formally advised to Council as soon as practicable.

2.14 Telephones - staff

Council identifies that there will be occasions where Senior Officers make and receive telephone calls from their private residence. In recognising this and the expectation that the officers will respond positively to the concerns of the public concerns or an emergency. Council has the following policy:-

1. That telephones be installed at residences occupied by the Senior Officers and Operations Supervisor.
2. That the official positions and telephone numbers of the above officers be listed in the telephone book under Shire of Moora.
3. Officers covered under this policy will be entitled to reimbursement for the telephone rental, service and maintenance charges and the cost of the first \$25.00 of telephone calls made each month.
4. Telephones installed in staff housing owned by the Shire of Moora will be transferred into the name of the Shire of Moora upon the officer vacating the residence to remove the associated connection fees. The officer will remain liable for any cost in excess of the amounts reimbursable under this policy.
5. All telephones in staff residences currently billed to the Shire of Moora are transferred into the Officers name.

2.15 Gratuity Payments - Section 5.50 of the Act

The Act reads -

- 5.50 (1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out;
- (a) The circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee- and
 - (b) The manner of assessment of the additional amount, and cause local public notice to be given in relation to the policy.
- (2) A local government may make a payment -
- (a) To an employee whose employment with the local government is finishing; and
 - (b) that is more than the additional amount set out in the policy prepared by the local government under subsection (1),

But local public notice is to be given in relation to the payment made."

That for the purpose of Section 5.50 (1) of the Act, the following approximate amounts be spent on presentations made to employees who retire or resign after a period of satisfactory service of;

5 years	\$ 250
10 years	\$ 500
15 years	\$ 750
20 years	\$1,000
25 years	\$1,250
30 years	\$1,500
35 years	\$1,750
40 years	\$2,000
45 years	\$2,500

2.16 Loan/Use of Council Plant/Equipment by Staff Members

(See Policy 4.10)

2.17 Leave Management – Annual & Long Service

This policy applies to all employees who are employed on a full time or part time basis, but does not apply to employees employed on a casual basis.

1. All employees shall take annual leave in the year which it is accrued unless deferral has been arranged through their line manager and been approved by the CEO.
2. All employees shall take long service leave within three years of the date it becomes due unless deferral has been arranged and approved by the CEO.

Reimbursement of Fees

1. 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 and late enrolment or late entry fees) reimbursed after completion of the semester/term.
2. Employees shall provide as much notice as possible to their Line Manager when seeking leave of any type.
3. Emergency Service, study leave and jury leave shall be paid normal rates from the time of absent from work to the total of ordinary time usually worked in that day, but not including time in excess of ordinary working hours, weekends or public holiday rates.
4. Emergency service, jury and study leave does not accrue.

2.18 Council Employees – Own Housing

Council provides a \$500 annual allowance on rates to full time employees (pro rata for part time employees) who own and live in their own home in the Shire of Moora.

Only one allowance per residence to apply where there is more than one employee living in the same home.

2.19 Council Employees – Accommodation Allowance

Council provides an accommodation allowance of \$10 per week to all employees who own and live in their homes within the Shire of Moora.

Only one allowance per residence to apply where there is more than one employee living in the same home.

2.20 Council Employees – Admission to Moora Swimming Pool

That Council offers each employee who holds a permanent position at the start of the pool season a non-transferable, non-redeemable family/adult pass for the Moora Swimming Pool.

2.21 Council Employees – Shire owned Gym Membership

That Council offers each employee the opportunity to become a member of the Shire owned 'Moora Health & Fitness' at no cost.

SECTION 3

COUNCIL MEMBERS / MEETINGS

3.1 Presentation to Retired / retiring Councillors

Purpose

To establish appropriate guidelines for the purchase of gifts for retiring Councillors leaving council's service as a gesture of appreciation for dedicated service.

Policy

1. The Shire of Moora will only pay a gratuity to those councillors whose service to the shire is finishing and have completed at least one 4 year term (or a continuous 4 year period).
2. A certificate of appreciation;
3. The gratuity may be in cash or as a gift.
4. In special circumstances, the council may consider it appropriate to make a payment greater than that specified by this policy; in which case local public notice is required to be given in relation to the proposed gratuity in accordance with the Local Government Act s.5.50(2)
5. The exercise of this policy is at the sole discretion of the council.
6. The gratuity will be set annually as part of the fees and charges considerations.

Councillors Gratuity

Per year of service:	\$100
Maximum	\$1,000

3.2 Councillors Travelling Expenses

1. Councillors may claim travel expenses for attending meetings and conferences at the request of Council, where authorised by Council to do so and where the Councillor has been appointed a delegate to the organisation convening the meeting attended by a Councillor.
2. Travel expenses to be calculated based on the distance between the Councillors address on the nomination form for the Councillor's election or most recent re-election x 2 to allow for travel both ways.
3. Councillors may claim an amount up to the prevailing rate for vehicle travel as per the Australian Taxation rates.
4. If a claim received does not stipulate an amount, only the distance travelled, the calculation be as per (b) x the rate for the vehicle travel as per the WA Local Government Officers' Award 1999.

5. Subject to availability Councillors may request and use Managers vehicles for Council related business.

3.3 Public Question Time Guidelines

That Council adopt the following guidelines for the use of persons presiding at Council and committee meetings for the conduct of Question Time -

1. Members of the public to be given a warm and friendly welcome.
2. Each member of the public must be given the opportunity to ask a question.
3. At Council meetings, a question must relate to a matter affecting the local government.
4. At a special Council meeting, a question must relate to the purpose of the meeting.
5. At a committee meeting, a question must relate to the purpose of the meeting. (Appropriate only where Committees have delegated powers)
6. If a member of the public asks if they may make a statement to the Council (or makes a statement to the Council) this be accepted provided within the ambit of 3, 4, 5.
7. If a member of the public asks if they may comment on an item on the agenda when this is discussed later in the meeting, this be accepted.
8. Answers to questions to be kept brief and businesslike and where questioner seeks to protract discussion, discretion be used by the person presiding.
9. Questions may be taken on notice for later response.
10. If (9) applies, the questioner, if unknown, be asked to provide his/her name and means of contact on a piece of paper to the CEO.
11. Any answers supplied between meetings under (9) to be reported in the agenda of the next meeting.

3.4 Councillors Honour Board

That Council adopt the option of 18mm gold row mark plate with 10mm black print for Council's Honour Board, and the preferred size of the board is 2400mm x 1200mm jarrah laminated board with a 25mm raised border around the edge.

3.5 Media

1. Staff and Councillors are encouraged to undertake relevant training in the use of the media.
2. Staff and Councillors are encouraged to meet regularly and develop relationships with local press and radio media personnel.
3. Staff responsible for their areas of work have first responsibility for drafting press releases or media statements.
4. All press releases drafted by staff are to be sanctioned by the Chief Executive Officer and authorised by the Shire President prior to release.
5. Copies of all press releases or media statements will be kept in the Shire Press Release Register.
6. Councillors will only comment in the media on the portfolios they hold and after consultation with the Shire President.
7. All press Releases by Councillors or staff are to be listed on Councils website.

3.6 Freeman

Council may bestow the honorary title of Freeman of the Shire of Moora on a person who has served the community in an outstanding and meritorious manner that stands above the service and contribution of most other persons in advancing the districts strategic interest and in the provision of benefits for the greater community.

Limitations

In recognition of the standing of Freemanship each application should be considered on merit and on the basis of the contribution to the Moora Shire community by the respective individual nominated.

Nomination for Freeman

1. Council encourages the community to nominate people for consideration as Freeman at any time.
2. Nominations must be in writing addressed confidentially to the Chief Executive Officer and justify in chronological order nominees.
3. Nominees must not be consulted or advised of nominations.
4. Council will consider “in camera” any nominations received.

Entitlement of Freeman

1. Any person who has the honour of Freemanship bestowed may refer to themselves as Freeman of the Shire of Moora.

2. Freeman will be presented with a special badge and certificate at a function to be hosted by Council to acknowledge their Freemanship.
3. The Freeman shall be invited at no cost to formal civic functions by Council.
4. Freeman shall be included on the Shire of Moora Honour Board.
5. A photograph and plaque of the Freeman is to be displayed in the Moora Performing Arts Centre.

SECTION 4

WORKS AND PLANT

4.1 Farm Drainage

That Council's Policy on farm drainage within the rural area of the Shire, as under be adopted.

It is the responsibility of a land owner to advise the Shire of any earthworks near or adjacent to a gazetted road such that a water hazard could arise due to an increased flow of water.

Where such earthworks are likely to create the need for one or more culverts or floodways to alleviate water hazard, Council will only permit the construction of those earthworks provided:-

1. That such earthworks have been designed as part of an overall plan under the auspices of the appropriate Land Conservation District group involved,
2. Written consent is received by the Shire Office from the owner of the land down stream including his willingness to accept water that may cross the road as a result of such earthworks;
3. The upstream land holder agrees to meet all costs associated with the provision of the materials for and the construction of such floodways or culverts as the Council shall deem to be necessary;
4. Construction of the culverts or floodways is carried out to an approved design, at Council's convenience, and if by the landowner, under Council's supervision.

4.2 Crossover Policy

Statutory Obligations:

The legislation that governs crossovers or crossings from a public thoroughfare to private land or a private thoroughfare is:

- Local Government Act 1995, Schedule 9.1 (7)
- Local Government (Uniform Local Provisions) Regulation 1996, Sections 12,13,14,15 and 16.

The legislation describes requirements to construct or repair crossovers and Council's contribution (subsidy) towards the cost of crossovers. Copies are available from Council.

Objectives:

To provide a set of criteria by which to assess requests for the construction of new and upgrading of existing crossovers across the shire.

Standards of crossings:**Rural Crossover – Maximum Specification**

Maximum width of 7.32 metres x 5 metres, provision of 375mm drainage pipe and headwalls. Material finish shall be bound gravel.

Townsite Residential Crossover – Maximum Specification

Maximum width of 5.0 metres x 5 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Townsite Commercial Crossover – Maximum Specification

Maximum width of 6.5metres x 5.0 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Policy Limitations:

Council will only contribute to one crossing per property;

That the 50% calculation of the Council subsidy toward the cost of the standard crossing shall be in accordance with the quantity calculation adopted by Council annually and listed in its fees and charges schedule detailing Councils maximum standard contribution;

Crossing subsidy cannot be applied for retrospectively.

Crossings subsidies are not relevant to renewal or upgrading of existing cross overs.

Legislative Requirements:

Local Government (Uniform Local Provisions) Regulation 1996

Financial Parameters:

Standard Installation Cost of which Landowner must pay half as per current fees and charges

Non Standard Installation – Cost less Council contribution.

Council will contribute up to half with a maximum of \$360.00

4.3 Plant**I. Replacement of Council light fleet motor vehicles**

That quotations be sought from local car dealers Rumbold Ford-Nissan and Lewis Motors, for the replacement of Council light fleet vehicles. Management shall ensure that base pricing is in accordance with the State Government Light Fleet Vehicle Pricing.

2. Council shall review its light vehicle replacement program annually to ensure it fits within the parameters of Councils Long Term Financial Plan and Asset Management Plan.
3. Tenders for the Replacement of Plant

That Council make recommendations relating to the calling of tenders for the replacement of budgeted plant and road building material for value greater than \$150,000 (as per tender guidelines) at a time that is suitable to the finances of Council. Council shall review its plant and equipment replacement program annually to ensure it fits within the parameters of Councils Long Term Financial Plan and Asset Management Plan.

4.4 Wildflower Picking

That Council's Policy of Wildflower Picking be as under:-

Shire Road Works

- I. Native flora to be preserved wherever practicable.

Fire Control and Clearing and Spraying

- I. Council to discourage the indiscriminate spraying/ploughing and burning of fire breaks outside the boundary line.
2. No clearing on road reserve without approval from Council. Any persons wishing to clear the road reserve adjacent to their property should first make application to Council for permission to do so.

Picking

- I. No picking of blooms or seeds to be permitted on any road verge under the control of the Council or any reserves in or under the control of Council, without Council permission.

(Note- Uniform Local Provisions Regulation 5 provides:

Disturbing local government land or anything on it

- I. A person who, without lawful authority -
 - (a) interferes with the soil of, or anything on, land that is local government property; or
 - (b) takes anything from land that is local government property, commits an offence the penalty for which is a fine of \$1,000)

4.5 Brick Paved Footpaths

That the policy of Council be that where the upgrading of footpaths in the commercial area in Moora become necessary any new surface be in brick paving.

Footpaths

OBJECTIVE

To provide for the effective management of the Shire's town footpath network including:

- The provision of universal access for pedestrians along all streets and public spaces in the Shire in accordance with the Disability Discrimination Act where possible and financially feasible.
- Ensuring that footpaths are designed and constructed in accordance with Australian Standards and the relevant industry best practice
- The provision of footpaths that are safe to use and conducive to the streetscape environment
- Supporting the Shire's dual use footpath strategy to encourage walking cycling in the townsites through the provision of a safe interconnected network linking community facilities
- To provide safe temporary passage for pedestrians whilst footpath construction or upgrading works are in progress

LEGISLATIVE FRAMEWORK

The following legislation applies to requirements for access and inclusion:

- Commonwealth Disability Discrimination Act (1992)
- Disability Services Act of WA (1993, amended 2004)
- Building Codes of Australia
- WA Equal Opportunities Act (1984, amended 1988)

In order to comply with this legislation the Shire of Moora developed a Disability Service Plan 2012 – 2017.

DECISION MAKER

Chief Executive Officer

DELEGATION OF DECISION-MAKING

The Manager of Engineering Services has delegated responsibility to implement this policy

POLICY

1. Background

This policy applies to all areas in and outside the Central Business District. The Central Business District is defined as Town Centre in Councils Town Planning Scheme

See Appendix C

2. Relevant Standards & Guidelines

In general, the following standards and guidelines have been considered in establishing this policy:

- **AS 1428.1** Design for access and mobility: General requirements for access – New building work
- **AS 1428.1** Enhanced and additional requirements – buildings & facilities
- **AS 1428.3** Requirements for children and adolescents with physical disabilities

- **AS 1428.4** Tactile ground surface indicators for the orientation of people with a vision impairment
- **AS 3661.1** Slip resistance of pedestrian surfaces
- **AS 3727** Guide to Engineering Practice – Part 13 – Pedestrians
- **Austrroads** Guide to Engineering Practice – Part 14 – Bicycles
- **Liveable Neighbourhoods** – A WA Government Sustainable Cities Initiative
- **Utility Providers Code of Practice**
- **Utility Providers** Restoration and Reinstatement Specifications

NB. *Definitions used within this policy are in accordance with the protocols used in Austrroads – Guide to Traffic Engineering Practice Part 13 and Australian Standards*

3. Footpath Construction

Where reasonably practicable on the grounds of sustainability and physical space, footpaths are to be constructed on both sides of the street. If they meet the following circumstances:

- Where the road is designated as local, district or primary distributor
- Where a footpath is needed on both sides to provide for safe universal access to schools, community centres, local centres, public facilities and public open spaces
- Where a footpath currently exists on both sides of the street

Any maintenance or upgrade works should also be carried out to the footpath on both sides of the road at the same time if required and dependant on the hazard identification rating priority list.

Ideally, a footpath should be provided on at least one side of all local access streets throughout the municipality in order to enable universal access. Where a footpath exists on both sides of the street, at least one footpath (preferably both) must comply with the universal access requirements as laid out in AS 1428 and current disability access legislation.

Exceptions – Footpaths may be omitted from one side of the street where:

- There is no development fronting the part of the street
- Topography or vegetation precludes provision for a footpath (i.e. tree avenues, power poles)
- Vehicle speeds are low – less than 40km/h
- Future traffic volumes will be less than 300vpd
- Where the street does not connect or contain land uses which generate high levels of pedestrian activity

Footpaths are to be continuous and connected across roads via kerb ramps and break in median islands where they exist. Footpath design and location should be considered in terms of linkages to public facilities requiring pedestrian's access including schools, bus stops, post boxes and public telephones. Consideration is to be given to issues related to stormwater drainage, e.g. Avoiding the positioning of gully grates in front of pram ramps.

Footpaths should be free of obstructions wherever possible. Poles and planting should be located in the verge area, unless pre-existing within the footpath alignment and relocation cannot be achieved. Street furniture must be located in a widened section of footpath and out of the direction of the trafficable walkway.

Where obstructions cannot be removed they should be contained within a consistent line for the benefit of visually impaired pedestrians.

Ideally, the minimum clearance from obstructions along the footpath should be 1200mm to ensure universal access is maintained.

Where possible, footpaths are to be constructed to ensure they are clearly differentiated from non accessible areas such as roadways, car parks or wide crossovers. This is to be achieved by using a different surface treatment and a clearly defined edge.

In order to minimise maintenance requirements, where a narrow strip of soft verge (nature strip) less than 500mm wide exists on either side of the footpath, this strip shall be sealed with a hard surface (pavers, concrete, etc.). For the same reasons, footpaths in roads under the management and care of Main Roads Western Australia shall be negotiated with Main Roads WA regarding its width and ongoing maintenance.

4. Temporary Pathways

A safe passage of movement is to be provided where footpaths are obstructed as a result of public or private construction works. This may be achieved in the following ways:

- In accordance with Main Roads Traffic Management at Roadworks guidelines and Australian Standards 1742.3
- Where possible, temporary is to be constructed in accordance with the access requirements contained within this policy, including the provision of continuous and level routes, kerb ramps and minimum clearances

Adequate warning regarding any obstruction must be provided.

5. Tactile Ground Surface Indicators – (TGSI)

Tactile pavement markers are to be installed on new kerb ramps and median island crossings at the following locations:

- Local centres, shopping precincts, community centres and adjacent to seniors residential centres, schools and colleges
- On all major routes leading to these centres

Retrospective installations will occur where a request has been made by a member of the community and budget allocation allowance.

Tactile indicators are to be accurately aligned to direction of travel for pedestrians, and not aligned with the adjacent kerb paving pattern.

Tactile indicators should be installed in a contrasting colour to the adjacent footpath.

6. Vehicle Crossovers

Crossovers are to be installed in accordance with council policy “4.2 Entries to Properties” which sets out the funding and construction arrangements.

7. Technical

Technical Notes and specifications should be prepared as appropriate to provide specific design and construction requirements for the following elements within the scope of a project:

- Kerb
- Pedestrian kerb ramps
- Vehicle crossover
- Service Pit covers

- Drainages grates & pits if within the footpath
- Tree pits and garden beds
- Existing trees within the verge area
- Development assessments
- Heritage

8. Footpath standards for Moora CBD

Street Type	Criteria	Recommended Material
Special use local centres	High volume and frequency of pedestrian traffic The need to present a differing product and high quality presentation for special areas	To be designed as part of a Local Centre master plan and may include: <ul style="list-style-type: none"> • High quality pavers
Residential Streets	Provide a connecting network of footpaths consistent with use	<ul style="list-style-type: none"> • In-situ concrete brush finish
Cycle Routes	Meet the requirements of the Shire of Moora Bicycle Network Strategy Plan	<ul style="list-style-type: none"> • Ideally 2500mm – 3000mm wide in-situ concrete – brush surface finish • Minimum 1800mm wide • Asphalt – where already existing
Parks & Recreation	Pedestrian volumes and types Park character – to enhance a special feature within the park	<ul style="list-style-type: none"> • In-situ concrete with brush surfaced finish
Development Sites	Non standards materials – approval is subject to individual project assessments. An appropriate maintenance and material replacement bond, an agreed maintenance and auditing programs will need to be provided and Differential or Specified Area Rates will apply	

9. Intervention Levels

Footpaths are condition rated, a risk and deterioration based assessment. Where the condition rating of a footpath falls between 6 and 10 on the ten point footpath condition rating scale, it will be placed on the Planned Replacement Programme

See Appendix B for the Condition Rating Scale

10. Specified Precincts

For areas where there are narrow streets and footpaths in place, a holistic approach is taken. An area may be mapped out and designated as a Specified Precinct, and disability access provisions are made for the one route running North to South, and one route running East to West. The remainder of the narrow pathways can be kept or renewed in their current form as appropriate, and so as to be sympathetic to the surroundings.

Appendix A Heritage considerations

This Appendix is specifically designed for suburban streets or areas where heritage considerations may apply, particularly within the Central Business District.

An assessment will be conducted noting:

- Number of places listed on the Municipal Heritage Inventory
- Whether any other aspects of the visual setting exist, such as bulk, form, character, colour etc.
- Whether any characteristics consistent with the heritage setting exist such as trees, kerbing or wide verges

Based on the above criteria, a recommendation will be made in regards to the footpath width and footpath materials.

Only new footpath replacement projects will be considered under the Heritage Considerations (Appendix A).

Existing concrete footpaths will not be replaced unless they have been identified for replacement in accordance with the priorities outlined in the footpath replacement program.

Where a heritage street section has been identified then one side of the street may still contain a footpath with a minimum width of 1500mm. the other side may be constructed at 1200mm as identified by the criteria.

Heritage Considerations (Appendix A) – Footpath Assessment Form

Street Name: _____ Direction _____
(Direction – North/South/East/West)

Between: _____ & _____

1. Are more than 50% of the properties within the street section listed on the Municipal Heritage Inventory?
YES ☐ NO ☐
2. Describe any other aspects of the visual setting such as siting, bulk, form, scale, character, colour, texture and materials that support the features listed on the Municipal Heritage Inventory

3. Describe any other characteristics that are consistent with the heritage setting such as trees, kerbing and wide verges

I have inspected the footpath on _____ and have ascertained that the criteria **IS / IS NOT** consistent for the Heritage considerations for the purpose of upgrading the footpath. The footpath treatment (based on the Suburban Footpath Policy) for this street section is: _____

Signed: _____ Date: _____

Print Name: _____

Appendix B

Footpath Condition Rating Scale

Status	Grading			Description
Monitor	0%	0	New	New footpath installed, or recent rehabilitated to new condition
	10%	1	Near New	Near new footpath, with no observed defects. Footpath designed to meet current standards, well maintained, no maintenance required. Often moved to Condition 1 status based upon the time since construction, rather than observed condition decline
	20%	2	Excellent	Excellent footpath, only very slight condition decline visible, but obvious that the asset is no longer in new condition
	30%	3	Very Good	Very Good footpath, but with some early signs of deterioration evident. Deterioration to footpath still very minor in nature and causing no serviceability problems. Designed to current standards
	40%	4	Good	Good overall footpath condition but with some obvious deterioration evident, slight impairment to serviceability
	50%	5	Fair	Fair overall condition of footpath, but with obvious deterioration and some loss to serviceability
Replacement Programme	60%	6	Fair to Poor	Fair to poor overall condition, with obvious deterioration, affecting the serviceability of the footpath. Maintenance cost increasing
	70%	7	Poor	Poor overall condition, severe deterioration starting to limit the serviceability of the footpath, with high maintenance costs
	80%	8	Very Poor	Very Poor overall condition with serviceability being heavily impacted upon by the poor condition. Maintenance costs are very high, and the footpath needs rehabilitation
	90%	9	Extremely Poor	Extremely Poor overall condition, with severe serviceability problems, footpath requires immediate rehabilitation. Could be a risk if it remains in service
	100%	10	Failed	An asset that has Failed, is no longer serviceable and should not remain in service. There would be an extreme risk in leaving the footpath in service

4.6 Donations of Work to Organisations

1. Council plant and equipment may be used by sporting organisations and other local non - profit organisations/clubs at the discretion of the CEO, free of charge, including fuel, outside normal working hours where the plant and a Council operator are available. The borrowers are required to arrange remuneration of the operator if required (Council is making the plant available which must be operated by a Council operator while the plant is being made available)
2. the value of the Council in-kind donation of plant (plant hire) be accounted for in the usual way and charged to donations.

4.7 Private Works

That Private Works only be carried out where -

- (a) the Works and maintenance program will not be adversely affected unless Council believes the advantages of carrying out the private works justifies some reassessment of the works programme.
- (b) full costs including supervision and administration costs are recovered through private works charge rates to be set annually in the budget.
- (c) agreements for private works are made in writing and signed by the person requesting the works. Where deemed necessary prepayment may be required before the commencement of work.

4.8 Council's Heavy Transport Vehicle Policy

Council's Policy which allows various heavy vehicle configurations to travel on designated roads is detailed as under -

The conditions as under form part of the policy

1. The Main Roads issues permits in accordance with this Policy, which means that the contractor/owner does not have to contact the Shire Office.
2. Adjoining landowners to excluded roads may apply to Council for one-off approval to cart to or away from their property.
3. Should heavy seasonal activity or weather conditions cause damage to occur to a Council road then Council retains the right to temporarily remove that road from the list of approved roads.
4. Local vehicles requiring a MRWA permit are allowed access from the contractor's (Moora) depot to the permitted heavy vehicle route by the shortest practical route provided that such access is a bitumen road not less than 6.5 metres wide.

5. The route through Moora for vehicles requiring a MRWA permit must be via Clinch Street from Gardiner Street to Roberts Street, Roberts Street from Clinch Street to Dandaragan Street, Tootra Street to Gardiner Street.
6. Roads on which vehicles requiring a MRWA permit are not allowed to travel are those designated 'light traffic only' i.e., Madgingarra Road, Berkshire Valley Road.
NOTE: Applicable from 16 July, 1997.

4.9 Use of Council Plant at Fires

1. Requests for assistance and instructions can only come from the Fire Control Officer in charge of the fire.
2. Front end loaders and graders (which are not licensed to be driven on the road after sundown) can only be used for fire control during daylight hours.
3. Loaders and graders (which are machines with hydraulic controls) can only be used in open paddock situations which mean they cannot be driven into rocky, hilly bushland.
4. Shire water tankers must be parked in a safe area and used only for back up water supplies.
5. An operator has the right to refuse any instructions, which he feels would put himself and his machine at risk. Each machine shall be accompanied by a fire fighting unit when on the fire ground cutting breaks or carrying out other fire mitigation works.

4.10 Loan/Use of Council Plant/Equipment by Staff Members

1. No right exists for staff to borrow or use Council plant or equipment for non-Council or personal use.
2. On occasions it may be possible for Council to assist an employee by making an item of Council equipment available for a limited period for personal or community pursuits or purposes.
3. Use of any item of Council equipment for any non-Council activity without proper authority is not to occur.
4. Any such arrangement must be made through the Council Officer responsible for that item of equipment. This does not imply that every request will be granted. The authority and discretion in relation to making any item of equipment available rests with the officer in charge of that item of equipment.
5. Compliance with this direction by all staff members is essential.

SECTION 5

HEALTH

5.1 Food Sampling Policy

THAT the Food Sampling Policy be adopted as under-

1. In cases where foreign objects are discovered in the food the proprietor be given one warning, with all other cases of foreign objects being found in that premise's manufactured food resulting in automatic prosecution under the Health Act.
2. In all cases when an analyst's report indicates that meat (or other food) is substandard the owner or occupier of the food premises be given one warning with all future cases of substandard foods being subject to prosecution.
3. That a Register be kept recording all foreign objects found in food and all substandard food samples.

5.2 Sewer Connection Policy

That where a septic tank system or leach drain serving a property within the Moora Sewerage Area is in the opinion of the Manager Development Services defective or unable to handle the sewage produced on the property the owner be required to connect to the sewer forthwith.

Introduction/Background

Wastewater in the Moora Township is managed, treated and disposed of by Shire of Moora (SOM), in accordance to legislation. The Moora sewerage system consists of a combination of old and new assets with some dating back to the 1970's. The Shire of Moora operates and maintains its system of Pumping Stations, gravity mains and pressure mains; sewerage collection ponds and Reuse scheme. The Shire OF Moora will ensure that its dealings with the public are open and transparent. It is therefore required that a policy must be designed to manage and protect these essential assets and to comply with best practise management guidelines to ensure a high level of service for Moora residents.

Connecting to the reticulated sewerage system can reduce environmental and health risks to the community as they create less diffuse pollution of soils, ground waters and surface waterways than on-site septic systems particularly as Moora Townsite has a history of being flood prone. This policy will outline Council's steps towards maintaining its sewerage system at optimal conditions in order to provide high standard services. It will also provide alternative options for accessing to our services, in order to satisfy the needs of the whole community of the Townsite of Moora.

Our commitment to service

The SOM has a duty to provide a sewerage service to the community and will provide its service in a manner, which is fair, courteous and timely – with a focus on consultation with our customers, respecting your rights, and meeting your reasonable expectations.

Service we provide

The SOM will use its best endeavors to provide a service to collect, treat and dispose of domestic sewage discharged from each customers' property to the SOM sewer system. In addition, the Shire of Moora shall provide other services on terms agreed upon between the customer and the SOM.

The areas of operation of the Shire of Moora sewer scheme are as follows:

- Lots serviced by reticulated sewer mains in the town site of Moora. The area of operation of the Shire of Moora is as indicated on Office of Water Regulation Plan Number OWR-OA-058/2 (B), as issued by the Economic Regulation Authority. The plan is available for inspection at the Office of the Economic Regulation Authority Level 6, 197 St Georges Terrace Perth and the Shire of Moora Administration Offices 34 Padbury Street Moora.

How to contact us

Account and General Enquiries (including application for connections)

Postal Address: PO Box 211, Moora WA 6510

Office Hours: 8.00am to 4.30pm

Telephone number: (08) 9651 0000

Facsimile number: (08) 9651 1722

Sewerage Maintenance Supervisor (08) 9651 0088 – To report a sewerage blockage.

Contact officer: Manager Development Services

Email: mds@moora.wa.gov.au

Faults and Emergency assistance

The Shire of Moora maintains a 24-hour emergency service for emergency events, such as an overflow from a sewer. The fault reporting and emergency customer service telephone number is (08) 9651 0088.

Note: Blockages and faults which occur inside the property line and before the connection point are the responsibility of the landowner/occupier of the property.

Purpose/Objectives/Contact Details & Methods of Payment

Shire of Moora's policy objectives are:

- To protect Public Health
- To guarantee that appropriate and reliable sewerage services are properly looked after, maintained and provided in order to protect the health and amenity of our shire residents.
- To provide the basic requirements for connections applicable to residential dwellings and subdivisions, as well as commercial and industrial buildings.

- To ensure that appropriate sewerage main connection and/or sewerage bacteriolytic disposal requirements as approved by the WA Health Department are put in place to all properties in the shire.

Your rights to industrial and commercial wastewater service

Industrial and commercial wastewater may be accepted for discharge to the SOM's wastewater system subject to compliance with the SOM requirements. An agreement with a customer for industrial and wastewater services to be provided by the SOM shall be documented in an industrial waste permit issued by the SOM.

Your rights in relation to sewage spills

If a sewer overflow occurs on your property due to failure of the Shire of Moora's sewer scheme, representatives of the SOM shall be on site as soon as possible and within two hours of being notified. Action shall be taken to restore the service, clean up the affected area and minimize any damage or inconvenience.

Your rights to consultation and information

The SOM is committed to involving its customers in issues relating to its programmes and services. Community involvement in the SOM's service planning and decision making processes will be sought through forums such as focus groups, customer surveys, and displays at local functions. The SOM will use local media bulletins to advise customers of any system change that may result in significant variation in its service levels.

The SOM will publish, and make available at its premises, information on matters relating to its wastewater services and on other aspects such as charging and complaints handling. Information regarding these matters can be obtained from the SOM's business office at 34 Padbury Street Moora.

The SOM's representatives will provide identification, their name and section when engaged in business discussions with customers.

Your rights to assistance, redress and compensation

If the SOM's activities have caused damage to your property or disruption to you, such as a sewer overflow, the SOM shall deal with the matter in a fair and business-like manner, whether or not a complaint is received. The SOM may rectify damage and, as necessary and reasonable, compensate you subject to any relevant Act.

Charges and accounts

Statements of account for outstanding charges are issued on a regular basis. In addition the SOM shall supply additional statements of account on request and a fee is charged for this service.

Utility service availability and other charges are made against the owner of the land to which services are available or supplied and are the responsibility of the property owner. A property owner is responsible for payment of the charges set by the SOM as applicable to the property.

An account shall be regarded as having been delivered when it is transmitted to a property owner at the address notified to the SOM by the property owner or the property owner's agent. It is the property owner's responsibility to notify the SOM of any change of address.

If an error is made in the charges which results in a customer paying less than the correct amount, the customer may be required to pay the correct amount upon request.

The SOM may charge interest on overdue accounts as prescribed by By-laws made under the Water Agencies (Charges) By-laws 1987. Also, if a customer's cheque is not honoured for any reason, the SOM may pass on any costs incurred.

The SOM can make special financial arrangements to assist customers experiencing hardship in the payment of their accounts (Refer Shire of Moora Financial Hardship Policy). Information on these options is available from the SOM's offices or by calling the telephone numbers shown on your account.

If an error is made resulting in a customer paying more than the correct amount, the excess amount shall be held in credit for a future charge, or refunded, at the direction of the customer.

The SOM has the discretion to make refunds, adjustments and waive or defer payments.

Connecting to our services

Applications for wastewater service connections should be made at the SOM's business office. These applications must be accompanied by the related building plans. Single applications for approval shall be processed on receipt at the SOM business office. Multiple applications shall be processed with 14 business days of receipt.

Where the SOM wastewater reticulation main is available to your land and has the capacity for the required service, the SOM shall, on application by you, approve connection to the wastewater system, under the terms and conditions set out in this Policy, the Operating License and the Water Services Act 2012 or other relevant Acts.

Where a junction to an available sewer does not exist, a junction may be provided by the SOM, by arrangement with the licenced plumber installing the property sewer. No fee applies where a service availability charge has been applied to a property, except for property subject to redevelopment.

If the SOM wastewater system is available to a property i.e. within 91 metres of that property, which produces or has capacity to produce wastewater, it is a requirement for the property owner to connect to the system.

Disconnection

If the wastewater service is no longer required by you, a disconnection from the SOM service may be approved provided that;

- The SOM is first notified of the intention, and
- A fee is paid to the SOM which shall arrange the disconnection, and
- The property has no further wastewater disposal requirement and
- The disconnection is carried out by a licensed plumber

In most circumstances, disconnection of a wastewater service does not terminate this Policy. The SOM is required under 'the Water Services Act 2012 and Operating License to levy a service availability charge to the owner of land (including vacant land) where wastewater services are available for connection. The Policy is void if there were no services available and no charges levied.

Enquiries, suggestions, complaints and disputes

The Shire of Moora values your enquiries and suggestions on ways it can improve its services. If you have an enquiry or suggestion you can telephone the Shire of Moora on 08 96510000 during business hours. You will receive prompt, courteous and helpful reply and will be told who is handling your enquiry.

Telephone calls to the emergency numbers shall be answered promptly and advice of action to be taken and timing given within one hour of your call. General written correspondence will be replied to as soon as possible within 10 business days. Over the counter and telephone enquiries will be responded to within 48 hours.

When you lodge a complaint, (either in writing or verbally) the SOM shall address the issue in a timely and efficient manner. A representative of the Utility shall respond in person within 5 business days of a complaint being lodged. Where this response advises the need for further assessment you shall receive a written reply within 10 business days.

If the matter has not been resolved to your satisfaction within 21 days, you may refer the matter to the Department of Water. The Department of Water will seek a detailed explanation of the nature of the complaint, the solutions or actions offered by the SOM and the reasons why these are not acceptable to you. The Department of Water will respond with its opinion on the matter and suggest a solution to the parties involved. Contact details for the Department of Water are as follows:

Department of Water
The Atrium 168 St Georges Terrace
PO Box K822, PERTH WA 6842
Tel: (08) 6364 7600 Fax: (08) 6364 7601
www.water.wa.gov.au

If you remain dissatisfied with the outcome, you may submit the matters to arbitration by Energy & Water Ombudsman Arbitrator operated by the Economic Regulation Authority. The Arbitrator's decision,

including award of costs, shall be binding on both parties and will preclude further action on the matter. You may elect to bypass the arbitration process and take legal action to resolve the matter.

Service we provide

Subject to the Water Services Act 2012 and the Water Agencies (Power) Act 1984 ('The Water Acts') the SOM shall provide a service for the removal, treatment and disposal of wastewater under the terms set out in this Policy and the Operating License. In certain circumstances, the Shire of Moora may supply water for purposes other than drinking (e.g.; treated effluent) in a manner agreed with the customer.

The SOM shall test and dispose of wastewater in an environmentally responsible manner. All wastewater treatment plants shall operate in accordance with the license conditions set by, and or agreements with, the Department of Environment and Conservation.

Occasionally some odours occur in the treatment plant and these may affect nearby residents. The SOM shall respond to complaints of odours by investigating the report and advising the customer of the outcome within one day.

The SOM will use its best endeavors to provide a service to collect, treat and dispose of domestic sewage discharged from each customers' property to the SOM sewer system. In addition, the Shire of Moora shall provide other services on terms agreed upon between the customer and the SOM.

The areas of operation of the Shire of Moora sewer scheme are as follows:

- Lots serviced by reticulated sewer mains in the town site of Moora. The area of operation of the Shire of Moora is as indicated on Office of Water Regulation Plan Number OWR-OA-058/2 (B), as issued by the Economic Regulation Authority. The plan is available for inspection at the Office of the Economic Regulation Authority Level 6, 197 St Georges Terrace Perth and the Shire of Moora Administration Offices 34 Padbury Street Moora.

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Sewerage Maintenance Supervisor (08)96510088 – To report a sewerage blockage.

Contact officer: Manager Development Services

Email: mds@moora.wa.gov.au

Methods of Payment

Payments can be made by all normal methods of payment e.g. EFT, Cash, Direct Debit, Credit Card & B Point. Payments in advance will be accepted upon request. Accounts will in the event of hardship be redirected to address of choice.

Financial Hardship Policy

Shire of Moora has a financial hardship policy to facilitate owners having problems paying accounts. Please ask for information.

Complaints Policy

SOM has a Complaints Policy for dealing with complaints regarding sewerage. Policy is available for download on its web site www.moora.wa.gov.au

STATEMENT

Shire of Moora as the owner of the sewerage system is responsible for the condition of its gravity and pressure sewerage system and it has a duty to provide a sewerage service to the public of the Town Site that is economical, cost effective and at a price to the user that is not too onerous.

The public of the Town of Moora is entitled to have a sewerage service that is well maintained, operates free of obstructions and blockages and is reliable throughout the year. Moora Shire is developing projects to identify and address critical unsewered areas as well, proposed areas for developments, where access to the sewer main is currently difficult and unfeasible.

The Health Act 1911 Section 81.1, states that properties located within ninety one (91) metres to the Shire sewer main, are liable to pay connected sewer rates and can be forced to connect to the reticulated sewerage system. In order to diminish and eliminate any harm to public health, safety and the environment risks associated with sewerage connection as well as to comply with relevant legislation, Council therefore will:

- a) Monitor and maintain Shire of Moora sewerage system as well as undertake the treatment and disposal of waste water for the community.
- b) Undertake upgrades to sewerage system management assets, to ensure continuous improvement to the sewerage system. It is council's endeavour to achieve standards specified by legislation.
- c) Gradually and if viable serve areas that are currently not connected to its sewer system. Priority would be given to areas with public health or environmental risks as well as areas with future potential for expansion and development.
- d) Once approval for sewerage connection has been given, it is the property owner or developer's (applicant) responsibility to contact Moora Shire Council, prior to construction of the works to arrange for sewerage connection points to be established.
- e) Where physically feasible, all applications for connection will be required to meet Plumbing Code of Australia requirements and the requirements of this policy.

Our Powers

Entry to your property

The circumstances in which the SOM's representatives may enter your property to carry out investigations and/or work on the SOM wastewater system, are set out in the Health Act 1911, Water Service Licensing Act (1995) or other relevant Acts. Any such entry shall normally occur during business

hours, except in cases of emergency. For planned work within a property, the SOM or its representatives shall advise the occupier in advance. In cases of emergency, the occupier, if present, shall be informed of the repairs to be undertaken and the anticipated length of time for the work.

Rectifying defective work

If the Shire of Moora becomes aware of the presence of any defective or improper work forming part of your wastewater pipes and fittings which may impair the effective operation of the SOM's system, it may serve a notice requiring you to remedy any such defect or improper work within a specified time.

If the terms of the notice are not followed, the SOM may enter the customer's property to remedy the defective or improper work. This action, if taken, shall be in accordance with the relevant Acts and the full costs of any remedial work shall be charged to the customer.

Service interruptions

The Shire of Moora wastewater services are designed to be available 24 hours a day. However, the SOM may interrupt, postpone or limit its wastewater services to customers:

- If any part of works is damaged, for example, by bursting, blockages or breakdowns; or
- If it is necessary to inspect, maintain, repair or replace any part of works; or
- For connection of new works or services; or
- If an event occurs beyond the SOM's control, including acts by others, sabotage, flood, earthquake, power or water shortage or industrial action.

The SOM will endeavour to limit the length and occurrence of disruption of services. Except in emergencies, the SOM shall give notice to you of its intention to interrupt, postpone or limit the supply of services for the purpose of regular maintenance or works programs. Unless interruptions are limited to a few minutes, notification shall be given to domestic customers - at least 24 hours prior, and for commercial and industrial customers – at least 7 days prior or by agreement.

Maintenance

The SOM's wastewater services are provided from the point where the pipes serving your property connect to the SOM's wastewater reticulation main.

Wastewater reticulation mains (sewers) and associated fittings remain the property of the Shire of Moora whether or not they are located within private property. The location of these structures may be obtained from the SOM office. You are required to ensure that the SOM's pipeline and structures are reasonably accessible, are not interfered with, covered, built close to, built over, or damaged.

Prior to undertaking building or construction activity on land connected or capable of being connected, it is a requirement to gain the SOM's approval. In the first instance, you should contact the SOM office. Unauthorised property improvements that interfere with the Shire of Moora's assets may be required to be removed at your cost.

The SOM is responsible for the maintenance of sewer property connections where they are unable to be cleared or repaired from the inspection shaft – provided that the depth of the repair job is 2.5 metres or more, and/or the fault in the property connection is outside the property concerned.

You are responsible for all plumbing, pipes and fixtures on or serving your property to the point where pipe connect to the SOM's sewer property connection. Where the sewer property connection is at a depth of less than 2.5 metres and is situated within the property boundary, you are responsible for maintenance of the property sewer connection.

Discharge of Unauthorised substances

It is your responsibility to ensure that storm water (including roof runoff) and other unauthorised substances are not discharged into the SOM's sewers. Certain waste products are not suitable for disposal in the SOM's wastewater system because of their nature and ability to pollute. Some substances will damage the ability of the sewerage ponds to operate. Specialised procedures for disposal are required for substances such as:

- Cooking oil and grease – these should be placed in a container or wrapped and placed in the rubbish bin;
- Paint, paint thinners, dry cleaning fluids, engine oil, solvents, acids, alkalis, laboratory chemicals, kerosene, garden poisons, polishes or cleaning products – such substances should be recycled through the Industrial Waste Exchange (the Office of Waste Management, Department of Environment) or be deposited at a local council collection point for these materials; and
- Products like disposable nappies, panty hose, sanitary napkins, tampons, cotton buds, syringes, toilet deodorant packs and razors – these should be wrapped and placed in the rubbish bin.

Liability

The Shire of Moora is liable for any loss or damage that you may suffer:

- As a result of a breach of this Charter by the Shire of Moora, its servants or agents; and
- As the result of a negligent act or omission by the SOM, its servants or agents;
- As a result of the failure to meet standards prescribed by its Operating License or Water Services Regulations 2013.

POLICY

General

This following policy requires that all developments that have access to reticulated sewer be connected. Based on the premise above, all connections to Council's reticulated system will be approved and provided, subject to the following conditions:

- I. Connections to the sewerage system shall be in accordance with the requirements of:-
 - Plumbing Code of Australia 2012
 - Section 81.1 of the Health Act 1911 which states - Subject to the express provisions of section 72, when there exists in any district any sewer (whether constructed by or under the control of the local government or not) ready for use and suitable for the removal of sewage on the water-carriage system, then the local government may, by notice in writing, require the owner of any house or land situated in the district within 91 m of the sewer, and capable, in the opinion of the local government, of being drained into such sewer, to provide for the removal of sewage from such house or land, and for that purpose to construct and provide, within a time specified in the notice, such drains and fittings as the authority having control of such sewer shall deem necessary, and to connect such drains with the sewer.

- All applications: residential, commercial and industrial properties, for connections to, and extensions to the sewer mains, shall be dealt with by Council's Department of Development Services' authorised personnel.
- A sewerage main connection form is completed and signed by both parties and the appropriate payment is made in accordance with Council's fees and charges.
- No connection to Council's sewerage system is to be made until the house drainage is completed and sealed to ensure that there is no ingress of waste and/or storm water.
- Council require one sewer connection to each property.
- All new developments, within areas designated for future extension to sewer or close to such areas, shall be connected to sewer unless it can be shown that it is impractical or economically unfeasible to do so. Such developments shall only be allowed to proceed without connection to sewer when it can be clearly demonstrated that:
 - a) An alternative can be suitably provided (PSS, Septic tanks) at the cost of developer.
 - b) Council may accept the alternative proposal, only if the developer has the resources to properly manage such an installation.
 - c) The developer enters into an agreement (which is necessary on any subsequent owners) that the facility must be converted to full sewer service, when this becomes available and all of the appropriate contributions made.

Responsibilities

The property owner will be responsible for ensuring that:

- a) No trade waste enters Council's sewer system, without Council's approval (refer to the *Discharge of Liquid Trade Waste Policy*).
- b) Stormwater does not enter Council's sewer system.
- c) Seepage and subsoil water does not enter Council's system.
- d) The sewer main connection as well as appropriate pipe work and fittings are adequately protected.
- e) The inspection opening (IO) is readily accessible at all times and covered by a commercially available screw cap fitted proud of the ground level.
- f) Council will recover from the property owners any costs that Council incurs as a result of the following:
 - i) The property owner damaging any pipe work owned by Council.
 - ii) Council having to locate IOs that are not readily accessible.
 - iii) Council having to clear above ground obstructions located above a sewer connection point on private property.
 - iv) Council having to clear its sewerage system as a result of debris cleared from a property owners blocked pipeline and that debris being the result of damage from tree roots or other causes emanating from the property. The property owner will be required to adjust their own pipework at their own cost.

Blockages

- Where a private line has been cut into the Shire of Moora gravity main or Pressure main, any pipes and fittings on the owner's side of the cut in point of the Moora Shire Council sewer connection point including the Boundary Trap (BT) and the Inspection Opening (IO) are the responsibility of the property owner. This means any repairs, replacement or maintenance costs associated with these pipes and fittings are the responsibility of the property owner.

- Council will not be responsible to clear blockages in connections between the main and property boundaries.
- Residents are required to engage a private plumber to clear blockages on the property side of the connection point into Shire Gravity Sewer line.
- Where a Council tree is discovered or suspected to be the cause of a blockage, or is in such proximity as to be the possible cause of a blockage, the property owner shall refer the matter to Council.
- Shire of Moora will not accept automatic liability for either sewer pipeline clearing or pipeline replacement, and will investigate any claims that roots from trees that belong to Council may be blocking a line.

On Site Septic tanks

Council will only consider applications for the use of an appropriate on-site Septic Tank in areas where access to gravity reticulation main is not feasible.

Pressure Sewerage Systems (PSS)

Council will only consider applications for the use of an appropriate PSS in areas where access to the gravity reticulation main is not feasible.

Sewer Main Availability

Once sewerage service lines become available all existing 'Approval to Operate' on-site sewerage management systems have to be withdrawn from properties and disposed of as required by legislation.

If a property owner fails to make a commitment to connect to Moora's sewerage system the following forms of action may be taken by Council:

- a) A notice may be issued under the Health Act, requiring the owner of the property to connect to the sewer.
- b) An order, notice may be issued under the Health Act 1911, requiring the property owner to connect to Council's sewer main.

RELATED LEGISLATION

Health Act 1911

Draft Country Sewerage Policy

Water Services Act 2012

Environmental Protection Act 1986

Plumbing Code of Australia 2012

Local Government Act 1995.

SEWERAGE CONNECTION CONDITIONS

- All applicable fees and charges for the connection works shall be paid prior to application processing, or commencement of any works.
- The owner or the owner's agent (plumber) shall provide a minimum of five (5) working days notice of intention to commence sewer construction / alteration works. Major projects or complicated connections will require additional time.
- Connection is not permitted until after the completion of all underfloor / underground sewer drains.
- The plumber shall ensure that there is no damage to Shire of Moora's connection point and / or sewer, and that approved backfill is used and compacted within 150mm of the pipework.
- An inspection shaft shall be provided in accordance with Shire of Moora's standard plan. The inspection shall terminate at ground level and shall be finished with approved cover.
- Where a new point of connection is requested / required, Shire of Moora's operations will complete the connection to the sewer main.

Proposed Plans are required for;

- 1) Single Residential & Multiple residential occupancies (units etc.). A detailed plan of plumbing installations showing location of pipes, inspection openings etc.
- 2) Commercial / Industrial – A clear site plan of the proposed works to scale is required.
- 3) All operations are carried out in accordance with Australian Standards Plumbing Code.

Plans should include:

- 1) measurements and ties
- 2) Inspection openings and shafts
- 3) Underfloor drains
- 4) Location of existing sewer mains
- 5) Location of Man holes
- 6) Overflow relief gullies
- 7) North point & road names
- 8) Outline of block and buildings.

SEWERAGE CONNECTION APPLICATION

PROPERTY DETAILS

Street No: _____ Lot No: _____ Street: _____ Town _____
 Assess No: _____ Section _____

PROPOSED WORK : (Initial sewer plan required to be lodged for commercial & multi-units) Please tick all applicable boxes

Residential (Single) ☐ ☐ Residential (multi-unit)
 Commercial / Industrial * ☐ ☐ Commercial / Industrial * (multiple occupancy)
 Detail Type of Business (i.e. hairdresser motel etc.) _____

Type of Work (Please tick applicable) New Connection ☐

PROPERTY OWNER DETAILS

Name _____

Postal Address _____

Ph: _____ Mb: _____ Fax: _____ Email: _____

I hereby make an application to the Shire of Moora for consent to connect / alter/ disconnect on site sewerage plumbing at the property described above.

Signature of Owner (or Agent) _____ Date ____/____/____

PLUMBER DETAILS

Name: _____ License No: _____

Business Name: _____ Ph: _____ Fax: _____

Postal: _____ Email: _____

FEES and CHARGES

Wastewater / Drainage Headwork's Contribution Charges (no GST)	\$1,954.00
Connection Fee (no GST)	\$TBA

CONSENT: Consent is given to the Owner for the undertaking of the work described above.

Name of Authorised Officer _____ Date ____/____/____

Signature: _____

COMMENTS:

Completed Forms can be emailed to: mds@moora.wa.gov.au or projects@moora.wa.gov.au

5.3 Home and Farm Stay Accommodation-Cottage Industries Policy

That the following policy be adopted for Home and Farm Stay accommodation and Cottage Industries in residential premises.

1. That all Home and Farm Stays, which can accommodate up to four people must register with the Shire.
2. That all Home and Farm Stays which can accommodate more than six people must be registered as a 'Lodging House'.
3. Cottage Industries, which produce food to comply with the Food Hygiene Regulations 1993. Cottage Industries, which are deemed to be Home Occupations, are required to obtain Town Planning Approval.
4. The following condition will apply to food preparation in residential premises--
 - All food handling shall be in accordance with the Food Hygiene Regulations 1993-I

5.4 Complaints Handling Policy – Water Licence provisions

Purpose

Shire of Moora as a Water licence operator has an obligation and responsibility under its *Water Licence provisions* as determined by the Economic Regulatory Authority's *Water Act Guidelines* to provide a Complaints Handling Policy. This policy and procedure is based on *AS ISO 10002-2006: Customer satisfaction-Guidelines for complaints handling in organisations*.

Scope

This policy and procedure applies to any individual or representative that has communications with Shire of Moora. These communications include all public interactions with any Moora staff member and may be in any form i.e. written, electronic, verbal or face to face. These procedures have been developed to support and expand on the Shire of Moora Customer Service Charter.

Background

Shire of Moora is a Local Authority which leads integrated waste management and resource efficiency in the Shire of Moora through program delivery. This policy and procedure enables stakeholders to make complaints in regard to the standard of services provided by Shire of Moora under its Customer Service Charter.

Definitions

Australian Standard Australian Standard AS ISO 10002-2006 *Customer Standard-Guidelines for complaints handling in organisations*. This policy and procedure is based on the current Australian Standard.

Complainant	Person or entity affected by the action or inaction of Shire of Moora
Complaint	An expression of dissatisfaction with a specific action or service of Shire of Moora, including the failure by Shire of Moora to comply with provisions detailed in the Customer Service Charter. Simple complaints: can be actioned within five business days. Complex complaints: may require a more detailed investigation, requiring more than one person to review and may take up to 20 business days unless otherwise notified.

Internal Complaint Resolution Process

The way individual complaints are dealt with by Shire of Moora including the policy, procedures, practices and technology.

Complaints Register

An electronic database for recording details about complaints made to Shire of Moora.

Legislation

Not applicable

Policy Statement

Commitment

At Shire of Moora we are fully committed to providing an integrated complaints handling process.

If not satisfied with the Shire of Moora program delivery, service or advice the complainant has received; Shire of Moora will encourage feedback via the website. This will provide an opportunity to improve customer service.

Fairness

Shire of Moora recognises the need to be fair when dealing with complaints. We will be fair when dealing with complaints by ensuring Shire of Moora's values are reflected with all people.

Shire of Moora's values are aligned with its strategic values, these being:

- Responsiveness
- Integrity
- Impartiality
- Accountability
- Respect
- Leadership
- Human Rights

Responsiveness

In line with our values we are committed to dealing with complaints quickly, courteously and fairly within the following timelines:

- If the complaint is deemed to be a simple matter we will provide acknowledgement and outline the resolution within five business days of receipt of a complaint.
- If the complaint is more complex the complainant will receive formal acknowledgement, including proposed timelines for a resolution within at least five working days of receipt of a complaint. Results of the investigation may be:
 - provided within at least 20 business days, or
 - the complainant will be contacted if the complaint requires further investigation beyond 20 business days.

Privacy and confidentiality

You have the right to privacy. We respect the confidentiality of the personal information you provide to us and we will not disclose any information about you without your consent, except as permitted by law.

Shire of Moora collects and uses customer information in accordance with our Privacy Statement which is available from www.moora.wa.gov.au If you have any questions relating to the Privacy Statement or wish

to seek access to the personal information which Shire of Moora holds about you, please contact us by email addressed to: ceo@moora.wa.gov.au

Accountability

The Chief Executive Officer(s) is responsible and accountable for the review, allocation and follows up all complaints to Shire of Moora.

The Chief Executive Officer is responsible and accountable to oversee the Complaint Management process and to ensure that it is effectively managed and implemented.

Business improvement

Shire of Moora is committed to improvements in our business and service activities and where similarities of complaints are revealed investigations will be made to source reasons and in particular analysis will be undertaken to report and record complaint trends. A report on complaints received, actions taken and trends identified will be provided to the Council of the Shire of Moora bi-annually.

Unsatisfactory response

If the Chief Executive Officer considers that the proposed response to a simple matter is not adequate or satisfactory, they can:

- Require the relevant Manager to revise the response; or
- Conduct an internal review.

If the complainant is not satisfied with the measures taken in relation to a sewerage complaint, the complainant may refer the complaint to Water Ombudsman Western Australia.

www.waterombudsman.wa.gov.au

Access to this Policy

Internally, this policy will:

- be placed on the intranet where all staff can access it at any time;
- become part of the induction procedure when a new staff member commences work with Shire of Moora;
- be updated in accordance with Shire of Moora's Policies and Procedures

Externally, this policy will:

- be placed on the Shire of Moora website;
- be available in soft copy to be emailed upon request
- be available in hard copy to be mailed out upon request.

Related Documents

Customer Service Charter
Shire of Moora Sewerage Policy
Privacy Statement

Verification/ Authorisation/ Approved by

Alan Leeson; Chief Executive Officer

Document Control

Authorised by:	Date: 15/04/2015
Alan Leeson	

10. Document Change Control History

Version No.	Version Date	Review Date	Author	Nature of Amendment
1.0	15/04/15	15/04/2016	Peter Williams MDS	First draft

COMPLAINTS MANAGEMENT PROCEDURE

How can a complaint be registered?

Your complaint will be recorded into the Complaints Register and you will receive a response acknowledging receipt.

If you have a complaint in relation to any communications with Shire of Moora, you can contact us and provide details of the complaint through any of the following channels.

(i) Mail:

Chief Executive Officer
Shire of Moora
PO Box 211
Moora WA 6510

(ii) Electronic:

- (a) submitting a [Customer Feedback Form](#)
- (b) email: cso@moora.wa.gov.au

Tender complaints & Sewerage Complaints: must be submitted in accordance with this procedure in writing immediately upon the cause of the complaint arising or becoming known to the tenderer/respondent. The written complaint must set out:

- (a) the Tender name and number/or sewerage address
- (b) the basis for the complaint (specifying the issues involved);
- (c) how the subject of the complaint (and the specific issues) affects the person or organisation making the complaint;
- (d) any relevant background information; and

- (e) the outcome desired by the person or organisation making the complaint.

Internal Review

If the complainant is unhappy with the way in which their complaint was handled or with the outcome they will have the right to request an internal review.

The Chief Executive Officer will undertake the investigation or assessment to determine whether or not an alternative action is appropriate.

The internal review will be completed and the complainant informed in writing within 20 business days of the request. If further time is required, the Manager State-wide Engagement will advise the complainant in writing.

All internal reviews will be subject to the satisfaction and endorsement of the Chief Executive Officer.

If the complainant is a sewerage matter and is still not satisfied, the complainant may refer the matter to Water Ombudsman WA.

Accountability

The Chief Executive Officer is responsible and accountable for the review, allocation and follow up of all complaints to Shire of Moora, in particular, they will:

- Coordinate the internal complaint resolution process and is the contact for external stakeholders.
- Review and amend written responses for consistency, accuracy and completeness.
- Seek advice from the Chief Executive Officer or Executive Team where necessary to resolve a complaint.
- Report to the relevant manager on complaint outcomes and make recommendations based on complaint data and trends.
- Ensure that the Complaints Management Policy and Procedure is updated as per Shire of Moora Policies and Procedures.

Internal Complaint Resolution Process

1. Complaint received (mail, email)
2. Complaint details will be entered into Complaints Register.
3. The Chief Executive Officer will:
 - a) prepare a letter or email of acknowledgement within five working days advising the complainant (i) which Department and Manager is handling the complaint and that they may be contacted regarding the complaint by the Manager.
 - b) record all correspondence regarding the complaint in accordance with Shire of Moora's [Privacy and Confidentiality Policy](#).
4. Complaints will be investigated in the following ways:
 - a) *Simple matters*: the Chief Executive Officer will assign the complaint to the relevant Manager for action and resolution with the complainant receiving details of the resolution within five business days of receipt of a complaint; or
 - b) *Complex matters*: the Chief Executive Officer will refer the complaint to the Manager of the relevant department for internal review. Results of the investigation will be provided (i) in writing within 20 business days or (ii) the complainant will be contacted should the complaint require further investigation beyond this period.

- c) Where an internal complaint may involve (i) a Chief Executive Officer, (ii) Manager, Development Services or (iii) Manager Technical Services then the complaint may be made directly to the Chief Executive Officer who is responsible for delegating the investigation to responsible officers.
 - d) *Procurement complaints:* The Chief Executive Officer will refer the complaint to the Deputy Chief Executive Officer who may appoint an independent investigator to review the complaint. The independent investigator may contact the complainant to obtain further information to enable the proper consideration of the complaint. Results of the investigation will be provided (i) in writing within 20 business days or (ii) the complainant will be contacted should the complaint require further investigation beyond this period.
5. Where there are insufficient details for an investigation to commence, the Chief Executive Officer will contact the complainant to clarify or obtain relevant information.
 6. On completion of the investigation the relevant Manager or Chief Executive Officer will submit a report to the Chief Executive Officer including the following information:
 - a) details of the complaint
 - b) the names of persons interviewed
 - c) the conclusion reached and any action that was taken or that is to be taken as a result of the complaint.
 7. A letter of response and actions undertaken will be sent to the complainant within the recommended timeframe by the Chief Executive Officer.
 8. If the complainant is not satisfied with the outcome of the complaint and subsequently advises Shire of Moora then the complainant will be advised that they may refer the matter to Local Government Minister or in the case of sewerage complaints the Water Ombudsman WA.
 9. The Shire of Moora CEO will liaise with Minister for Local Government/ Water Ombudsman following the escalation of a complaint.

Definitions

Australian Standard	Australian Standard AS ISO 10002-2006 Customer Standard-Guidelines for complaints handling in organisations. This policy and procedure is based on the current Australian Standard.
Complainant	Person or entity affected by the action or inaction of Shire of Moora
Complaint	<p>An expression of dissatisfaction with a specific action or service of Shire of Moora, including the failure by Shire of Moora to comply with provisions detailed in the Customer Service Charter.</p> <p>Simple complaints: can be actioned within five business days.</p> <p>Complex complaints: may require a more detailed investigation, requiring more than one person to review and may take up to 20 business days unless otherwise notified.</p>

Internal Complaint Resolution Process

The way individual complaints are dealt with by Shire of Moora including the policy, procedures, practices and technology.

Complaints Register

An electronic database for recording details about complaints made to Shire of Moora.

Appendix A Recording of complaints

Officer's Name (receiving complaint) : _____

Officer's Title/Section & Division: _____

Location/Address: _____

Date: _____ Time: _____

Form of Complaint (Tick): Written___ Verbal (Phone)___ Verbal (Face to face)___

Name and contact details of complainant: _____

Brief description of complaint including services or practices complained about:

1. Referred to relevant Manager for local resolution: Name of Officer/Title/Branch
Manager Name: _____

Branch : _____

Date _____

3. Referred to CEO for allocation: Yes/No

4. Escalated to relevant Manager: by whom/date/to whom:

Name: _____

Date: _____

5. Notified CEO to Information & Privacy for registration in

Complaints Register: Date _____

Due Date to Complainant (20 working days of Receipt Date):

Date _____

Response Date (To Complainant): _____

Reason/s for extension in provision of response: _____

Summary of Response:

When the complaint is finalised send a copy of this form to CEO

Date _____

SECTION 6

BUILDING

6.1 Building near Sewers

That Council adopt WA Water Corporation policy regarding buildings in close proximity to sewers where all buildings are not to be built over sewers and are required to be maintained at least two metres from any sewer main whether it is Council sewer or private sewer.

6.2 Verandah Posts

Policy relating to erection of Verandahs and Verandah Posts in the commercial area of the Moora Townsite.

1. Verandahs shall be erected within the commercial area of the townsite in accordance with Section 400 of the Local Government (Miscellaneous Provisions) Act, which, among other provisions states that the minimum height (at its lowest point) above the footpath of a verandah shall be 2.75 metres, including any advertising signboard.
2. Plans and specifications for the erection of a verandah/ verandah posts must be submitted to the Shire's Building Surveyor for issue of a building licence in the normal way.
3. In the interest of uniformity the dimensions of verandahs and verandah posts in the various streets shall be as under:-

STREET WIDTH	VERANDAH POST ALIGN	VERANDAH TREE ALIGN	STREET POST ALIGN	SEC POST ALIGN
Gardiner St East Side	3.8	3.5	4.8	4.8
South Padbury St West Side Between Clinch/Dandaragan	2.5	2.2	3.1	3.1
Dandaragan St South Side	3.7	3.4	4.5	5.1
Dandaragan St North Side	3.1	2.8	4.8	5.3
North Padbury St West Side Between Dandaragan/Moore Streets	2.8	2.5	No Trees	3.1

4. The minimum diameter of a verandah post shall be 100mm and while there is no stipulation in regard to style or design the posts must not have protuberances or edges, which may cause injury to the public.
5. Storm water down pipes may be affixed to verandah posts in such a way that Storm water will be discharged directly into the street gutter or underground drainage system.

There shall be no restriction in respect to the distance between verandah posts but the preference is to reduce the number of posts providing that load bearing requirements as per the Building Code of Australia are complied with and that in the case of adjoining properties a common post is preferred if agreed to in writing by both parties.

(NOTE: This Policy takes the place of Council's previous By-Laws relating to Verandahs and Removal thereof, which has been repealed)

6.3 White Metal

That the Policy in respect to the use of 'white metal' in concrete be that white metal is limited to carport, garage, shed floors (not load bearing footings) and that the limitations of white metal in concrete be made clear to the public.

6.4 Rubbish Tips

1. That builders depositing building materials on Council rubbish tips be charged a fee -

Per ordinary housing construction; and
Per major construction;

as determined from time to time in the budget.
2. That in the case of a demolition project the fee for depositing building materials at a tip be assessed by the Manager Development Services.

6.5 Outbuilding Policy Conditions- Cladding and Reflectivity

1. That a zincalume roof be permitted upon a proposed outbuilding on the condition that any complaints from neighbouring properties with relation to reflectivity will require the applicant to immediately paint the roof surface to prevent such reflectivity; and
2. The "Outbuilding" Policy be amended to require
 - a) That all outbuildings on residential zoned land be clad with colorbond on all wall surfaces

- b) Any roof pitch for a large outbuilding which exceeds 15 degrees be clad in colorbond
- c) Any justified complaints from neighbouring properties in relation to reflectivity will require the building's owner to immediately paint the reflective surface.

6.6 Town Centre Zones

1. The whole of any wall or building facing any street shall be constructed in brick, concrete or masonry, provided however that an owner, builder, or architect may apply to the Council for permission to use materials where it is satisfied that such use will not detract from the amenity of the area.
2. Any roof pitch for a large building that exceeds 15 degrees to be clad in colorbond to decrease reflectivity.
3. Frontages to main entrance to building are to be covered by a verandah with colorbond roofing or other structure approved by Council.
4. Car parking areas for developments in the Town Centre area to be concrete, bitumen sealed or paved to enable parking and disabled bays to be identified.
5. Landscaping plans are required to be presented with Development Applications.
6. Non solid fencing to street frontages and side boundaries in line and parallel with the front of the building. Non solid fencing is preferred by Council.

Council may require screen fencing for rear of premises consistent with the type of activity being carried out.

6.7 Outbuilding Policy - Maximum Size Of-

That Council's current outbuilding policy referring to square metreage of land and maximum size of outbuildings be partly amended in the following manner;

R2 - 5,000m² Lots - maximum size of outbuildings equals 200m²

R2.5 - 4,000m² Lots - maximum size of outbuildings equals 200m²

R5 - 2,000m² Lots - maximum size of outbuildings equals 150m²

R12.5 - 800m² Lots maximum size of outbuildings equals 100m²

R25/R30 - 320m² to 300m² Lots - maximum size of outbuildings at Council's discretion.

6.8 Land Fill

SITE FILL HEIGHT AND DIMENSIONS

1. **HEIGHT OF FILL** - To comply with Shire of Moora Town Planning Scheme (Amendment 10) Flood provision requirements. All footing trenches must be retained solely within the prepared sand pad and all footings must remain a minimum of 100mm from natural soil base. The finished height of any sand pad must be such that when completed it remains at least level with the maximum height of any established road access, but other factors which have to be considered are:-
 - a) Whether or not there is an established road, if not a level should be decided which will allow for the height of any road subsequently constructed,
 - b) Future possible extension to the building,
 - c) Installation of a Septic Tank/Leach Drain or connection to sewer.
2. **DIMENSIONS OF FILL** - All sand pads for all habitable buildings must be extended and compacted to an area at least 2m beyond that overall floor area of the proposed building(s), except that where the minimum distance between the edge of the floor (building extremity) is less than 2 metres that distance - the distance between the building extremity and the boundary shall be filled and compacted as stated previously.
 - a) **Blocks in Excess of 800m²** - All building sites in excess of 800m² in area must be filled to an area of at least 2m beyond the overall building floor area. The fill must slope from the established sand pad height away from the habitable building at a gradient of around 1 in 6.
3. The suitability and dimensions of fill remain at the discretion of the Building Surveyor. All stormwater runoff must also be retained onsite or directed into Council's drainage system.

Before commencing any filling of a block or preparation of sand pad for a habitable building, levels must be established and verified by the Building Surveyor individual cases will vary and in certain instances engineer's certifications may be necessary.

6.9 Construction of Outbuildings prior to Construction of Residential Homes

No out buildings are to be constructed on residential zoned land prior to the construction of a Class 1A or 1B building

and

That a Class 1A or 1B residence is to be completed to lock up stage prior to Council approving plans for a Class 10 outbuilding on the same lot, be adopted.

SECTION 7

PLANNING

7.1 Development across a Cadastral Boundary

That Council only give a development approval on more than one lot where the separate lots are amalgamated as a condition of planning consent, unless each of the separate lots can be independently developed without there being any inter dependence on any aspect.

7.2 Amusement Parlours

Council shall consider an application for planning consent to commence development of a "Place of Amusement" in the "Town Centre" under the terms of an "SA" use classification as stated in its Town Planning Scheme. The terms of Council's approval to such an application shall be valid for a period of one year only and thereafter the applicant shall re-apply for planning consent to commence development.

Council will only renew its approval to "Place of Amusement" after it has examined the application under the terms of an "SA" use classification, and where it is satisfied that the operation of the premises has been conducted such that:

1. The hours of operation of Amusement Parlours shall be within the times 10.00 am to 10.00 pm Monday - Saturday, 1.00 pm to 8.00 pm Sunday.
 - a) Amusement machines are permitted in cafes and delicatessens as an incidental use.
2. Adequate standards of cleanliness are maintained.
3. The premises shall be conducted in an orderly manner at all times - by an adult person, to ensure that -
 - a) A minor enrolled at a school shall not be permitted to operate an amusement machine during school hours. A minor of pre - school age shall not be permitted to operate an amusement machine unless accompanied by an adult,
 - b) No intoxicating liquor or any drugs shall be permitted to remain upon premises;
 - c) No gambling shall be permitted and no monetary prizes shall be offered as a reward for skill in playing any machine within the premise,
4. The maximum number of machines that can be installed in any premises will be limited by the available floor space. The Council requires that for every machine there will be five square metres of floor space available.

5. Provision shall be made for toilet facilities based on the number of people expected at any one time on the premises.

The calculation of the numbers of WC's and wash basins shall be as required by the Building Code of Australia.

6.
 - a) The annual licence fee shall for each amusement machine is to be determined in the budget from time to time-
 - b) The number of machines installed shall not be increased beyond the number shown on the licence unless written approval of the Council is obtained.
7. Noise is kept to an acceptable level and is not offensive to the adjoining premises. Amplified music is not allowed.
8. The conduct of patrons is of an orderly manner at all times.

7.3 Rezoning

That the bond and conditions applicable to Town Planning Scheme amendments (rezoning requests) be as under;

1. Payment of the Initial Application fee set in the Budget.
2. Affected residents being advised in writing of the amendment during any required advertising period.
3. A suitable sign being erected on the site during the advertising of the amendment, to Council satisfaction.

7.4 Keeping Horses and Hoofed Animals within Townsites

That the following policy applies to the Keeping of Horses and other Hoofed Animals on land within townsites in the Moora Shire.

1. In respect to a lot of land having an area of 10,000 square metres or less, a person shall not keep, or permit to be kept thereon, any hoofed animal being horses, cows, sheep, goats, donkey or such.
2. In respect to a lot of land exceeding 10,000 square metres in area, a person shall not keep any more than two such hoofed animals without having first received written approval of the Council specifying the number of such animals that may be kept thereon, but such approval may be cancelled by the Council in any case where, having regard to the circumstances, it is of the opinion that such cancellation is warranted.
3. A person shall not allow any hoofed animal to approach to within 20 metres of any dwelling whatsoever, or other building where food is stored or prepared, or to within 15 metres of

any street adjoining such property without having first received the written approval of Council specifying a lesser distance, but such approval may be cancelled by the Council in any case where, having regard to the circumstances, it is of the opinion that such cancellation is warranted.

7.5 Temporary Accommodation Policy - Special Rural and General Farming Zones

That, under the provision of Section 144 of the Health Act 1911 as amended, the Manager Development Services is delegated authority by Council to implement the following policy on temporary accommodation:-

- Sheds or outbuildings may be licensed as temporary accommodation during the building of a house.
- The following criteria are to be met at the time of approval:-
 - a) building plans must have been approved and a building license issued-,
 - b) the house pad must be laid within twelve months or the Manager Development Services must be satisfied that any delay is justifiable;
 - c) adequate sanitary conveniences are provided to the satisfaction of the Manager Development Services;
 - d) Council must be satisfied that there will be no undue delay in the completion of building a residence which must be completed within two years.
 - e) a potable water supply must be available.

Temporary accommodation permits be granted for 12 months. At the completion of 12 months it will be necessary to reapply to Council for permission to live on site; in temporary accommodation subject to satisfactory progress of the building as determined by the Manager Development Services.

7.6 Building and Development Control Strategies

1. Any proposed development within the high hazard (floodway) areas should have a hydrology assessment to determine its impact on flood flows and flood levels. Any development proposal found to have an adverse impact on peak flood levels at neighbouring properties should not be accepted. A suitably qualified neutral person such as a representative of Department of Water should make this assessment.
2. A letter from the Department of Water is required for each building approval within the flood zone (as depicted on the Town Planning map) with a Finished Floor Level (FFL) measurement.
3. For non-habitable dwellings such as sheds, industrial and commercial sites;
 - a) The minimum FFL should be 0.15m above the March 1999 Flood level.
 - b) Power points, electrical or data connections outlets should be installed 0.5m above floor level.
 - c) Windows should be installed no lower than 0.5m above the March 1999 flood level.
 - d) Septic tank disposal of waste should not be allowed when a connection sewer is available.

- e) Chemical storage areas should have a minimum FFL of 0.5m above the March 1999 flood level.
- f) Breather inlets to underground storage tanks should be 0.5m above the March 1999 flood level.

7.7 Agroforestry and Plantations

Background

Under the Shire of Moora Local Planning Scheme No. 4 ('the Scheme') planning approval is required for any proposed agroforestry or plantations; therefore this Policy has been developed as a guide for applicants and Council.

It should be noted that Council will have significant regard for the provisions of the Local Planning Policy however it is a guideline only.

Policy Basis

Clauses 8.7 of the Scheme provide for the preparation of Local Planning Policies. This Policy has been prepared in accordance with the Scheme.

Scheme Requirements

The Scheme does not specifically mention 'agroforestry' or 'plantations' however Council does, under Clause 7.1.1 of the Scheme, require planning approval for development of any land zoned or reserved.

It should be noted that the Scheme contains statutory requirements, and this Policy expands on and complements the existing Scheme requirements. The Policy cannot override any aspect of the Scheme.

Policy Statement

This Policy applies to all 'General Agriculture' zoned land in the Shire of Moora.

Policy Objective

- To actively encourage the integration of agroforestry and plantations with existing agricultural uses over the Shire as a complementary and ancillary use.
- To facilitate retention of traditional agriculture as the predominant use on the land.
- To support applications that actively integrates agroforestry or plantations with farms in recognition of the economic, environmental and social benefits.
- To encourage planting areas with linkages to existing remnant vegetation on the same lot or adjacent lots. Where appropriate encourage linkages with vegetation on adjacent reserves however consult with the relevant reserve authority or manager.
- To protect and enhance native vegetation, wetlands and water courses and assist in the reduction of salinity, waterlogging and erosion.
- To support continuing broad acre agriculture and production as the primary and priority landuse in the Agriculture zone.

- To generally discourage the use of whole farms for plantations (particularly where it contains a dwelling) unless the applicant has clearly demonstrated extenuating circumstances or provided significant justification warranting support for a variation to any aspect of the Policy.
- To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or of biodiversity conservation and management of reserves.
- To minimise the potential for any loss of population or agricultural land through the use of whole farms for plantations and encourage agroforestry or plantations that provide a supplementary income to farmers.
- To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or of biodiversity conservation and management of reserves.
- To achieve high quality fire management plans which are independent and self sufficient unless the relevant authority managing land outside of the application has endorsed a FMP which relies on external fire management methods (such as major protective burning of adjacent reserves).
- To encourage the selection of tree species that are complimentary to native remnant vegetation will assist in maintaining landscape function.

Policy Aim

- To clearly outline the existing Scheme requirements, land use definitions and assist applicants by providing general guidelines.
- To assist Council in determining applications for agroforestry and plantations by setting out matters Council will have regard for in assessing applications.
- To streamline the planning process in the longer term for applications that propose integration of plantings with existing farms / agricultural uses and that comply with the Scheme and local planning policy.

Planning Approval

Need for Planning Controls

- 1) There has been some concern raised by key stakeholders that landowners should be able to pursue agroforestry and/or plantations on their land without interference by local governments as they would normally do for any cropping or revegetation for land rehabilitation.
- 2) Whilst 'Extensive' Agriculture is a permitted use in the 'Agriculture' zone, there are planning controls over other rural uses including and not limited to Rural Industry. This is appropriate so that the Shire can examine relevant planning considerations such as the objectives of the zone, land use compatibility, buffers, amenity and other relevant planning issues.
- 3) There are landuse and community implications associated with agroforestry and plantation uses that are controlled through the planning process such as impacts on local roads for harvesting plantations, fire management, visual impact on any scenic routes, social impacts and concern over

potential loss of prime agricultural land. These are valid planning issues which are also recognised by the Western Australian Planning Commission (WAPC) in Planning Bulletin No. 56 (although this WAPC Policy is outdated as it does not specifically deal with carbon sequestration plantations which can represent a more permanent land use change).

- 4) With new emerging plantations for carbon sequestration there has been Council and community concern over the potential to develop significant areas or whole farms. Some applicants propose long term harvesting whilst other may not nominate to harvest at all (means the land may never revert back to agricultural uses.)
- 5) While no wide general community consultation has been undertaken by the Shire, there has been mixed views within Council and there is clear concern over the need for a local planning policy and the general issue of any potential for loss of population.
- 6) Whilst some of the issues are difficult to quantify this policy aims to encourage an integrated approach of plantings with more traditional farming or agricultural uses.

Statutory Requirements

- 1) Under Clause 7.1.1 of the Scheme all development on zoned land requires prior approval of the local government, unless specifically exempted under Clause 7.1.2
- 2) A planning application is required to be lodged for any proposed planting of trees for commercial use exceeding a one hectare area and would be construed as 'agroforestry', regardless of whether the trees are proposed to be harvested or not.
- 3) A planning application is also required for any plantations (involving planting areas of 10 hectares or more). This Policy proposes to process 'carbon sequestration plantations' the same as the more traditional 'plantations', as both are almost identical, and the only difference is that some applicants may not propose harvesting, or may only propose harvesting in the longer term (so it may be a more permanent landuse change).
- 4) Planning approval is not required for the planting of trees for land rehabilitation, salinity affected area, wind belts etc. which are not proposed to be used for any commercial use, production or carbon sequestration.

Definitions and Explanations of Landuse

Landuse definitions are contained in the Shires Scheme and are repeated in this Policy for ease of reference.

Agroforestry

- 1) Agroforestry is defined as:
 - a. *"means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare"*.

- 2) Agroforestry is the combining of agriculture and tree growing, to produce both agricultural products and tree products on a commercial basis. In some areas it is also known as 'farm forestry'.
- 3) Australian agroforestry produces a wide range of products, including energy, wood and fibre, eucalyptus oil and oil products, food, fodder and ecosystem services. It is considered that the carbon from tree planting for sequestration could also be reasonably considered as a 'tree product' and certainly the trees are used for commercial purposes.
- 4) Agroforestry by its very definition is a combination of commercial tree growing in addition to agricultural practices. This integrated approach is considered the most beneficial as;
 - Many forms of agroforestry result in the production of a wide range of products which in turn has economic benefits and can generate employment.
 - The use is compatible with continuing agriculture.
 - There are environmental benefits and the planting areas can be used to mitigate salinity, prevent wind erosion etc.
 - The planting areas are robust if harvested and land can be used for other forms of agriculture in the long term.
 - It provides alternative income sources and diversification of land use for farmers.

Plantation

Plantation is defined in the Scheme as:

"has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers".

Plantation is defined in the Code of Practice as:

"a stand of trees of ten 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/or environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantation. Implicit in this definition is the recognition that plantations will be harvested."

It is recognised that technically plantations involve the harvesting of trees. There are emerging new trends for plantations for carbon sequestration which may or not be planned to be harvested. Often applicants seek to keep their options for future harvesting open as part of applications.

In the absence of any other suitable land use definition, plantations for carbon sequestration will be processed as 'plantations' as it is essentially the closest definition to describe the use, and both have to comply with the 'Code of Practice for Timber Plantations in Western Australia'.

This approach will allow for flexibility in the future if sequestration plantings are harvested in the longer term. It also allows the Shire to include appropriate conditions on any development to require a future harvesting plan.

Plantations also have economic and environmental benefits similar in parts to agroforestry. Where harvesting occurs there are economic benefits associated with the timber industry, the creation of products and employment.

Even with carbon sequestration planting there is some employment associated with preparation, planting and ongoing monitoring. Farmers can receive economic benefits as these types of land uses provide an alternative income opportunity.

There are also environmental benefits similar to agroforestry such as salinity mitigation, reduction of water logging etc.

Existing Scheme Requirements

The Shires' Scheme is a legal document which already lists some matters to be considered when considering an application for planning approval.

When assessing a planning application for the development for 'agroforestry' or 'plantation' Council will have regard for the following matters:

- The Code of Practice for Timber Plantations in Western Australia 2006 as amended ('Code of Practice').
- Submission of a plantation management plan in accordance with the protocol in the Code of Practice.
- The need to encourage the commercial production of trees which is of significance to the national, regional, and local economy.
- The benefits of agroforestry and plantations in addressing land degradation including soil erosion and salinity.
- The role of agroforestry and plantations in protecting water quality and preventing adverse effects on groundwater recharge.
- The location of the land in relation to land zoned for residential, industrial and commercial uses.
- The suitability of the current and future road systems.

Policy Requirements

In assessing any application for agroforestry or plantations Council will have regard for the following matters;

Continuing Agricultural Activities

Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant land use with agroforestry or plantations as an ancillary and complementary use.

This Policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded. As a general rule the Shire will assess if a plantation area is 'ancillary' having regard for;

The area of each lot;

- I) The proportion or percentage of the plantation area on a lot by lot basis. Generally a 30-35% maximum planting area is encouraged, although each application will be assessed on its merits on a 'case by case' basis;

- 2) The extent of existing remnant vegetation areas; and
- 3) Whether a significant portion of each lot can continue to be used for agriculture.
- 4) Council will be able to clearly identify whether agriculture remains as the primary use, simply because detailed site plans are lodged for all applications and show the extent of planting areas.

This Policy aims to actively encourage the integration of tree planting with agricultural farms. Whilst there are other factors contributing towards reductions of rural population, the Shire wishes to ensure that new land uses do not exacerbate an existing ongoing problem.

Council will not generally support the planting of whole lots or farms for tree planting due to the potential for the displacement of agricultural pursuits and loss of agricultural land.

Variations

In dealing with this matter Council will have regard for any specific circumstances where a variation to this criteria 10.1 may be warranted, however in those cases the onus will be on the applicant to demonstrate the particular merits of a proposal or justification for an assessment on a 'whole farm' basis.

If an applicant seeks any variation or support for plantation areas on a 'whole farm' basis then the application should be accompanied by justification such as;

- Land Capability Studies;
- Farm Management Plan;
- Soil or water test results demonstrating areas not suitable for agriculture;
- Photographs showing shallow soils or rocky areas which visually demonstrate that the land is not suitable for agriculture.
- Demonstration that planting areas will have local environmental benefits for the specific location (refer 10.3). For example, larger planting areas may be warranted as block planting adjacent to a creekline, or for salinity prone areas.

More detailed information would be required to be submitted to justify such an application.

Location and Compatibility with Adjacent Land Uses

The larger scale plantations are encouraged to locate in rural areas located away from any main townsites, areas with smaller lot sizes that have potential for dwellings, and rural residential / lifestyle lots. Plantations should avoid locations near areas earmarked for future residential or rural development.

To reduce potential adverse impacts from inappropriate siting and development of agroforestry and plantations, Council will consider the following matters;

- 1) The proximity to any land zoned or earmarked for residential development, rural residential development or smaller lots with potential for dwelling development.
- 2) Separation distances between the proposed use and any commercial properties, or other areas such as public reserves, which may be sensitive to the exposure of pesticides (mainly if any aerial spraying is proposed).

- 3) Where harvesting is proposed, the suitability of the location in terms of the road network capabilities.
- 4) The visual impact if the plantation has potential to interrupt scenic views (particularly along main tourist routes). Scenic views should be protected, particularly along tourist routes or of specific landscape features.
- 5) Any strategic plan contained in a planning strategy or town site expansion strategy.
- 6) Impact on any tourist and recreation uses.
- 7) Proximity to any airstrips.

Proximity to conservation areas and reserves. Any plantation in close proximity to a reserve under the care and management of an authority (such as the Water Corporation, Department for Environment and Conservation or the like) will be referred to the relevant authority for comment. Council will have regard for the advice of the relevant authority.

Economic Benefits

Council will have regard for the economic benefits associated with agroforestry and plantations. Most tree planting ventures are commercial propositions therefore the majority will result in some economic benefits.

It is often difficult to quantify the extent of any economic benefits or long term local economic impact. It is also impractical to assess in a balanced way the economic benefits of a large plantation versus the economic benefits of a continued agricultural/ farm use.

It is a complex issue due to the many influencing factors such as type of products produced, prices available for products, changing economic climate, demand, expenditure in the local area, extent or use of local persons for employment, how much employment is generated by a use, whether local suppliers are used, extent of employment (may be for short specific periods), transport etc.

Detailed business plans, clear measurable evidence of economic benefits or expert economic analysis are generally not provided to the Shire.

The Shire can only consider economic benefits in the broader sense and an integration of land uses will likely maximise potential for retention of farmers/population, diversification of rural land uses, assist agricultural productivity and often provide a secondary income to farmers.

Environmental Benefits

Council recognises that there are a variety of broad environmental benefits associated with tree planting that have the potential to contribute to the security and quality of water resources and salinity management.

Agroforestry and plantations can benefit water resources by improving water quality in catchments affected by saline surface water, reversing dryland salinity and water logging by controlling groundwater levels and assisting in the control of soil erosion.

In considering and any variation to the Policy, Council will have positive regard for any specific environmental benefits to the development land and any application that;

- 1) Uses plantings on site to assist to mitigate salinity affected areas and demonstrates through soil analysis/mapping that there are salinity affected areas on the application land.
- 2) The use of native species is encouraged.

It is recognised that species that are native to Australia are often used (such as Mallee's) for carbon sequestration, due to their growth rates, stock resistance, ability to survive in medium to low rainfall areas and minimal ongoing management needs.

Where feasible (taking into account continuing agricultural activities), the incorporation of some endemic local species plantings is encouraged particularly in areas such as;

- Along watercourses including natural drainage lines and creeks.
- For rehabilitation of land unsuitable for agriculture, or to provide connections between existing remnant vegetation areas remaining on site.
- As a buffer or to expand / complement native vegetation corridors along Rivers.
- Along plantation edges adjoining conservation reserves or other Crown land.

The use of local native species is not compulsory however the Shire actively encourages applicants to look for opportunities to introduce species endemic to the area, especially for rehabilitation of creekline and watercourses. Where feasible, the introduction of some areas of local native vegetation is also encouraged as part of each application.

- 3) The use of planting areas to provide vegetation corridors, linkages to remnant vegetation or assist to protect remaining cropping/grazing areas on the same property from wind erosion.
- 4) The use of planting areas to protect or enhance water courses, reduce water logging in affected areas and improvements to an existing situation (such as fencing of watercourses from stock).
- 5) The identification and protection of any existing local native vegetation.
- 6) Where commercially possible a mixture of planting species is encouraged even if it is only for a portion of the overall planting area. For example, the predominant planting areas may be Mallee's but a mixture of local native species may be used along a creekline, as a wind break or adjacent to conservation / reserves areas.

Code of Practice for Timber Plantations in Western Australia (as amended)

In accordance with the Scheme Council will have regard for compliance with 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.

This Policy does not attempt to reiterate all of the requirements in the Codes of Practice however they should be addressed by each applicant.

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.

Fire Management Plans

Fire Management is an important issue which needs to be addressed as part of any new proposal, and applicants need to recognise that the Shire has limited resources when dealing with strategic Fire Management.

In accordance with the Timber Code of Practice a Fire Management Plan (FMP) will be required for all agroforestry and plantation applications.

Historically, there has been some 'generic' Fire Management Plans lodged with plantation applications and some have included information which is not relevant to the site (such as details for eastern states contacts). There is concern that each FMP needs to be written and tailored specifically for the property subject of an application.

As a minimum all Fire Management Plans shall be compiled by a suitable qualified or experienced fire consultant and;

- 1) Address the Bushfires Act (1954), the FESA Guidelines for Plantation Fire Protection 1998 (as amended)* and the local government firebreak notices.
- 2) Generally follow the format of the 'Model Fire Management Plan' contained in the FESA Guidelines however also include;
 - A bush fire hazard assessment using the methodology of 'Planning for Bushfire Protection' or detailed analysis of the risk of ignition.
 - A fire suppression response examining the ability of the local fire brigade to respond to a fire on the property, having regard for distance, existing available local equipment and the location of on site water supply.
 - Outline the owner's responsibilities, neighbour responsibilities, applicant responsibilities and Shire responsibilities.
 - Where land is owned by an 'absentee owner', implementation of the fire management plan needs to be addressed.
 - Owners may need to consider providing on site water trucks for use in the event of a fire having regard for the property location, and realistic fire suppression response.
- 3) Include a location/ context plan examining the surrounding land uses and identifying;
 - Other existing or approved plantations within the immediate vicinity.
 - Any significant surrounding industries or land uses which may impact on fire management such as Rural Industry (hay storage), wood stockpiling, fuel storage etc.
 - Identify any residential, rural residential or built up town sites located within one kilometre.
 - Identify nearby well vegetated areas or sources which may increase the risk of fire.

- 4) Include a Fire Management Plan (site plan) addressing the guidelines for 'fire prevention and suppression' contained in the Code and clearly show;
 - Compartments and compartment sizes.
 - Water supply / points
 - Location of any powerlines passing through planting areas or in close proximity to planting areas and / or proposed firebreaks.
 - Location of fire breaks. The site plan is to clearly distinguish between boundary firebreaks, strategic firebreaks, compartment breaks, fire breaks along public roads and fire breaks along powerlines using a colour coded legend.
 - Turnaround areas for emergency vehicles.
 - Location for emergency signage. All signage to be in accordance with the specifications / sizes outlined in 'Planning for Bushfire Protection' – AS 3.4.3(x).
 - Emergency access / egress points and internal access ways.
 - Existing or proposed gates where firebreaks/emergency accesses intersect with fencing that can accommodate a 3.4 fire appliance.
- 5) Identify the location of any existing structures and need for low fuel areas. FESA guidelines recommend;
 - A 50 metre distance between a planted area any structure
 - A further 50 metre pruned area and reduced ground fuel levels for 100 metres.
 - These are to be clearly shown in the FMP or on the site plan.
- 6) Comply with the minimum fire break standards outlined in the existing FESA 'Guidelines for Plantation Fire Protection' which are outlined below;
 - (i) 15 metres on the boundary of plantations
 - (ii) 6 metres between compartments of up to 30 hectares
 - (iii) 10 metres for compartments over 30 hectares
 - (iv) 15 metres for firebreaks adjoining public roads
 - (v) Fire breaks adjacent to powerlines to meet Western Power specifications.
- 7) Involve consultation with the relevant authority (such as Department of Environmental and Conservation; Water Corporation, the Shire or the like) where the land is adjacent to a reserve, conservation area or crown land. Fire Management Plans should be independently managed unless there is a formal written agreement from an adjacent reserve owner over issues such as major burning of land outside of the application.

It is recognised that many agroforestry applications are of a substantially smaller scale than plantations; therefore it may be onerous to rigidly apply the same firebreak specifications. The existing FESA Guidelines are orientated towards harvesting plantations and are under review. For any agroforestry application variations to the fire break requirements/widths can be considered if justified in a comprehensive Fire Management Plan.

Where an agroforestry applicant seeks to vary a firebreak width requirement, they should provide an explanation and justification as part of the application. In these cases the Shire will act on the advice of the local Chief Fire Brigade Officer and / or DFES.

**Note 1: DFES is currently reviewing the Guidelines for Plantation Fire Protection 1998.*

Water Quality and Buffers to Water Bodies (creek lines)

Adequate buffers are required between any plantation and watercourses on private land where the end use is not for public water supply. Buffers play an important role in maintaining water quality, protecting ecological values of waterways and preventing erosion or sediment movement.

The Timber Code of Practice recognises the need to protect water quality and cites that non planted buffers of 6 metres should be maintained from the edge of a watercourse. A 6 metre buffer is relatively minimal and is not considered adequate. The Timber Code of Practice also refers to the Department of Water's Water Quality Protection note however it is only in reference to public drinking water course areas.

The Department of Water (DoW) has a Water Quality Protection Note on '*Vegetation buffers to sensitive water resources*' which recommends the following minimum buffers;

- 50 metres for permanent water or greater ephemeral streams (intermittent) which can be reduced to 30 metres where the landowner uses a combination of practices (multiple contaminant barriers) to protect water quality.
- 30 metres for ephemeral streams and margins of water supply / drainage which can be reduced to 20 metres where the landowner uses a combination of practices (multiple contaminant barriers) to protect water quality.

The types of 'multiple contaminant barriers' listed by DoW include effectively trained operators, regular supervision of activities, quality assured contaminant processes etc. Copies of the DoW note can be obtained on www.water.wa.gov.au

Council will have regard for the recommended buffers by Department of Water and may refer any applications to DoW for advice where deemed appropriate. Examples of where referrals will occur include;

- 1) Any application proposing a buffer less than the generic 50 metres or 30 metres. This will allow DoW to consider lesser setbacks based on the nature of the watercourse, and any multiple contaminant barriers proposed by the applicant.
- 2) Any application where there is ambiguity on the plans over the exact buffer distances, or that does not clearly comply with the 50 and 30 metre generic buffers respectively.
- 3) Any application where the nature of the watercourse is unclear and it is considered advice is required from Department for Water for Council to make an informed decision and assessment.

Ultimately Council is the determining authority and can consider lesser buffers where sufficient justification is provided by the applicant. In considering buffers Council will also have regard for;

- The recommendations and advice of the Department of Water.
- Whether the development will result in significant revegetation of creekline using local native species or upgrading of existing vegetation corridors using local species and;
- The creekline and remnant vegetation along a creek is fenced for protection against grazing animals; and

- The applicant demonstrates significant environmental benefits which improve an existing situation such as combating erosion, mitigating salinity, stabilising banks etc. and;
- Whether the proposal substantially improves an existing situation and has an aerial spray application management plan.

Plantation Management Plan

The Council requires the preparation of a Plantation Management Plan to accompany applications in accordance with the protocol of the Code of Practice.

Appendix I 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, planting details, native vegetation management etc.).

The Suitability of the Current and Future Road Systems (for harvesting only)

Council needs to consider the adequacy of the existing road infrastructure to service any future harvest and will require the applicant to outline the preferred haulage routes to be used on public roads as part of the planning application.

In accordance to Appendix 3 of the Code of Practice, a Plantation Harvest Plan is generally produced in accordance with the haulage-management notification.

Council may also require a report on the general pre-condition of the main haulage roads as part of a Plantation Harvest Plan, and payment of a bond to cover any potential road damage.

In considering adequacy of the existing road structure and harvest plan, applicants and the Council shall have regard for any proposed use of Restricted Access Vehicles (larger than 19 metre semi-trailer, 42.5 ton). Main Roads WA has advised that roads not currently permitted for this type of vehicle will be required to be at a standard in conformance to Main Roads 'Guidelines for Assessing the Suitability of Routes for Restricted Access Vehicles' before MRWA can allow access by this type of vehicle.

Any application or Harvesting Plan with land parcels totalling 1000 hectares or greater and located within 10 kilometres of a state controlled road (refer Attachment 1) will be referred to Main Roads WA for comment, prior to determination.

Vermin and Weed Control

Council is mindful of the impact of agroforestry and plantation on neighbouring and surrounding property owners in relation to the possible spread of noxious and declared weeds, and invasion of native and feral animals.

The applicant is to prepare in consultation with the Department of Agriculture and Food WA and Department of Environment and Conservation a weed, native and feral animal control plan that will ensure that noxious and declared weeds are effectively managed on the property so that pests, weeds and native or feral animals are not invasive to adjoining properties.

Applications – Minimum Requirements

All agroforestry and plantation applications require planning approval under the requirements of the Scheme.

An application checklist has been developed for all agroforestry or plantation applications, and must be lodged with all application forms – Attachment 2.

Attachment I

**Plan showing areas where referral to Main Roads WA
will be required**

**(For land parcels totalling 1000 hectares or greater and within 10
kilometres of a state controlled road)**

Attachment 2

**Application Form to be lodged
With the Application Checklist**

Shire of Moora
APPLICATION CHECKLIST FOR AGROFORESTRY OR PLANTATION APPLICATIONS

FORMS	Applicant to tick	Office Use Only														
<p>A formal application must be lodged and signed by;</p> <p>1. The owner of the land as registered on the Certificate of Title.</p> <p>2. If the land is owned by a company, then it needs a minimum of one Director signature and company seal (if a sole Director); or a minimum of 2 Director signatures.</p>	<p>1. <input type="checkbox"/></p> <p>OR</p> <p>2. <input type="checkbox"/></p>	<p><input type="checkbox"/></p>														
CERTIFICATE OF TITLE	Applicant to tick															
<p>If there are any encumbrances registered on the Certificate of Title, then a copy of the Certificate of Title must be lodged with the Form 1 application. Encumbrances may include conservation covenants, easements, rights of carriage, and reciprocal rights of access, caveats and notifications. Titles can be obtained from Landgate.</p>	<p><input type="checkbox"/></p>															
PLANNING APPLICATION FEES (IN ADDITION TO BUILDING APPLICATION FEES)	Applicant to tick	Office Use Only														
<table border="0"> <thead> <tr> <th><i>Estimated Cost</i></th> <th><i>Planning Fee</i></th> </tr> </thead> <tbody> <tr> <td>Not more than \$50, 000.....</td> <td>\$132.00</td> </tr> <tr> <td>More than \$50, 000 but not more than \$500,000.....</td> <td>\$0.30% of estimated cost of development</td> </tr> <tr> <td>More than \$500, 000 but not more than \$2.5 million.....</td> <td>\$1500+0.24% for every \$1 in excess of \$500,000</td> </tr> <tr> <td>More than \$2.5 million but not more than \$5 million</td> <td>\$6300+0.20% for every \$1 in excess of \$2.5 million</td> </tr> <tr> <td>More than \$5 million but not more than \$21.5 million</td> <td>\$11300+0.12% for every \$1 in excess of \$5 million</td> </tr> <tr> <td>More than \$21.5 million.....</td> <td>\$31,100</td> </tr> </tbody> </table>	<i>Estimated Cost</i>	<i>Planning Fee</i>	Not more than \$50, 000.....	\$132.00	More than \$50, 000 but not more than \$500,000.....	\$0.30% of estimated cost of development	More than \$500, 000 but not more than \$2.5 million.....	\$1500+0.24% for every \$1 in excess of \$500,000	More than \$2.5 million but not more than \$5 million	\$6300+0.20% for every \$1 in excess of \$2.5 million	More than \$5 million but not more than \$21.5 million	\$11300+0.12% for every \$1 in excess of \$5 million	More than \$21.5 million.....	\$31,100	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
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More than \$21.5 million.....	\$31,100															

PLAN REQUIREMENTS

LOCATION / CONTEXT PLAN (Applicant to tick Left Hand side boxes)	Office Use Only
<p>Four (4) copies of a location plan which clearly shows;</p> <p><input type="checkbox"/> The boundaries of all lots included in the application with an overlay of the existing lot number.</p> <p><input type="checkbox"/> If the lot is used in combination with other lots as one farm operation, then the plan should outline the whole farm boundary and the written submission should list all the lots included in the farm.</p> <p><input type="checkbox"/> All existing roads abutting the lot and the names of the roads.</p> <p><input type="checkbox"/> A north point.</p>	

<input type="checkbox"/> Identification of any major landuses such as airstrips, rural industries, residential, townsites within 1 kilometre, other plantations or any commercial landuses that are sensitive to fertiliser application.	
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FOUR COPIES OF AN A3 SITE PLAN	Applicant to tick	Office Use Only
Four (4) copies of a site plan drawn to scale. All plans to be a minimum of A3 size.	<input type="checkbox"/>	<input type="checkbox"/>
If the lot(s) contain any water feature then the plan must include Clear dimensions / setbacks between plantation areas and creekline, swamps or watercourses. This can be an enlargement detail on the plan.	<input type="checkbox"/>	<input type="checkbox"/>

SITE PLAN REQUIREMENTS – DETAILS TO BE SHOWN ON THE SITE PLAN (Applicant to tick Left Hand side boxes)	Office Use Only
<p>The site plan is to show;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The boundaries of all lots included in the application with an overlay of the existing lot number. <input type="checkbox"/> If the lot is used in combination with other lots as one farm operation, then this should be reflected on the plan or explained in the written submission. <input type="checkbox"/> The dimension of each lot boundary to be clearly marked in metres. <input type="checkbox"/> The site plan to clearly show all existing roads abutting the lot and the names of the roads. <input type="checkbox"/> A north point. <input type="checkbox"/> Contours at such intervals to adequately depict the landform of the area overlaid on aerial photography. A separate contour plan can be lodged if they will be difficult to read on a combined map. <input type="checkbox"/> Existing physical features such as rock outcrops, watercourses etc. <input type="checkbox"/> All existing trees or groups of trees with a clear indication of retention or proposed clearing. <input type="checkbox"/> The location and type of all existing structures such as dwellings and sheds (and clearly marked 'existing' or 'to be removed'). <input type="checkbox"/> An indication of the different existing agricultural pursuits operating on the land (e.g. Existing grazing area to be retained – 500 cattle, existing olive tree plantation to be retained – 100 trees). If this cannot be shown on the plan it should be explained in the written information. <input type="checkbox"/> Existing and proposed driveway location and all proposed internal access ways. (must show trafficable access to water points, turnaround bay for fire access and gates for firebreaks crossing any fencing) <input type="checkbox"/> Existing and proposed crossovers. <input type="checkbox"/> All proposed compartments are to be clearly numbered on the plan with a legend listing the total planting area in each compartment. The plans to 	

<p>clearly show the form of planting (i.e. block or belts).</p> <p><input type="checkbox"/> All existing dams, watercourses, main drainage lines or areas subject to inundation.</p>	
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WRITTEN INFORMATION

DETAILED SUBMISSION	Applicant to tick	Office Use Only
<p>A detailed written submission or covering letter in support of the proposed application. The detailed submission should include information on;</p> <p><input type="checkbox"/> Description of existing agricultural activities conducted on the land, explanation of how the proposed planting areas have been selected and details on how the application complements continued agricultural activities.</p> <p><input type="checkbox"/> Address the objectives of the Shires Town Planning Scheme applicable to Rural zoned land.</p> <p><input type="checkbox"/> Explanation of how the application complies with the Shires Local Planning Policy and the Code of Practice for Timber Plantations in WA</p> <p><input type="checkbox"/> If proposing any variation to the Policy, Code of Practice or FESA Guidelines, detail the proposed variation and explain why the Shire should support a variation / provide justification.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p><input type="checkbox"/> A detailed land capability report (only for proposals to develop a whole farm or substantial portion of a farm) or sufficient information such as photographs, soil analysis / mapping, water analysis etc.</p> <p>OR</p> <p><input type="checkbox"/> A report by a suitably qualified farm management consultant demonstrating why the land is preferred for plantation as opposed to ongoing agricultural uses. This should be accompanied by soil analysis / mapping.</p> <p>This is not relevant for applications which comply with the Shires Local Planning Policy and integrate plantings with agricultural uses.</p>	<p><input type="checkbox"/> Yes</p> <p>OR</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> N/A Incidental Use</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

DETAILED SUBMISSION	Applicant to tick	Office Use Only
<input type="checkbox"/> A Plantation Management Plan that complies with Appendix I of the Code of Practice for Timber Plantations in WA (e.g. establishment and maintenance plan, fire management plan, weed control, planting details, native vegetation management etc.).	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A Plantation Harvest Plan including a clear map of the preferred haulage route. If harvesting is proposed as a long term option, then submission of a harvesting plan may be included as a condition at Councils discretion.	<input type="checkbox"/>	<input type="checkbox"/>

Photographs of the site (Optional)	Applicant to tick	Office Use Only
<p>General photographs of the existing agricultural areas, proposed planting areas, main access in and water sources for fire fighting.</p> <p>Whilst photographs are optional they assist in the assessment of the application and provide a visual image of the property. Photographs also assist Councillors to gain a visual understanding of the property as site inspections to each lot are not feasible.</p> <p>Applications are dealt with in the date order that they are submitted, however generally it is easier to assess an application which includes photographs.</p>	<input type="checkbox"/>	<input type="checkbox"/>

If an application is lodged which is incomplete, the application will be placed on hold and additional information requested in writing.

Please lodge this checklist with your application. Applications lodged without a checklist may be returned to the applicant.

_____ Name of person who completed checklist	_____ Date
_____ Name of Council Officer who certified the checklist complete	_____ Date

7.8 Relocated Buildings

Purpose

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

Scope

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Objective

- 1) To ensure the relocated building presentation is of an acceptable standard to that of the locality.
- 2) To ensure that any relocated buildings does not detract from an existing (or reasonably desired) streetscape.
- 3) To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.

Policy Statement

Definitions

- 1) For the purposes of this policy a “Relocated Building” means a dwelling or outbuilding that has been previously constructed/located on a different property yet has the ability to be dismantled in whole (or in part) for the purpose of being transported and sited on another property.
- 2) A purpose designed, new transportable building (e.g. a “kit home”) is not considered a relocated building when first being located on a lot. Subsequent moving of the building is subject to this policy.

Location

In general, relocated buildings are not considered appropriate in the “Urban Precinct” areas of the Town Planning Scheme as they would be contrary to the objectives of those areas. In addition, in newly created subdivisions, it is often the case that design guidelines are attached to the sale of the land which may prohibit the placement of a relocated building on the property. The onus is on the applicant to source this information if this is the case, as the local government does not administer these types of guidelines.

Cladding

All external asbestos cladding shall be removed from the relocated building prior to it being transported, and (unless specific approval is given otherwise) be replaced with new material.

Conditions

Buildings that are relocated are often in poor condition and as such the local government may impose conditions to ensure the building presentation is of an acceptable standard to enhance the streetscape appearance. Such conditions may include (but are not limited to) the following:

- 1) need for additional setbacks over and above the prescribed minimum and the need for screening/landscaping;
- 2) a bond/bank guarantee and legal agreement to ensure the external appearance of the relocated building has completed to the approval of the local government;
- 3) the space between the ground level and the floor level being suitably enclosed; and

- 4) the roof and/or walls being clad of non-reflective materials and be consistent or complimentary in colour with the surrounding natural landscape features or desired streetscape.

Bonds/Guarantees

Prior to the issue of any building licence for a relocated building the local government shall require the lodging of

- 1) a bond amount equivalent to 20% of the estimated value of the approved works to be undertaken to ensure the building presentation is of an acceptable standard, with a minimum amount of \$5,000 for residential houses;
- 2) a bond amount equivalent to 10% of the estimated value of the approved works to be undertaken to ensure the building presentation is of an acceptable standard, with a minimum amount of \$1,000 for other buildings (such as sheds or the like); and
- 3) a legal agreement stating that the bond will be forfeited if the approved works are not carried out within the approved timeframe.

Application Requirements

- 1) Photographs will need to be submitted that clearly illustrate the in-situ condition and appearance of the entire building (all sides and roof).
- 2) Clear and concise details of proposed works to be undertaken to ensure the relocated building presentation is of an acceptable standard to that of the locality. This will generally include elevations of the proposed finished works.
- 3) A clear timeframe for the completion of the above works, with such time frame to be as short as practicable and a maximum of 12 months.
- 4) Any other additional information required to demonstrate that the building will be aesthetically acceptable and comply with the objectives of this policy.

Consultation

The local government may choose to advertise an application should it be concerned at the appearance or proposed location of the relocated dwelling.

7.9 Advertising Devices

Purpose

The purpose of this Policy is to ensure that the display of advertisements within the Shire of Moora does not adversely impact on the amenity of surrounding land while providing appropriate exposure for businesses, activities or services.

For the purposes of this Policy, the erection, placement and display of any advertisement (other than an exempted advertisement) and the use of land, buildings or vehicles for that purpose is classed as development requiring the approval of Council.

The erection, placement and display of any proposed hoardings or advertising structures, on or in the vicinity of a State road, will also require approval in accordance with the Main Roads Act 1930, in addition to the approval required by Council.

This Policy should be read in conjunction with “Shire of Moora Local Government Property Local Law” and the “Shire of Moora Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law”, both made pursuant to the Local Government Act 1995.

Objective

- To enable businesses and community groups to effectively advertise goods, services and events in a way that safeguards the visual amenity of the district and meets the safety and amenity needs of the general public.
- To ensure that the display of advertisements does not adversely impact on the amenity of surrounding land;
- To avoid a proliferation of signs on individual sites and buildings;
- To improve the streetscape of major roads;
- Encourage the rationalisation of advertising signs on individual premises;
- Encourage the consideration of advertising signs as part of the design of buildings;
- To ensure that signs are not discriminatory or offensive; and
- To provide valuable information for travellers and tourists that will be easily understood while ensuring the safety of all road users is maintained.

Sign types not listed

If a Sign Type or a particular advertisement sign is not mentioned in this Policy or the Scheme, then the sign shall be assessed on its individual merits in accordance with the objectives of the Shire of Moora’s Local Planning Scheme.

Exempt signs

An exempt sign for the purpose of this Policy is:

- 1) any sign which is classified as exempt under Schedule 5 of Local Planning Scheme;
- 2) any sign which is the subject of an existing approval made prior to the date of effect of this Policy;
- 3) 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;
- 4) any sign within a building;
- 5) 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;
- 6) any newspaper poster;
- 7) one freestanding sign. 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.

A SIGN placed on or in front of a property advertising the sale or lease of a building, property or business, providing;

- the aggregate area of such onsite signage does not exceed 3m³ in area;
- the signage is contained within the property boundary, unless in the instance that the sign will be substantially obstructed, in which case the sign can be located on the road reserve providing it does not obstruct public visibility or access; and
- the signage does not protrude above surrounding elements of the landscape.
- a flag sign associated with a commercial property, where;
- the aggregate area of surfaces that provide advertising is 0.2m² per 1m of street frontage of the subject tenancy (max aggregate area of 2m²);
- minimum ground clearance of 2.4m
- maximum height is less than 3m above ground level; and
- project less than 0.6m from the façade of building.

8) a banner used for a temporary period

Policy Statement

Standards common to all signs

All signage within the Shire of Moora must consider the following general requirements.

Design and Amenity

- 1) A sign shall be designed and located so as to not significantly obstruct or impede all or part of a view of a river, or other place or feature which in Council's opinion is of significance to the district.
- 2) Every sign attached to buildings shall be incorporated into the architectural features of the building in placement, style, proportions, materials and finish and shall be designed, constructed, finished, installed and professionally maintained.
- 3) The design, number or variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality.
- 4) All signs shall be simple and provide for instant recognition.
- 5) A sign shall not contain any discriminatory or offensive material.
- 6) All signs shall have sign writing, design work, lettering and colouring carried out in a professional and competent manner.
- 7) Materials of construction and placement should bear consideration of long term maintenance and repairs.
- 8) All signs shall be maintained in good order and clean condition.
- 9) Every sign shall be designed to utilise colour schemes and materials that fit in with the overall style of the surrounding development and/or precinct. (size, placement / location and style)

Safety

A sign shall:

- 1) be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;
- 2) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed.
- 3) Be constructed and erected to the satisfaction of the Shire of Moora
- 4) not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
- 5) not be located such that it obscures or is likely to be confused with traffic signals or signs;
- 6) not obstruct access to or from any door, fire escape or window;
- 7) not be constructed of readily combustible material including but not limited to paper, cardboard or cloth, except in the case of posters securely affixed to a signboard or other structure.

Siting

- 1) Unless expressly permitted within this policy, signs shall not be supported on private land that is not associated with the goods and services advertised on the sign.
- 2) Unless expressly permitted within this policy, permanent signs shall not be located on land that is zoned or used for residential purposes.

Content

Every sign will be limited to the following content:

- 1) the name of the occupier;
- 2) the business carried on in the premises;
- 3) the occupier's telephone number, web or email address
- 4) a description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
- 5) graphics relating directly to the effective advertising of the business, product or event; and
- 6) any other matter specifically approved by the Shire.

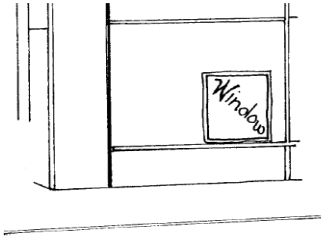
Council reserves the right to refuse any sign in which the content of the advertisement:

- 1) could harm or cause detriment to the State;
- 2) make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
- 3) contains confusing, misleading, political, religious, offensive or objectionable information; and
- 4) would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.

Requirements for particular signs

Bill / Fly Posting

(Shopfront Window)



DEFINITION:

An advertisement affixed to, or painted on a shop window by the occupier of the shop that relates to the business carried on in the shop. (any sign within a building)

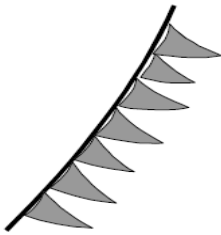
REQUIREMENTS:

Shall not Cover more than 50% of the glazed area of any one window or exceed 10.0m² in area in aggregate per tenancy per lot.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Bunting



DEFINITION:

A thin strip of plastic or material used for decorative purposes or to highlight a location.

REQUIREMENTS:

Not encouraged as device creates visual clutter.

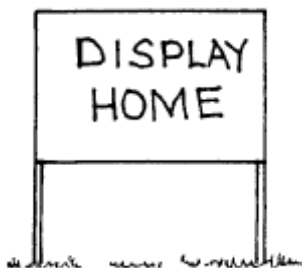
Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.

APPLICATION:

Requires Planning Approval (Council approval)

Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign.

Development Sign



DEFINITION:

A sign to facilitate the sale, auction or leasing of a group of housing or building sites

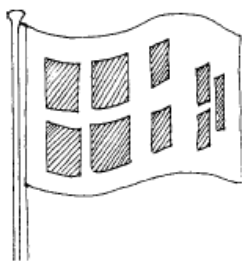
REQUIREMENTS:

- a) Shall not exceed 32m² in area;
- b) Displayed at the entrance to the subdivision and not remote from the lots being sold unless special approval is granted by Council; and
- c) Shall be removed within 2 years from the date of approval or when 80% of lots have been sold, whichever is the sooner, unless Council approval has been granted for a longer period.

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Development Services)

Flag Sign (B)



REQUIREMENTS:

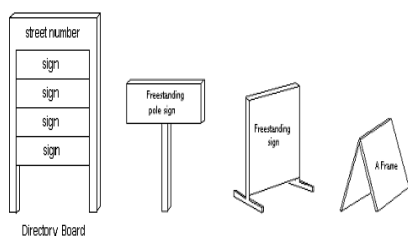
- a) Max 2 flag poles per lot (where not considered superfluous or unnecessary);
- b) Max height of 6m;
- c) Each flag no greater than 4.0sqm (with a pole of a size to satisfactorily support the flag under all conditions).

APPLICATION:

Requires planning approval (Under Delegation of the Manager of Planning)

Freestanding Signs

(Inc. A – frame, pole sign, board directory)



DEFINITION:

A portable sign that is displayed on a sign structure that is mounted on the ground on one or more supports.

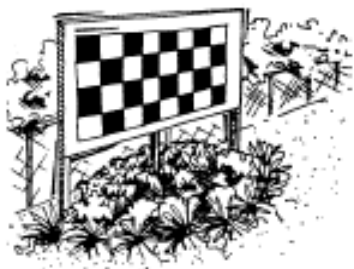
REQUIREMENTS:

- a) Max 1m in height;
- b) Max area of 1m² on each side;
- c) Erected immediately adjacent to building or business sign relates;
- d) Removed each day at close of business and erected next trading day.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Hoarding



DEFINITION:

Detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel.

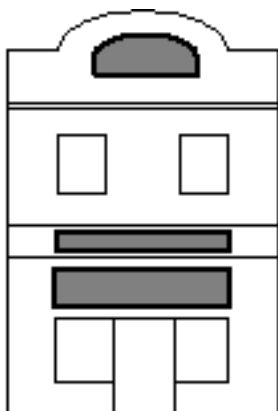
REQUIREMENTS:

The applicant is required to provide adequate justification for the use of a hoarding sign. Refer to Appendix I.

APPLICATION:

Requires Planning Approval (Council approval).

Horizontal Sign



DEFINITION:

A sign fixed parallel to the wall of a building to which it is attached and with its largest dimensions being horizontal.

REQUIREMENTS:

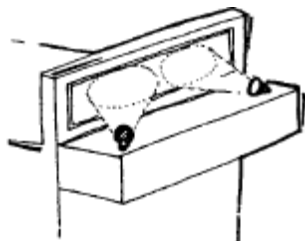
- a) To be fixed parallel to the wall of the building to which it is attached;
- b) not project more than 150mm from the wall to which it is attached;
- c) afford a minimum headway of 2.27m where the sign projects more than 12mm into pedestrian thoroughfare;
- d) not exceed 5m² in area; and
- e) conforms to the following table:

Min distance of sign above street	Max depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning).

Illuminated Sign



DEFINITION:

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.

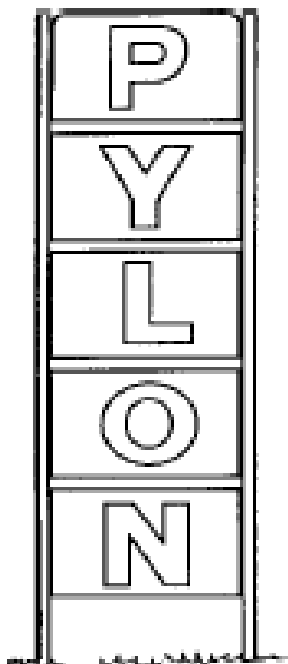
REQUIREMENTS:

- a) be constructed entirely of non-flammable materials;
- b) be maintained to operate as an illuminated sign;
- c) not be displayed where may be confused with or mistaken for the stop of tail light of a vehicle;
- d) no encouraged to be of flashing, pulsating, chasing or running lights; and
- e) Use a low level of illumination.

APPLICATION:

Requires Planning Approval (Council Approval).

Pole or Pylon Sign



DEFINITION:

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.

REQUIREMENTS:

- a) Max 6m above the level of the ground immediately below it;
- b) Not exceed 4m² in area unless approved by the Shire;
- c) 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;
- d) Not within 2m of side boundaries of the lot on which it is erected unless the lot abuts an intersecting street or right-of-way, where the Shire may authorise the erection of the sign at a distance less than 2m;
- e) Not be within 6m of another sign erected on the same lot;

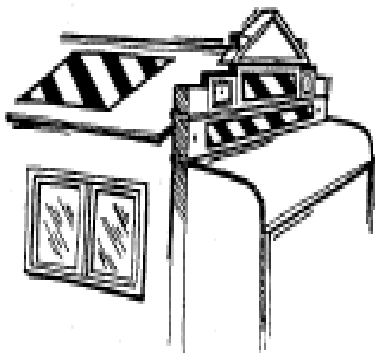
Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected the Shire may require all pylon signs to be incorporated into one sign in which case:

- a) All of the constituent or infill signs are of an equal size; and
- b) One constituent or infill sign is provided for each business, shop or unit on the lot.

APPLICATION:

Requires Planning Approval (Council Approval).

Roof Sign



DEFINITION:

An advertising sign which is fixed to or painted on a fascia, or to the roof itself, or which forms part of a projection above the eaves, or ceiling of the subject building.

REQUIREMENTS:

A roof sign shall comply with the following table:

Height of building where sign is to be fixed	Maximum height of sign
4m and under 5m	1,250mm
5m and under 6m	1,800mm
6m and under 12m	3,000mm

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning).

Rural Producer Sign

DEFINITION:

A sign erected on land zoned rural under the Local Planning Scheme indicating the products grown, reared or produced on the property.

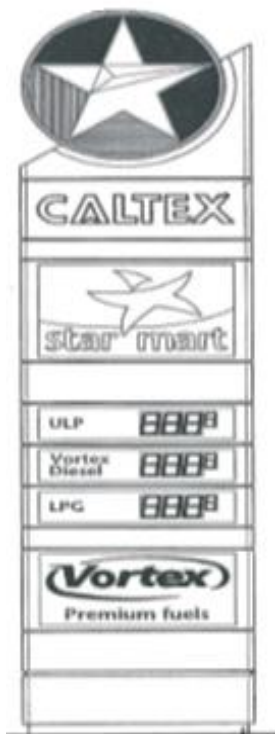
REQUIREMENTS:

- Not indicate or display any matter otherwise than for the purpose of indicating the products grown, reared or produced on the property on which the sign is erected;
- Be erected within the boundaries of the property; and
- Not exceed 2m² in area.

APPLICATION:

Requires Planning Approval (Under Delegation of the Manager of Planning).

Service Station Sign



DEFINITION:

A sign or signs used solely for the purpose of advertising the price of petrol, diesel, gas or other fuels and products sold from the premises.

REQUIREMENTS:

The following types of business identification signs will be permitted for service stations:

- i. Fascia signs;
 - ii. Top hamper signs;
 - iii. A pole / pylon sign;
 - iv. A wall sign; and
 - v. Entry / Exit signage.
1. Only one (1) pole / pylon sign permitted along the public road frontage;
 - a. Max height shall be 8 metres for sites located within a townsite;
 - b. Max height for sites within rural zone shall be 2 metres;
 2. The face of the pole / pylon sign should include a display of the current price of fuel for the service station operation.

APPLICATION:

Planning Approval Required (Under Delegation of the Manager of Planning).

Note: a service station sign application is to be submitted as part of an overall sign strategy for the site. Refer to Appendix 1

Signs on Fences

DEFINITION:

Any advertising painted or attached to a fence of a property.

REQUIREMENTS:

Signs on fences shall not be permitted, except in designated industrial areas.

Free standing signs adjacent to the fence line are permitted elsewhere.

APPLICATION

Requires Planning Approval (Under Delegated Authority of the Manager of Planning).

Signs on Vehicles



DEFINITION:

An advertising sign which is applied to, or attached to, or placed on a vehicle. This excludes sign writing on the side of a registered vehicle and/or any form of advertising that does not alter the shape of the vehicle body and/or the advertisement on the vehicle relates to the registered business of which the vehicle owner operates.

REQUIREMENTS:

No permitted to park on any thoroughfare (other than within an approved car park) without a Shire permit.

Display signs shall:

- a) Have no moving parts;
- b) Have a maximum vertical or horizontal dimensions of 2.0m; and
- c) Limited to a maximum of one sign per street frontage on any one lot.

APPLICATION:

Exempted from planning approval providing it complies with the requirements

Tethered Signs



DEFINITION:

Advertising sign which is suspended from, or tethered (tied) to any structure, or tree or pole (with or without supporting framework) and made of paper, plastic, fabric or of similar material. The term includes lighter than air aerial devices, inflatables, bunting, banners, flags and kites.

REQUIREMENTS:

Not encouraged as device creates visual clutter.

Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.

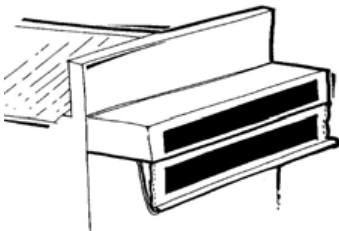
APPLICATION:

Requires Planning Approval (Council approval)

Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign.

Verandah Signs

(Awning)



DEFINITION:

An advertising sign fixed to the outer or return fascia of an awning or verandah associated with a commercial building, and includes signs on blinds, sunshades and similar structures.

REQUIREMENTS:

- a) only one such sign per street frontage of the subject tenancy;
- b) It has an area of 0.4m² per 1m of street frontage of the subject tenancy (max area of 10m²); and
- c) Is contained within the width of the building.

APPLICATION:

Exempted from planning approval providing it complies with the requirements.

Remote Advertising

- 1) Council will generally not support remote advertising or advance warning signs (other than a service or tourist sign), as this may lead to an undesirable precedent and proliferation of signage to the detriment of the amenity of the Shire.
- 2) All signage within road reserves must be co-located to maintain the visual amenity of the area.
- 3) All signage within road reserves shall be assessed in accordance with the proposed sign type requirements and clause 1 and 2 of this policy.

Should any conflict arise between the provisions of the Shire of Moora's 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places' Local Law, then the local law is to prevail.

Signage within Road Reserves inside Moora Townsite

- 1) Notwithstanding any provisions in this policy, no signage other than that erected by the Shire of Moora is to be approved within the road reserve on Robert's Street, Gardiner Street, Tootra Street, Dandaragan Street and part of Berkshire valley Road and Dandaragan road inside the 50k/h and 60k/h speed limit zones.
- 2) The Shire may provide signage of varying sizes and charge fees for the inclusion of advertisements in such signs.
- 3) The Shire is responsible for the approval, installation and routine maintenance of these signs. In all cases the Shire retains ownership of the signs and the right to relocate, modify or remove them as necessary.
- 4) Signage will be required to be co-located by the Shire and therefore any further advertisements may be required to use existing signage infrastructure.

Signage within Road Reserves outside Moora Townsite, Watheroo Townsite and Miling Townsite

- 1) Council may consider a planning application for a development sign (given that the development is within close proximity to the sign), a sign advertising a tourist attraction, community association or not for profit organisation on properties, buildings or reserves that are not directly related to that sign outside the 50km/hr and 60km/hr speed zones in Moora, Watheroo and Miling in the following circumstances:

Where the proponent can prove to Council that there is a need from an economic view to have such a sign or advertising;

Where the sign falls within the definition of 'Special Events Sign', and will be only placed on the property, buildings or reserves for the period that the special event is being run; and

In any other situations that Council sees fit.

- 2) Applicants are advised that signage within Road Reserves may require the dual approval of Council and Main Roads WA. In most instances Main Roads WA require the approval of Council before an application for signage can be considered. The requirement for Main Roads WA approval is only a requirement on roads under the care, control and responsibility of Main Roads WA.

- 3) Council in considering applications may have regard to Main Roads WA Guidelines 'Guide to the Management of Roadside Advertising'.

Signage Register

Council will maintain a register of approved signs on Public Land.

Sign Liability

- 1) Council takes no responsibility for any damage to, theft of or claims arising from a sign within the road reserve.
- 2) It is the applicant's responsibility to ensure that a private sign on the road reserve is insured against any claims arising from the public.
- 3) Where a sign / advertisement will be placed in, or overhang, a public place or street, the owner of the property / applicant will be required where appropriate, to provide a public liability insurance policy indemnifying the Shire against all actions, suits, claims, damages, losses and expenses made against or incurred by the Shire arising from the approval. The applicant and/or land owner may be required by the Shire to –
 - take out a public liability insurance policy in the name of the owner or applicant and the Shire, for a minimum value of \$10 million or such other amount as considered appropriate to the risk involved;
 - keep that insurance policy current for the duration of the approval;

include a clause in the policy which prevents the policy from being cancelled without the written consent of the Shire;

- include a clause in the public liability insurance policy, which requires the owner or applicant and the insurance company, to advise the Shire if the policy lapses, is cancelled or is no longer in operation;
- on the request of an authorised person, provide for the inspection of a certificate of currency for the required insurance policy.

Variations of Standards

- 1) All proposals that do not conform to the standards prescribed in this policy and the applicable Local Planning Scheme shall be referred to the Council for determination.
- 2) If it is established to the satisfaction of the Council that a particular standard or provision contained within this Policy is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion, vary the standard or provision.
- 3) The Council may only vary a standard or provisions where it is satisfied that:
 - Approval of the variation will not set an undesirable precedent;
 - The applicant demonstrates exceptional circumstances warranting support for a variation;

- Approval of the application is in accordance with variations to site and development requirements contained within the Shire of Moora's Local Planning Scheme (Section 5.6).
- 4) Any request by an applicant to vary a standard within the Scheme or this policy shall cause the Council to require a sign strategy to be developed and submitted by the applicant as part of the submission.

Signage Strategy

- 1) A "signage strategy" means an overall plan of the whole of the subject site showing the location and size of all advertisement signs proposed for the site, as well as the outline of any buildings, car parking areas, vehicular access points to the site, etc. Any existing signs must also be included on the plan and clearly delineated.
- 2) All subsequent applications for an advertisement sign on the subject lot must be in accordance with the approved sign strategy. If not, a new sign strategy will be required by Council.

Control of Advertisement Signs

- 1) The erection, placement or display of advertisements signs and the use of land or buildings for that purpose requires the prior approval of the Council (except where the advertisement signs are exempted as outlined in this policy).
- 2) An application for planning approval shall be accompanied by a duly completed 'Additional Information for Advertisements', as set out in Schedule 7 of the Shire of Moora's Local Planning Scheme.
 - Any signs, with the exception of exempted advertisements outlined in this policy, erected on a property or reserve prior to obtaining a formal planning approval would be in breach of the Shire of Moora's Local Planning Scheme.
 - With exception to requirements provided for in this policy, an approval granted pursuant to this policy remains valid until an alteration is proposed to be made to the structure or area of the sign in respect of which an approval has been issued and in such event the applicant shall apply for a new planning approval.
 - The Council may impose any conditions it thinks fit to an approval pursuant to this policy.

7.10 Sea Containers

Background

In recent years, there has been an increased use of sea containers for storage within the Shire. Sea containers can serve a useful purpose as they are a cheap and secure method of storing goods. However, they have the potential to adversely affect the amenity of an area being more industrial in character and often poorly located and maintained.

Purpose

The purpose of this policy is to provide guidance for landowners, developers and Council as to where sea containers are acceptable within the Shire.

Policy Basis

Clause 8.7 of the Shire of Moora Town Planning Scheme No.4 ('the Scheme') provides for the preparation of Local Planning Policies. This Policy has been prepared in accordance with the Scheme.

The Policy does not bind the local government in respect of any application for development approval but the local government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Scheme Requirements

A 'Sea Container' is considered to be a 'Transported Building' and requires the Planning Approval of Council under clause 4.7 of the Scheme.

Whilst sea containers are 'transported buildings', the terms of this policy apply exclusively to sea containers used for storage purposes (Class 10A Building) and Local Planning Policy 'Shire of Moora Relocated Buildings' does not apply.

Clause 4.7.1 & 4.7.2 of the Scheme deals with matters Council will consider regarding the appearance of buildings when dealing with applications for planning approval in respect to any building.

A sea container is development and is not exempted from planning approval under clause 8.7 (b) of the Scheme as it is considered to be a transported building.

Clause 7.5 of the Scheme outlines general matters that Council can take into consideration when assessing any application.

This policy expands on and complements the existing Scheme requirements.

Policy Statement

This policy applies to all land zoned within the Shire of Moora with the exception of the 'General Agriculture' zone. The policy is aimed at controlling the impact of sea containers used for storage purposes on the amenity of the town-sites within the Shire of Moora.

Objectives

The objectives of this policy are as follows:

To establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;

To ensure that any sea container does not detract from an existing (or reasonably desired) streetscape;

To achieve a balance between providing for the legitimate need for sea containers as an affordable and secure storage option, and minimising any adverse impacts on neighbours, streetscape, a neighbourhood or locality, amenity or the Shire as a whole.

To set out minimum standards and requirements for applications to place sea containers on land within the Scheme area.

Requirements

Temporary storage of materials on a building site

In all zones, a sea container may be placed on a property to store building materials while construction of a house or commercial building is being carried out on the property, without requiring town planning approval or a building licence. A sea container must not be placed on the property prior to the issue of a building licence and must be removed immediately upon completion of construction or expiry of the building licence.

Approval Requirements

Planning approval is required for all sea containers used for storage purposes in the Residential, Rural Residential, Rural Small Holding Zone Town Centre, Rural Townsite, Industrial and Light Industrial Zones.

Location Requirements

All sea containers are to be located in the following manner:

- i) Located at the rear of the property and suitably screened and/or fenced from the road frontage and neighbouring properties;
- ii) Shall be screened by landscaping, fencing or other means acceptable to Council, to ensure that storage areas are not exposed to view from nearby roads or other public places. If the container cannot be placed so as to be generally concealed from the street then the Shire will require the installation of screening to a minimum height equal to that of the container.
- iii) The normal Scheme setback requirements for the zone are applicable.

General Conditions and Requirements

Sea containers proposed for habitation are to be assessed against LPP – Relocated Buildings and are to be modified to meet the requirements of the Building Code of Australia. Once a sea container is modified to a habitable standard it is no longer considered to be a ‘sea container’ for the purposes of this Policy.

A maximum of one (1) sea container will be permitted per property in the “Rural Residential” and “Residential Zones.

Sea containers shall not to be located over septic tanks, leach drains or utilities.

Sea containers shall be located on a flat, compacted area to the satisfaction of the Shire of Moora Building Surveyor or manager Development services.

Sea containers shall be adequately ventilated to the satisfaction of the Shire of Moora.

The sea container must be in good repair with no visible rust marks, a uniform colour to compliment the building to which it is ancillary and be appropriately screened (vegetation or otherwise), where considered necessary by Council.

The placement of any sea container in non-conformity with this policy may result in enforcement action being taken by the Shire that could involve removal and impoundment of the sea container at the cost to the landowner.

The Council reserves the right to rescind a planning approval and instruct a landowner to remove a sea container from land in the district if any or all of the conditions stipulated in this Policy are not carried out to the satisfaction of the Shire of Moora.

Application Requirements

An application is required for Planning Scheme Consent prior to siting a sea container on a property, and the following details shall be submitted:

- a) A completed Application for Planning Consent and payment of the appropriate fee.
- b) A scaled site plan showing the proposed location of the sea container and detailing setbacks to boundaries. The site plan shall also include other buildings, access ways, watercourses and vegetation on the property.
- c) The proposed size and use of the sea container.
- d) Evidence by photos that the sea container will be adequately screened from view and shall not be easily seen from nearby roads, other public places, or adjoining properties.

Advice to Applicant

A sea container is regarded as a building by the Building Code of Australia and therefore a building licence is required prior to the placement of the sea container.

7.11 Home Occupation

Introduction

The Shire of Moora Town Planning Scheme No.4 provides for a small business to be carried out from a 'dwelling', provided that it does not adversely affect the 'amenity' of the locality. Such businesses are referred to as Home Occupations, Home Businesses and Home Offices. Town Planning Scheme No.4 defines these uses as follows:-

'Home Occupation' means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:-

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone.

'Home Business' means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:-

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

'Home Office' means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not

- (a) entail clients or customers travelling to and from the dwelling,
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling.

The purpose of this Planning Policy is to set out the objectives and policy provisions which the 'Council' shall have due regard to in the assessment and determination of applications for planning approval for Home Occupations and Home Businesses.

In this regard, no person shall commence or carry out a Home Occupation or Home Business without first having applied for and obtained the planning approval of the Council, pursuant to the provisions of 4.5 of Town Planning Scheme No.4.

Policy Application

In Shire of Moora Town Planning Scheme No.4 the Zoning Table (Table No.1) indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones.

The permissibility of the Home Business use in Town Planning Scheme No.4 can be summarised as follows:-

- (a) The use is not permitted in the Residential, Rural Small Holding, & General Agriculture zones unless the Council has exercised its discretion by granting planning approval;
- (b) The use is not permitted in the Residential Zone & the Rural Small Holding unless the Council has exercised its discretion by granting planning approval, following a process of community consultation in accordance with clause 7.3.3 of the Scheme;
- (c) The use is not permitted in all other zones.

The permissibility of the Home Occupation use in Town Planning Scheme No.4 can be summarised as follows:-

- (a) The use is not permitted in the Residential, Rural Townsite Rural Residential Rural Small Holding & General Agriculture, unless the Council has exercised its discretion by granting planning approval;
- (b) The use is permitted in Special Mix Residential provided that it complies with the relevant development standards and the requirements of the scheme.
- (c) The use is not permitted in all other zones

Town Planning Scheme No.4 requires that in assessing applications for planning approval, the Council shall take into account the objectives of the particular zone and any Policy pertaining to that zone and this Planning Policy.

The Scheme also requires the Council to consider specific issues including:

- (a) the method and location of the operation,
- (b) the potential for nuisance to the surrounding neighbourhood,
- (c) impacts on neighbours,
- (d) hours of operation,
- (e) traffic generation,
- (f) car parking requirements; and
- (g) the location of any associated storage areas.

Policy Objectives

The objectives of this Planning Policy are as follows:-

- (a) To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to operate a Home Occupation or a Home Business from a dwelling in a approved Zone;

- (b) To secure the amenity, health and convenience of the neighbourhood through appropriate development requirements; and
- (c) To comply with necessary Local, State and Commonwealth legislation that is applicable to the proposed development.

Policy Statement

Applications for a Home Occupation and Home Business shall be assessed according to the following requirements.

Town Planning Scheme No.4 (amendment 10)

The Council shall only permit the operation of either a Home Occupation or Home Business that complies with Town Planning Scheme No.4 and the objectives and requirements of this Policy.

Method of Operation

The Council shall only permit the operation of a Home Occupation or Home Business within a dwelling or within the boundaries of a lot where it is satisfied that the operation will not cause injury to or adversely affect the amenity of the neighbourhood.

The operation of more than one Home Occupation or Home Business or a combination of both a Home Occupation and Home Business will be carefully considered by the Council based upon the applicant demonstrating compliance with TPS4 and objectives of this policy.

In this regard, a Home Occupation or Home Business that involves the retail sale, display or hire of goods of any nature will not be permitted.

Furthermore, a Home Occupation that includes provision for the fuelling, repair or maintenance of motor vehicles will not be permitted.

A proposed business operation that involves the use of the dwelling solely for administration purposes (i.e. bookwork, telephone etc.) would be deemed a Home Office that does require a planning approval as it is defined under the MTPS4 as a Home Occupation.

A mobile business that conducts all activities at the client's address and where the dwelling is used solely for administration purposes would be deemed a Home Office, issues that need to be looked at; if maintenance of equipment associated with the mobile business is to be conducted within a dwelling or within the boundaries of a lot.

The retail display, sale or hire of goods is not permitted on-site directly to customers, unless the retail of goods are ordered by customers via telephone or internet sales that are dispatched via post.

When a business grows beyond the scale of the Home Occupation or Home Business approved by the Council, it is expected that operators will relocate their business to a business premises that is compliant with TPS4 requirements.

Customers and Clients

The Council shall only permit a Home Occupation and Home Business operating where it is satisfied that customers and clients only arrive and depart the premises between the hours of:-

- (a) 9:00am and 5:00pm week days and Saturdays;
- (b) not at all on Sundays and Public Holidays.

When determining an application, the Council may limit the number of hours and/or days of clients visiting the premises or operation of a Home Occupation and Home Business, where it is necessary to protect the amenity of the surrounding area.

All customer and client visits must be made with 15 minute appointment intervals, unless the Council is satisfied that there is adequate on-site car-parking and the Home Occupation or Home Business is unlikely to affect the amenity of the neighbourhood.

Deliveries

Regular deliveries of goods and equipment including deliveries carried out at daily intervals are generally not considered appropriate. Proposals involving deliveries will only be considered by the Council taking into account of the following factors:

- (a) The nature of the goods delivered;
- (b) Frequency of deliveries;
- (c) Type of delivery vehicle used;
- (d) Delivery Hours;
- (e) Likely inconvenience to existing traffic.

Scale of Operation

(a) Home Occupation

The Council shall only permit the operation of a Home Occupation within a dwelling or within the boundaries of a lot where it is satisfied that the operation:-

- does not employ any person not a member of the occupier's household;
- does not occupy an area greater than 20m²; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.

(b) Home Business

The Council shall only permit the operation of a Home Business within a dwelling or within the boundaries of a lot where it is satisfied that the operation:-

- does not employ more than 2 people not members of the occupier's household;
- does not occupy an area greater than 50m²; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.

Traffic Generation

Home Occupations and Home Businesses that generate vehicular traffic to a site have the potential to adversely affect the amenity of the neighbourhood.

The Council will only give consideration to traffic generating Home Occupations and Home Businesses when it can be demonstrated that visits to the site by clients can be controlled, i.e. by appointment only.

When considering an appointment based Home Occupation or Home Business, the Council will have due regard to the existing amenity of the neighbourhood. In this instance, the current capacity and nature of the street will be a consideration. If the traffic generated by a proposed Home Occupation or Home Business is likely to have an adverse impact upon the existing nature of the street or its amenity, the Council is unlikely to approve the proposal.

A Home Occupation that involves the presence, use or calling of a vehicle more than 2 tonnes tare weight will not be supported.

A Home Business that involves the presence, use or calling of a vehicle more than 3.5 tonnes tare weight will not be supported.

Parking

(a) Home Occupation

The Council shall only permit the operation of a Home Occupation within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time, in addition to the bays associated with the dwelling on-site.

Where visitor car parking cannot be provided on-site, the Council may permit the use of on-street car parking for visitors and clients, where this has already been constructed as part of subdivision works.

(b) Home Business

The Council shall only permit the operation of a Home Business within a dwelling or within the boundaries of a lot where it is satisfied that car parking is provided so as to adequately cater for the expected number of visitors attending the site at any one time and any employees, in addition to the bays associated with the dwelling on-site and does not result in traffic difficulties as a result of the inadequacy of parking.

Advertising Signs

In accordance with the provisions of Town Planning Scheme No.4, a Home Occupation is permitted to display a sign not exceeding 0.2m² in area (generally 0.4m x 0.5m). The Council will apply the same 0.2m² maximum size requirement to Home Business signs.

A Home Occupation or Home Business sign shall only describe the name and type of business being carried out on the land and the contact name(s) and telephone numbers.

No more than one sign per lot shall be permitted and the sign shall be erected on the land on which the Home Occupation or Home Business is being carried out.

Pursuant to the provisions of Town Planning Scheme No.4 and the Council's Signs, Hoardings and Bill Posting Local-Law, a proposed advertising sign which does not exceed 0.2m² in area is exempt from the requirement to obtain a Planning Approval and a Sign Licence.

Food Requirements

The use of a dwelling for commercial food preparation is limited by the provisions of the Food Act 2008, Food Regulations 2009 and the Food Safety Standards. The Council's Health Department should be consulted in this regard.

Noise Management

A Home Occupation and Home Business must comply with the Environmental Protection (Noise) Regulations 1997 at all time. If a proposal is likely to generate off-site noise impacts to neighbours, the applicant may be required by the Shire to implement noise management measures or engage a consultant to prepare Noise Management Plan, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997, and noise management measures recommended are to be implemented for the duration of the Home Occupation or Home Business.

Consultation

All applications for planning approval for the operation of Home Businesses in the Special Rural zone will be the subject of a process of community consultation in accordance with clause 7.3.3 of Town Planning Scheme No.4 and Planning Procedure No.1.3 - Community Consultation.

Unless otherwise determined by the Manager, Statutory Planning, all other applications for planning approval for the operation of Home Occupations and Home Businesses will be the subject of a process of community consultation in accordance with clause 6.3.3 of the Scheme and Planning Procedure No.1.3 - Community Consultation.

Application Procedure

Applications for planning approval for the operation of Home Occupations and Home Businesses shall be made on the form prescribed by the Council, and shall be signed by the owner(s), and accompanied by the following information:-

- (a) A written submission describing the proposal, which should include the following information and confirmation that the requirements of this Planning Policy can be achieved:-
 - (i) Confirmation that the Home Occupation or Home Business is to be conducted by an occupier of the dwelling;
 - (ii) The number of persons to be employed in the Home Occupation/Home Business and their relationship to the applicant;
 - (iii) Hours of operation;
 - (iv) Method of operation, including any equipment used for the Home Occupation/Home Business;
 - (v) Details of the storage of goods or equipment (if appropriate);
 - (vi) Details on whether clientele will be attending the residence and if so, the manner in which appointments will be managed and likely frequency of visits.
- (b) Such plans (to a scale of not less than 1:500) and other information that the Council may reasonably require to enable the application to be determined (Refer to clause 7.2 of Town Planning Scheme No.4). Plans to include:-
 - (i) The room/s within which the Home Occupation/Home Business will be conducted;
 - (ii) The location and layout of car parking areas intended to be provided;
 - (iii) The location and dimensions of any storage area associated with the Home Occupation/Home Business.
- (c) Details of any proposed signage to be erected, together with a separate application for a sign licence to the Council's Building Department.
- (d) The payment of an Administration Fee as detailed in the Council's Planning Scale of Fees for Planning Services.

Approval Period

Approvals issued by the Shire for Home Occupations or Home Businesses are valid for a period of two years. If the use is not substantially commenced within two years, a fresh application is required to be lodged with the Shire.

The Shire may grant approval for an initial period of twelve months, where it has concerns regarding the potential operation of the use on the residential amenity of the locality.

In such cases, the applicant will be required to seek a renewal of approval to continue to operate the Home Occupation or Home Business.

Post Approval Considerations

- (a) Should the scale of the Home Occupation/Home Business operation increase above that initially approved, a revised application for planning approval is required to be submitted. Any further assessment will be undertaken with reference to the Scheme provisions and the contents of this Planning Policy.

(b) Should the Council receive substantiated complaints from adjoining/ nearby residents regarding a Home Occupation/Home Business, or if the Council observes that conditions of planning approval are not being complied with, the Council will:-

- (i) by written notice served on the owner and/ or occupier of the land, require compliance with the conditions imposed on any approval granted; and/ or
- (ii) prosecute the owner or occupier of the land as the case may be pursuant to section 10 of the Planning and Development Act 2005.

Authority

This Planning Policy has been adopted by the Council under clause 8.9 of Town Planning Scheme No.4 and whilst it is not part of the Scheme and does not bind the Council in respect of any application for planning approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Interpretations

For the purposes of this Planning Policy, the following terms shall have the same meaning as in Town Planning Scheme No.4 (amendment 10):-

Amenity means all those factors which combine to form the character of an area and include the present and likely future amenity.

Council means the Council of the Shire of Moora.

Dwelling means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:-

- (a) a single person;
- (b) a single family; or
- (c) no more than six persons who do not comprise a single family.

Delegation

All applications for planning approval for the operation of Home Businesses in the Special Rural Zone will be referred to the Council for determination.

All applications for planning approval for the operation of Home Occupations and Home Businesses which comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause 8.10 of Town Planning Scheme No.4 and the Delegated Authority Register.

All applications for planning approval for the operation of Home Occupations and Home Businesses which generate objections following community consultation or where such applications have been received as a result of a complaint will be determined on the following basis:-

- (a) A submission in objection to an application that does not include valid planning considerations associated with a proposal; and where the objection can be resolved through condition(s) of planning approval in the opinion of the Director Planning and Development, will be determined under delegated authority, pursuant to clause 8.9 of Town Planning Scheme No.4 and the Delegated Authority Register.
- (b) If in the opinion of the Manager Development Services an application for the operation of a Home Occupation or Home Business generates significant concern or could impact on the amenity of the locality in the opinion of the Manager Development Services, the application will be referred to the Council for determination.

SECTION 8

COUNCIL PROPERTY/FACILITIES

8.1 Council Housing

Staff Housing Policy

That Council's Housing Policy be as under:-

- a) That Council maintain ownership of a minimum of four high quality houses for senior staff;
- b) Other staff housing requirements be leased. Lease arrangements to be delegated to the Chief Executive Officer to arrange if required for staff positions.
- c) Leasing of excess or not used Council housing to be delegated to the Chief Executive Officer to arrange for management through a local real estate agent.

8.2 Housing Inspections

That Manager Development Services be required to inspect all Shire owned/leased houses prior to tenancy and when vacated as part of the annual budget process and other interim inspections be carried out at their discretion or as deemed necessary.

8.3 Housing Bonds

That the bond on Council owned/leased premises be the equivalent of 4 weeks full rent as new tenants occupy Council owned or leased residences.

8.4 Fencing Property Adjoining Shire Land

That the Policy in regard to fencing property adjoining land be as under -

- 1. The reasonable cost of erecting a standard (1.8m) colorbond or similar fence shall be determined.
- 2. The Shire will contribute one half of the cost so determined as an ex gratia payment.
- 3. The property owner must arrange quotes, organise construction of the fence and submit a paid account. An officer of the Shire will inspect and authorise payment if the fence so erected is approved.

4. This policy does not apply to fences dividing private land from rights of way, public open space, drainage, Council reserves and roadways.

8.5 Future Buildings - Plans and Specifications

That the policy for future shire contracted building (building construction not supervised by Architects) be to engage the services of a reputable architectural firm to draw up the necessary plans and specifications for the building in order that Council's Manager Health, Building & Planning Services (who would supervise the construction of the building) has full and detailed plans/specifications to require the builder to work to.

8.6 Council Sand and Gravel Supplies

Council does not pay royalties for road building material e.g. gravel, sand to landowners in developing their road network but in turn will undertake work for the landowners, upon his land, from which the material was removed, for a maximum value of \$1.00 per metre squared (currently Main Roads Western Australia pay bitumen \$0.50-\$1.20 per metre squared)

1. That Council's sand and gravel pits be closed to the public.
2. That a per cubic metre royalty apply to sand removed on application from Council's sand pits, such royalty to be set annually in the budget-
3. Appropriate signs be erected.

8.7 Moora Recreation Ground and Oval – Circuses

That visiting circuses be permitted to occupy the Recreation Ground and Grandstand facilities and the caravans, trucks/vehicles, animal pens, tethered animals and the big top (tent) be placed on sites approved by senior officers, and the bond and fees payable be as determined from time to time in the budget.

8.8 Ovals - Sponsorship Banners

That permanent signs of dimensions no longer than 2.1m by 0.5m in width be permitted to be attached to the pipe rail fencing forming the perimeter fencing of Moora Oval subject to the following conditions;

1. Any additional pipe fixtures required for the support of such signage be supplied at the proponents cost.
2. Sign is to be affixed in such a manner as to eliminate any sharp edges or other sharp projections that are likely to cause injury to the public

3. That the proponent of the sign be totally responsible for the maintenance for such sign and that the Council reserves the right to remove any sign on the oval at any time for any reason.
4. All such signs must be from organisations that sponsor sporting groups that utilise the Moora Recreational Oval.
5. When sponsorship ceases the sign is to be removed and the fence left in the same condition as existed prior to the sign being installed.
6. Such signs permitted around the perimeter of the oval except for the sections in front of the Recreation Centre and the Grandstand.

8.9 Moora Recreation Centre and Ovals - Liquor

Liquor at Sporting fixtures

Consumption of Liquor at the Recreation Centre:-

- I. That liquor is permitted to be served at the Recreation centre and grounds during sporting fixtures provided that the club/applicant has either;
 - i. A valid liquor license from the Department of Gaming and Liquor; and or/
 - ii. Approval from the Shire of Moora Chief Executive Officer to consume alcohol within a specified area detailing specific times for commencement and completion.

8.10 Rubbish Tips - Chemical Drums

1. That Council's refuse sites be closed to the receipt of empty chemical drums with all drums only to be accepted at DrumMUSTER compounds in Moora & Watheroo;
2. That the public be advised of Council's action in respect to chemical drums and rubbish tips by advertising in the local paper and newsletter advising that used chemical drums should not be dumped into water courses on their properties and further that they should immediately contact their chemical supplier regarding a solution to the problem, e.g. returnable containers and further that appropriate signs be erected at all Shire tips advising that no chemical drums/containers are to be dumped/deposited at Council tips.

8.11 Smoking in Council Buildings

1. Smoking is prohibited in all Council owned and any building located on Council owned or leased property.
2. Smoking is permitted in all out door areas at Council venues but not adjacent to doorways or windows.

3. It is the responsibility of the hirer of the building and venue to enforce this policy.
4. Council maintain appropriate no smoking signage at its venues.
5. Smoking is banned in the Council swimming pool facility and receptacles be provided outside the premises for the disposal of cigarette butts etc.

8.12 Nature Strip Landscaping

Council will permit residents to plant the nature strip in the front or rear of their residence, subject to receiving a Nature strip Landscaping Permit.

Rationale

Council support residents providing an alternative to a gravel Nature strip, at their own cost, because:

- It encourages the community to think about the standard of the Shire of Moora Nature strips and the presentation of our community
- Encourage people to take responsibility and a sense of ownership for their Nature strip
- Provide residents with a choice of landscape options on their Nature strip
- Validate those in the community who have already taken the initiative and landscaped their Nature strip
- Aim to ultimately develop a culture of pride within the community about the towns overall presentation
- There are some social advantages of a planted Nature strip

Nature strip Landscaping Guidelines

The policy provides guidelines of residents wanting to plant out the Nature strip in front of their property.

Planting Details

Residents will be able to plant out their Nature strips with turf, ground cover plants and a range of low growing shrubs.

Council will permit a wide range of plants and grasses, however Council will not permit the use of plants that are woody plants, shrubs grown to 1m or higher which hide line of sight and weed species.

Residents will be required to plant ground cover only, on the kerb side (to 1 metre from back of kerb), in order to make provision for the opening of car doors. Corner block planting will be limited to ground cover plants only to ensure a good line of sight for motorists and pedestrians.

Planted Nature strips must provide suitable space for the provision of refuse and future recycling bins.

In all cases, due consideration will be given for the need to provide safe and suitable access to the footpath for people exiting a parked car.

Residents are not permitted to plant or remove a street tree unless done in consultation with Council. Pruning of street trees will remain the responsibility of council.

Mulch Details

Fine non-organic mulches (75mm depth) and organic mulches such as wood chips will be allowed. Mulches and garden debris can be the cause of storm water blockages therefore planted Nature strips must be well maintained.

Lawns are encouraged as they contain the soil and give a clean fresh appearance in an otherwise harsh environment.

Council at its discretion can supply garden mulch and lawn thinning at particular times of the year to Shire residents. Please note that these products will not be delivered to the premises.

Paving Details

Any paving or stepping stones will need to be non slip surface. No tripping hazards are permitted.

Irrigation Systems

Council will permit and encourage irrigation systems to be installed in the Nature strips to maintain the grassed or planted Nature strip to an attractive standard. Reticulation equipment must be below ground level (pop up sprinkler) to avoid pedestrian injury.

Rocks and Retaining Walls not permitted

Council will not permit rocks, bluestone pitchers, railway sleepers or retaining walls to be installed in Nature strips. These items are all potentially tripping hazards so cannot be included in the Nature strip.

Excavation & Cultivation

Residents will be permitted to use mechanical means of excavation (bobcat/dingo) or cultivation (rotary hoe) however due to the infrastructure that may be underground or the damage that may occur to street trees, the owner/occupier is advised to contact "Dial Before You Dig" Tel 1100.

The owner/ occupier is responsible for repairing any damage to infrastructure caused by any landscaping works.

Utilities and Maintenance Work

Organisations that supply water, gas, electricity and telecommunications may require access to the Nature strip to do the maintenance work. The utility organisations are required to reinstate the Nature strip following their maintenance work. However, council cannot guarantee that any of the maintenance contractors will replace plants and mulch in the same condition as prior to the maintenance work.

Public Liability

Residents are reminded that they plant the Nature strip at their own expense and own risk.

Owner/occupier will be responsible for any damage caused to infrastructure by the works; digging may expose some underground services therefore owner/occupiers are required to contact Dial Before You Dig" Council require the owner/occupier to provide a plan showing all infrastructures and proposed landscaping details.

Maintenance Responsibilities

Residents are required to keep the Nature strip in a well- maintained and safe condition at all times including:

- Plants are to be pruned to a height of no more than 1 metre at all times.
- Any mulch cover is to be maintained over the Nature strip.
- No mulch is allowed on the footpath, driveways or in the curb, channel and road surface.
- The Nature strip is to be free of any tripping hazards and any protruding objects.

Approval Process for Nature strip Landscaping Permit

1. Residents will be required to complete a Nature strip Landscaping Permit application form, including:
 - Provide a list of plants to be used;
 - Mulch to be used;
 - Other details; and
 - A Nature strip Landscaping Permit fee does not apply;
4. On receipt of relevant fees a Council officer will assess and approve the Nature strip Landscaping Permit, provided it conforms to the above conditions
5. Residents must commence the nature strip works within one month and complete the works within 3 months
6. A Council officer will inspect completed Nature strip Landscape works and confirm that a nature strip is safe
5. A register of Nature strip Landscaping Permit will be kept.

Non Compliance of Nature strip Landscaping/Maintenance Process

Council will take action to rectify problems in relation to tripping hazards or safety issues.

Council Officer (s) will write to the relevant property owner requesting that they attend to the problem.

Preferred material for town site nature strips is blue metal dust, all future works including driveways, drainage, footpaths and curbing undertaken on nature strips are reinstated using blue metal dust.

Where existing gravel surfaces remain only small maintenance tasks be carried out using the gravel.

All nature strips excluding owner/occupier planted nature strips continue to be sprayed for weeds each year.

SECTION 9

FINANCE

9.1 Significant Accounting Policies

In accordance with the Australian Accounting Standards, for the purposes of Budgets and Financial Reports, the Reporting Entity includes all activities the Council and any Entities controlled by the Council. All internal transactions and balances of the Reporting Entity are to be reported by Council as a single unit. Money or other Assets over which the Council has custody but not control over are to be held in Trust and are to be reported in a separate note to the accounts.

Basis of Accounting

The Financial statements are to be prepared to comply with applicable Australian Accounting Standards and disclosure requirements of the Local Government Act and Financial Management Regulations. The Financial Statements are to be prepared on the accrual basis under the convention of Fair Value Accounting.

Property, Plant and Equipment

i) Cost and Valuation

Property, Plant and Equipment is carried at cost or at independent or management fair valuation. Any surplus on revaluation is to be credited to the Asset Revaluation Reserve and excluded from the Operating Statement. Any gain or loss on disposal of assets is determined as the difference between the carrying amount of the asset at the time of disposal and the proceeds from disposal and is included in the operating results in the year of disposal.

Fixed assets with acquisition costs less than \$2000 will not be capitalised.

ii) Depreciation of Non Current Assets

Items of property, plant and equipment, including buildings but excluding freehold land, are depreciated over their estimated useful lives on a straight line basis using rates, which are reviewed at each reporting period. Major depreciation periods are:-

Category	Useful Life
Buildings	30 to 50 years
Furniture & Equipment	4 to 15 years
Plant & Equipment	5 to 15 years

Assets are to be depreciated from the date of acquisition or, in respect of internally constructed assets, from the time an asset is completed and held ready for use.

iii) Infrastructure Assets

Infrastructure Assets are to be recognised in the following manner-

For the purpose of valuation and depreciation, the following depreciation rates applicable to infrastructure assets have been adopted-

Aggregate Sealed Roads	20 to 30 years
Bridges	50 to 80 years
Footpaths/Kerbing	50 years
Drains/Culverts	70 to 100 years
Gravel Roads	50 years
Sealed Pavement	50 years

9.2 Reserve Fund Interest

That reserve fund interest earnings in any year be transferred from the municipal fund to the reserve account in which the interest was earned.

(Reserve Fund interest is deemed part of the municipal fund under the Financial Management Regulations.)

9.3 Land Exempt from Rating

That the following land be recorded as exempt from rating -

- (a) Moora Frail Aged Lodge, lot 394 Dandaragan Street, Moora (GG 8 Dec 1989)
- (b) Moora Tennis Club Inc lots M34, 35, 36, 37, 38, 39 Gardiner Street, Moora, while used as a Tennis Club as tennis courts.
- (c) Moora Lakeview Golf Club Loc 2444, Loc 966 Lot 1.
- (d) Miling Golf Club Loc 3813.
- (e) Moora Race Club, lot 200 Riley Road, Moora.
- (f) Moora Arts & Crafts Society, lot 407 Roberts Street, Moora.

9.4 Payment of Accounts

That the systems and procedures for the payment of accounts be as follows -

- (a) That an order form be issued for the purchase of goods and services except in the case of small purchases from petty cash;
- (b) That where feasible and practical, price be negotiated in advance of purchase and recorded on the order form;
- (c) That invoices - where practicable be certified by the person who placed the order so as to indicate -
 - (i) that the purchase was duly authorised- and
 - (ii) that the goods and services were received in a satisfactory condition, or to a satisfactory standard, and the price and computations on the invoice are correct;
- (d) Only payments approved by Council within the current year operating budget be authorised.
- (e) That two signatories be required to all cheques and EFT payments

9.5 Rates Collection Procedure

- (1) That within 7 days of any rates or service charges falling due for payment, the CEO issue a final notice for recovery of outstanding rates and service charges, allowing 7 days for payment.
- (2) That action for recovery be taken after that time, to the extent allowed in the Act.

9.6 Loans

That in relation to loan raising Council's policy (first introduced in the 1976/77 year) be that all loans are rated over the whole Shire (no differential rating on account of loans).

9.7 Municipal Rates, Sewerage Rates and Garbage Charges Instalment Plan

That rates ordinarily become due and payable 35 days from the date of service as noted on the rate notice.

- 1. Ratepayers be given the option to pay in full within 35 days of service of the rate notice (as mentioned on the rate notice) without penalty. Section 6.50 (2) refers.
- 2. The rate notice contain information that Council has introduced an instalment option of the payment and this can be put in place by;

- (a) notifying Council in the form provided of the intention to take advantage of the instalment plan and paying the first instalment by the due date-, or
 - (b) merely paying the first instalment by the due date. Section 6.45 and FM60 refers.
- 3. Where a ratepayer elects to pay by instalments the ratepayer is bound by the instalments plan option rather than 35 days as per Section 6.50 (2).
- 4. The instalment plans available be;
 - (a) Three payments as under;
 - (i) 33.33% of the rates within 35 days
 - (ii) 33.33% of the rates within 2 months of that 35 day period
 - (iii) 33.33% of the rates within 2 months of the (ii) date being 4 months from the expiration of the initial 35 day period and 4 months and 35 days from the date of service of the rates notice.
 - (b) Four payments as under (this option required by Section 6.45 (1)):
 - (i) 25% of the rates within 35 days
 - (ii) 25% of the rates within 2 months of (i)
 - (iii) 25% of the rates within 2 months of (ii)
 - (iv) 25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of service of the notice. Where hardship experienced a written request to the Chief Executive Officer and an alternative instalment arrangement may be negotiated.
- 5. The following charges to apply to the instalment plans:
 - (a) A service charge of \$6.90 for each instalment other than the first. Section 6.45 (3) refers.
 - (b) An interest charge on each instalment amount calculated at 5.5%pa on a daily basis on the number of days being the time between instalments (being 2 months interest at 5.5% on the instalment amount). Section 6.45 (3) and FM Reg 68 refers.
 - (c) Where an instalment is not paid on time an interest charge on the unpaid instalment be imposed at the rate of 11%pa calculated on a daily basis from the date payment was due until paid. Section 6.51 (1) and FM Reg 70 refers.

6. In the case of ratepayers not opting for the instalment plan and who have not met their rates liability an interest charge be imposed on the outstanding amount from a date calculated from the calendar months from the date of issue of the rate notice at the interest rate of 11%.
Section 6.51 and FM Reg 70 refers.
7. The instalment option plan is not available to ratepayers having arrears of rates at the closing time (35 days from date of the assessment) for indicating a desire to take up the instalment plan option. FM Reg 59 refers.
8. The percentages mentioned i.e. the 5.5% and 11% are the maximums allowed in the regulations. In the case of 11% late payment penalty this applies only for the actual period the payment was overdue. For instance an instalment is 30 days overdue so the ratepayer is charged 11% for 30 days on the amount of the instalment; and that pursuant to Sections 6.13 (6) and 6.13 (1) of the Local Government Act that the times that instalment and late payment interest and penalty charges apply, also apply to sewerage rates and garbage removal charges and the level of interest charges and penalty, be the same as applies to municipal rates as per the policy adopted by Council at this meeting (30/7/1996).

9.8 Small Rates Balance Write Offs

The CEO has delegated authority to write off small rates balances up to and including \$20.00. All amounts over \$20.00 should be referred to Council for consideration.

9.9 Moora Lifestyle Village Relocation Policy

Purpose

To provide an effective and accountable system for financially assisting new tenants relocating to the Moora Lifestyle Village providing relevant incentive whilst ensuring there is a balance of commercial sustainability.

Policy

Financial assistance will be provided in one of two ways;

1. Loan funds provided by Council, executed by way of a legally binding agreement whereby Council will maintain an interests in the tenants property until such time as the loan is repaid in full;
2. Offer a weekly rental subsidy of 25% over a two year period commencing from when the first rental payment is due and payable.

Procedure

Scope

1. Relocation assistance will be limited to \$20,000 per tenant to assist with costs of;
 - a) Relocating the living unit to Moora;
 - b) Construction of driveways/patios/sheds and the like;

- c) Costs of connecting living unit to power, water, sewerage.
- 2. The term of loan will be by agreement but will not exceed a period of four years, without the special consideration and approval of the Council.
- 3. Monthly repayments of principal and interest in advance based on the prevailing interest rate of the W.A Treasury Corporation at the time of executing agreement plus 4%;
- 4. Funds for the relocation costs be facilitated through the W.A Treasury Corporation in accordance with the parameters of the Local Government Act 1995;
- 5. A written agreement will be drawn up to include;
 - a) the term of the loan and repayments to be payable by direct debit (monthly payments in advance.
 - b) procedures to be undertaken by the Shire of Moora if repayments are overdue
 - c) procedures to be undertaken if the tenant lease agreement ceases.

Procedure

The **Chief Executive Officer** is responsible for arranging the loan and executing agreements in accordance with policy guidelines and legislative requirements.

Responsibility

The **Deputy Chief Executive Officer** is responsible for:

- 1. Instigating action required for the establishment of a direct debit facility
- 2. Overseeing the administration of internal systems and processes relating to the relocation loan, including:
 - Establishing a direct debit facility;
 - Collating and retaining information and appropriate supporting documentation;
 - Collating quarterly statements of loan balances and providing copies to loan recipient.

Loan Recipient is responsible for:

- 1. Ensuring that funds are available in their nominated account for monthly direct debit payments
- 2. Ensuring that the loan is paid in full by the end of agreed term

SECTION 10

COMMUNITY RELATIONS AND GENERAL

10.1 Preservation of Shire Records

That Council records be maintained in accordance with the State Records Act 2000

10.2 Recognition of Achievements

- (1) That a letter of congratulations be sent to any resident of the Shire who obtains State Selection in a team or individual event, and that a Certificate of Merit be issued to any such person who, as a result of such selection achieves a medal or an award and further that such letters or certificates be presented on return to the district by the individuals involved, at a function in the Council Chambers.
- (2) That where school students are concerned the Certificates of Merit be presented at school assembly functions.

10.3 Railway Box Carriages

That as a Policy the relocation of old railway box carriages in townsites within the Shire of Moora not be permitted. (To be included in Building or Planning Section in final document)

10.4 Election Advertising Material

The Policy of Council in relation to election advertising is as under -

- (a) No political/election material or advertising to be erected or attached to any tree, fence or building on any road, road reserve or road verge or any other reserve area throughout the Shire.
- (b) Political/election material or advertising permitted on private property with the permission of the owner subject to (c) below
- (c) Where political/election material or advertising is erected on private property where the material or advertisement is visible from a road under the control of Main Roads WA the permission of the MRWA to be obtained.
- (d) Any political/election material to be completely taken down and /or removed within seven days of the election or poll to which the material relates.

10.5 Policy Change and Review

That policies of Council be fully reviewed bi-annually in December.

10.6 Use of Council's Seal

Council's Common Seal may be used to finalise or formalise documents in conjunction with the signature(s) of the Shire President and/or the CEO and such uses shall be reported to Council each month for Council endorsement.

10.7 Communications Policy

INTRODUCTION

The Shire of Moora's Communications Policy provides a framework for communication between Council and its stakeholders. The effective dissemination of information and communication is a vital element in building a positive identity for Council through the greater community awareness of its services, activities, achievements and resources.

Successful communication will be achieved through the distribution of regular, consistent and truthful information in partnership with productive community consultation on key issues. All Departments of Council must be committed to the Policy.

PURPOSE

- Provide regular and consistent communication on Council's projects and activities to all stakeholders
- Create a positive and professional image for the Shire of Moora through open communication and increased awareness of Council's activities and projects
- Foster meaningful community consultation process in Council's activities
- Effectively manage negative issues
- Ensure that internal communication is a key factor in all communication
- Develop a strong customer service focus within the Shire of Moora

Benefits of effective communication

- Assists in building a positive reputation
- Strengthens relationships with key stakeholders
- The strengthened link with stakeholders helps develop the most appropriate products and services
- Enables Council to deal with crises from a position of strength
- Improves employees' morale and job satisfaction
- Helps attract and retain better employees

Communication Stakeholders

The Shire of Moora's 'communication stakeholders' include:

- Ratepayers and residents
- Potential residents of the Shire of Moora
- Shire of Moora Councillors

- Employees of the Shire of Moora
- Business and Progress Associations of the Shire of Moora
- Visitors to the Shire of Moora
- Investors, developers and individuals with business interests within the Shire of Moora
- Customers who seek products or services or information from Council
- Community and government organisations
- Neighbouring local governments
- Local, regional and national media

When developing communication strategies and key messages the target audience must be determined which may consist of one, several or all of the stakeholders identified above. The characteristics of each stakeholder must be considered including their needs, wants, attitudes and perceptions of Council in addition to how they get their information.

POLICY

Community Consultation

Consultation with the community is seen as vital as it provides Council with an opportunity to impart information to key stakeholders and in turn receive feedback from the community. Community consultation is a process by seeking the views, opinions, concerns and reactions from the community as individuals or groups. By involving the community, community consultation enables people to understand issues and to have a sense of ownership in a project. For the community to truly feel involved with Council, it must be regularly given the opportunity to input their ideas into Council's activities. This is achieved by Council in the following ways:

- Public invitation to make submissions regarding important documents (such as the Management Policy and other strategies and policies)
- Community forums
- One to one consultation with the Shire President, Councillors, management and staff
- Generally unrestricted access to the Shire President, Councillors and Staff

In order for the community consultation process to be considered effective, the public must feel as though they have the opportunity to air an opinion or make a submission and must have the assurance that this will be properly considered.

Crisis Communication Strategy

Advance preparation is critical when dealing with potential crises or controversies.

To prevent the likelihood of controversies, management in consultation with employees need to identify, in advance issues that may impact significantly on the community. Such issues may be identified internally or through the monitoring of media and correspondence. Council must be proactive in communicating to the community the key facts of the issue in a positive manner, ensuring that the issue does not become a crisis. Appropriate communication methods may be the distribution of a media release, an interview with the media or communication directly with the effected parties - depending on the situation. All media and correspondence must be monitored to gauge public feeling and highlight any further issues.

Occasionally an unforeseen crisis occurs and the following steps may help management to deal with the issue in an effective way.

- Identify a single spokesperson, usually Shire President or Chief Executive Officer, and ensure that they are available to talk to the media and are well briefed on the issue.
- Be prepared and forthright. Be prepared with a response to media inquiries with all facts and figures ready. If Council is unable to respond to media inquiries, let the media know when an answer will be available.
- Never say 'no comment' as this equals guilty in the eye of the public. Develop a response that puts the public first, takes responsibility, is honest, shows genuine sympathy (if applicable) and states the who, when, what, where and why of the situation. Outline the steps that have been taken to rectify the situation and promise a full inquiry into the situation if it is applicable.
- Provide a constant flow of information to key stakeholders, most importantly employees.
- Be accessible and familiar with media needs and deadlines.
- Monitor media coverage and correspondence.

Customer Service

The way in which Council receives, answers and responds to phone calls, letters, faxes and emails combined with its face to face contact with customers, has the greatest impact on how Council is perceived in the community. It is vital that Council ensures that correct, effective, efficient and customer orientated responses are generated to develop and maintain a positive reputation for Council.

Employee Relations

Council's elected Councillors and employees are its most effective public relations ambassadors. It is vital that all employees and Councillors receive timely, relevant, consistent and user friendly information to ensure that they are adequately informed on Council's activities, minimising the likelihood of misinformation. Effective internal communication also encourages a participatory approach to change management, increases employees' morale and encourages more effective communication between employees across department and management levels.

Strategies encouraged by Council to ensure adequate communication to its employees include:

- Employee induction process ensures a full understanding of the workings of Council
- Fortnightly Senior Staff meetings (Manex)
- Access to Council documents including policies and procedures and minutes in each department and on Council's website and server
- Key messages posted on staff notice boards
- Disseminate Council actions to staff after each meeting
- Utilisation of group emails to quickly distribute key messages
- End of year function

Events

Council manages or supports a variety of Council and community events including:

- Australia Day celebrations
- Clean Up Australia Day
- Christmas Street Festival
- Sporting Events

- Fund Raising Events
- Be Active Events
- Moora Performing Arts Events

One off events may be managed by Council to introduce new products, bring attention to an organisation or individual, make an announcement or to celebrate a special occasion. Events play an important role in community life as a means of entertainment, social interaction and source of pride and sense of place. Council events are commonly staged to celebrate and recognise achievements within the Community and/or to promote a specific key message or interest.

Council also provides financial or in-kind support to community events to establish mutually beneficial partnerships between Council and the community; to raise the profile of the Council within the community; to provide opportunities for project development and skill development of members involved in events; to create pride in the local community; and to generate income and employment opportunities.

Media Relations

Council will endeavour to establish and maintain a good working relationship with local and regional media outlets. It is necessary for Council to provide accurate, timely and cost effective information to media outlets that promotes Council in a positive way.

Media activities carried out by Council are predominately undertaken by the Shire President and/or Chief Executive Officer including the distribution of media releases, organisation of photo opportunities, contacting the media with the intent of gaining new publicity about, or originated by Council and responding to media requests for information.

Council issues media releases on occasions. Media releases must be authorised by the Chief Executive Officer prior to distribution. All media releases should be submitted to the Chief Executive Officer for distribution and must be presented on the media release template.

It is strongly encouraged that non-verbal resources are sourced to complement media releases such as photographs, images, graphs and maps to strengthen messages. The supply of images to the media can assist in the explanation of a difficult situation and greatly increase the likelihood of the media using the story.

The Shire President and the Chief Executive Officer are Council's official spokespeople. The spokespersons are to make public comments at public speaking engagements; on radio and television; and views expressed in letters to newspapers or in books, journals and notices where it might be expected that the publication or circulation of the comment will spread to the community at large. Staff should only talk to the media on behalf of the Council on matters of factual information only. Staff must not discuss sensitive, confidential or political matters with the media, in particularly current court cases or confidential legal advice. The Shire President may ask other Councillors to speak to the media. The Deputy Shire President, for example, is often asked to comment.

Website

Council must ensure that an up to date, clear and concise website on Council and its activities is maintained as a convenient information source and valuable customer service tool for its stakeholders. The website is a cost effective information source which can be accessed by anyone, anywhere, at a time

that is convenient to the user. Council's website usage is continuously increasing as stakeholder's awareness of and accessibility of the Internet improves. Regular communications and marketing initiatives must be maintained by Council to encourage stakeholders to use the website for Council and community information.

Reporting

Monitoring and Evaluation

The effectiveness of Council's communication tools must be monitored to ensure that Council's stakeholders are adequately aware of and informed of Council's activities and services.

A number of tools are utilised by Council to monitor its communication activities, including the following:

- Monitoring of media coverage occurs on an as need basis. Clippings and DVD's are collected by the Corporate Services Department to monitor the frequency of media coverage and analyse content.
- Council is to survey customer attitudes and opinions with a major survey to be conducted annually. The aim of the survey is to monitor community attitudes and satisfaction on a broad range of issues to assist Council in Policy creation for future developments and activities including customer service and communications activities.
- Stakeholder correspondence and behaviour provides an indication of the effectiveness of Council's communication activities. Stakeholder's awareness, knowledge, opinions, and behaviours related to Council are most apparent through their actions such as participation/ customer levels and feedback received.

Monitoring and evaluation must occur on a regular basis to ensure that Council is achieving its communication objectives and so that Council can modify, amend or continue communication programs as needs be.

SECTION 11

INVESTMENT POLICY

11.1 POLICY OBJECTIVE

- To provide policy guidelines for investment of Municipal Funds which are surplus to immediate requirements
- To provide policy guidelines for the investment of Reserve Funds.

11.2 INVESTMENT OBJECTIVES

The investments objective is to manage the Council's investment portfolio in order to maximise return within agreed risk parameters. To achieve this the following must be maintained:

- High level of security by using recognised assessment criteria.
- Ready access to funds for day to day requirements.
- Adherence to the requirements of Section 6.14 of the Local Government Act 1995 and Section 18 (1) of the Trustees Act 1962 (as amended) (the "Prudent Person" rule).

11.2.1 Risk Profile

When exercising the power of investment the following are to be given consideration:

- the purpose of the investment and the needs and circumstances;
- the desirability of diversifying investments;
- the nature of and risk associated with existing investments;
- the need to maintain the real value of the capital and income;
- the risk of capital or income loss or depreciation;
- the potential for capital appreciation;
- the likely income return and the timing of income return;
- the length of the term of the proposed investment;
- the probable duration of the fund;

- the liquidity and the marketability of the proposed investment during, and on the determination of, the term 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;
- the costs (including commissions, fees, charges and duties payable) of making the proposed investment; and
- the results of a review of existing investments.

11.2.2 Authorised Investments

Authorised investments would include but not necessarily be limited to:

- Bank interest bearing deposits;
- Bank accepted/endorsed bank bills;
- Bank negotiable Certificates of Deposit;
- Bank backed floating rate notes;
- State/Commonwealth Government Bonds; and
- Managed funds (Investment in managed funds requires Council Approval)

It should be noted that to comply with Financial Management Regulation 8(1)(c) Reserve Funds set up under Section 6.11 of the Local Government Act 1995 must be supported and matched by funds held in Financial Institutions, i.e. Cash-Backed.

11.2.3 General Policy Guidelines

1. Quotations on Investments

Three (3) quotations may be obtained from authorised institutions whenever an investment is proposed. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set above and Council's bank management fee structure based around a level of credit funds being maintained.

2. Credit Risk

Amounts may only be invested with authorised financial institutions with a Standard and Poor's Long Term Issue credit rating of AA or AAA. If any of Council's investments are downgraded such that they are no longer AA or AAA, they will be divested as soon as is practicable.

3. Term to Maturity

- The term to maturity for investment of Municipal Funds may range from "at call" to six months without Council approval.
- The term to maturity for investment of Reserve Funds may range from "at call" to twelve months without Council approval.

4. Liquidity

- At least 20% of the total investment portfolio for the Municipal Fund must be able to be liquidated within 14 days.
- Cash flow must be monitored to ensure cash funds are available to meet commitments.

11.3 DELEGATIONS OF AUTHORITY

The authority is to be delegated to the Chief Executive Officer to make investment decisions and sign investment lodgements and withdrawals. Pursuant to the provisions of Section 5.45 of the Local Government Act 1995. This authority may be delegated to the Manager Finance & Corporate Services by the Chief Executive Officer. Delegation 1.32 refers.

11.4 POLICY REVIEW

This policy is to be reviewed at least annually.

SECTION 12

PURCHASING AND TENDER POLICY

12.1 OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Moora.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Moora operational areas.

12.2 WHY DO WE NEED A PURCHASING POLICY?

The Shire of Moora is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Moora with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Moora receives value for money in its purchasing.
- Ensures that the Shire of Moora considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Moora is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Moora's purchasing practices that withstand probity.

12.3 ETHICS & INTEGRITY

All officers and employees of the Shire of Moora shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Moora.

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 of Moora policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which 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 and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- Any information provided to the Shire of Moora by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

12.4 VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Moora. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, service benchmarks and local supply.

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) 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;
- 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.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

12.5 SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Shire of Moora is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Moora's sustainability objectives.

Practically, sustainable procurement means the Shire of Moora shall endeavour at all times to identify and procure products and services that:

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

12.6 PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

<u>Amount of Purchase</u>	<u>Model Policy</u>
<u>Up to \$5,000</u>	<u>Direct purchase from suppliers requiring only two quotations.</u>
<u>\$5,001 - \$39,999</u>	<u>Obtain at least three quotations.</u>
<u>\$40,000 - \$150,999</u>	<u>Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).</u>
<u>\$150,000 and above</u>	<u>Conduct a public tender process.</u>

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

12.6.1 Up to \$5,000

Where the value of procurement of goods or services does not exceed \$5,000, purchase on the basis of at least two quotations is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

12.6.2 \$5,001 to \$39,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,001 and \$39,999

At least two quotations are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification are clearly understood by the Shire of Moora employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

12.6.4 \$40,000 to \$150,000

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$150,000 it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

12.7 REGULATORY COMPLIANCE

12.7.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

12.7.2 Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

12.7.3 Anti-Avoidance

The Shire of Moora shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

12.7.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday in accordance with applicable regulatory legislation.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;

- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Shire of Moora decides should be disclosed to those interested in submitting a tender;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the Shire of Moora has decided to submit a tender; and
 - Whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

12.7.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Moora not to compromise its Duty to be fair.

12.7.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

12.7.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as *commercial-in-confidence* to the Shire of Moora. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Local Government Officers present at the opening of tenders.

12.7.9 No Tenders Received

Where the Shire of Moora has invited tenders, however no compliant submissions have been received; direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$150,999 (listed above);
- the specification for goods and/or services remains unchanged;
- Purchasing is arranged within 6 months of the closing date of the lapsed tender.

12.7.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Moora by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

12.7.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Moora may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

12.7.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Moora and tenderer have entered into a Contract, a minor variation may be made by the Shire of Moora.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

12.7.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

12.7.14 Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Moora's internal records management policy.

SECTION 13

BUSH FIRE CONTROL

BUSHFIRE POLICIES

PROCEDURES/BY LAWS

SHIRE OF MOORA

BUSH FIRE POLICY

POLICY STATEMENT:

IT SHALL BE THE POLICY OF THE COUNCIL OF THE SHIRE OF MOORA TO ESTABLISH AND MAINTAIN A BUSH FIRE CONTROL ORGANISATION IN ACCORDANCE WITH PART V (67) OF THE BUSH FIRES ACT 1954 IN ORDER TO PROVIDE ADEQUATE FIRE DISTRICT AND TO CARRY OUT AN ONGOING PROGRAMME OF HAZARD REDUCTION HAVING DUE REGARD AT ALL TIMES FOR THE PRESERVATION OF THE NATURAL ENVIRONMENTAL.

THIS POLICY TO BE REVIEWED ANNUALLY

I. FIRE MANAGEMENT

Council will form a Bush Fire Advisory Committee to administer Council's Policies, on matters relating to bush fire prevention, control and extinguishments, as provided for by Section 67 of the Bush Fires Act 1954.

I.1 The Bush Fire Advisory Committee shall represent each Brigade as follows;

- ONE CHIEF FIRE CONTROL OFFICER
- DEPUTY CHIEF FIRE CONTROL OFFICERS
- COMMUNITY EMERGENCY SERVICES MANAGER
- FIVE FIRE CONTROL OFFICERS, at least one of the Committee persons shall be a Councillor, the remaining members of the Committee shall be;
- ONE COUNCIL ADMINISTRATION OFFICER
- ONE DEPARTMENT OF FIRE & EMERGENCY SERVICES REPRESENTATIVE

I.2 The Chief Bush Fire Control Officer and two Deputy Chief Bush Fire Control Officers are elected by majority at the Annual General Meeting of Bush Fire Advisory Committee meeting and the Fire Control Officers are also to be elected at the Annual General Meeting.

I.3 The Bush Fire Advisory Committee will meet at least in March and prior to the AGM of Bush Fire Brigades each year. Other meetings will be held as deemed necessary. Guests, relevant to discussions to take place, may be invited to attend and address these meetings.

I.4 The number of members required to form a quorum of the Management Committee is;

- (a) Where the total number of members of the Committee is an even number, one half of that total;
- (b) Where the total number of members of the Committee is an odd number, the integer nearest to but greater than one half of that total.

I.5 Recommendations from the Bush Fire Advisory Committee will be presented to Council as soon as practical after each meeting.

2. BUSH FIRE CONTROL OFFICERS:

2.1 APPOINTMENT

- (a) At the Annual General Meeting of Bush Fire Advisory Committee, Brigade members may be nominated to Council to serve as Bush Fire Control Officers until reviewed at the next following Annual General Meeting.
- (b) The Council may appoint Bush Fire Control Officers in accordance with section 38 of the Bush Fires Act 1954 and such officers shall be issued with a certificate of Appointment by the Council.
- (c) At the AGM of Bush Fire Advisory Committee the Members present shall elect a Chief Fire Control Officer, two Deputy Chief Fire Control Officers, a Fire Weather Officer, and Deputy Fire Weather Officers who shall be nominated to Council for appointment until the next following Annual General Meeting.

2.2 POWERS

The Council retains the express authority to appoint, determine and restrict the powers of Bush Fire Control Officers. Such appointment will be in accordance with the requirement of the district and may prescribe an area over which the Bush Fire Control Officer shall have jurisdiction. Each Fire Control Officer so appointed shall be supplied with a copy of the Act and Regulations.

3. DUTIES OF A FIRE CONTROL OFFICER:

The Fire Control Officer is a person who has been nominated by a Brigade and appointed by Council.

The appointment must be advertised in the Shire.

He has wide powers and is not liable for any damage, loss or injury caused as a result of the exercise of these powers, provided they are carried out in good faith.

He is a voluntary worker who gives his time in furthering the aims of fire prevention and control within the Shire.

The only reward is the satisfaction gained in performing a service of the greatest importance to the individual and community.

His duties may range quite considerably from time to time, but the following is an outline of the duties he is expected to carry out.

- 3.1 Carry out inspections of firebreaks in his Brigade area, and advise the Chief Bush Fire Control Officer or Chief Executive Officer of any non-compliance with the Firebreak By-Laws.

- 3.2 To prevent Bush Fires and protect life and property in the case of an outbreak of a bush fire.
- 3.3 To demand the name and address of any person committing an offence against the Act and to report to the Chief Executive Officer. Any persons refusing his name to a Bush Fire Control Officer may be arrested without warrant, under Section 56(2) of the Bush Fire Act 1954.
- 3.4 Other Bush Fire Control related matters as directed by Council.

4. VOLUNTEER BUSH FIRE BRIGADE:

Bush Fire Brigades will be established and maintained in the various fire areas providing proper and adequate fire protection.

- 4.1 The Shire will encourage members of the Volunteer Brigades to participate in training programmes offered by the Shire and the Department of Fire & Emergency Services (See Training Policy Appendix).
- 4.2 The Chief Executive Officer be authorised to approve and record applications submitted by Brigades for enrolments as Fire Fighting members, without reference to the Bush Fire Advisory Committee.

5. HAZARD REDUCTION OPERATIONS:

All hazard reduction operations undertaken by a Bushfire Brigade shall be authorised by the Shire, in accordance with the Committees Policy.

6. ADMINISTRATION:

- 6.1 The Shire of Moora shall enforce the requirements of the Bush Fires Act 1954.
- 6.2 The Bush Fire Advisory Committee shall be responsible for administering the provisions of the Bush Fires Act 1954 and the Shire Bush Fire Policy,
- 6.3 The Council shall authorise the Chief Executive Officer, Deputy Chief Executive Officer Manager Engineering Services or Works Supervisor, upon request from the Officer-in Charge of the Bush Fire to;

Call out or authorise the use of Shire vehicles, plant and equipment other than the normally used exclusively for fire fighting or control. These are to be operated by Council Staff,

The conditions applicable to use of Council plant are;

- a) Request for assistance and instructions can only come from the Fire Control Officer-in-Charge of the fire.
- b) Shire water tankers must be parked in a safe area and used only for back up water supplies.

- c) An operator has the right to refuse any instruction which he feels would put himself and his machine at risk. All Council machinery shall be accompanied by the fire fighting unit.

- 6.4 INFRINGEMENT NOTICES - Only persons authorised to do so by the Shire may issue Infringement Notices for Offences under the Bush Fires Act 1954 and that authority once given, shall remain in force until such time as it is revoked by the Shire.
- 6.5 FIREBREAK BY-LAW NOTICES - The Council will forward a copy of its Firebreak By-laws Notice no later than 30th September each year to all owners and occupiers of land within its district.

Council will thereafter not be required to give further notice of its firebreak requirements.

An Infringement Notice carrying a penalty as per Section 33 of the Bush Fires Act 1954 may be served on owners or occupiers of land who have not complied with the Shire's firebreak requirements and compulsory firebreaks may be installed at the owners or occupiers expense. (See appendix).

7. BUSH FIRE CONTROL:

- 7.1 ROADSIDE BURNING - Persons wishing to carry out roadside burning on roads under Council control must make application to the Chief Executive Officer who will arrange for an inspection to be carried out by a Brigade Fire Control Officer and the applicant, permit to be issued by that Fire Control Officer.

All roadside burns are to be the direct responsibility of the Bush Fire Brigade or Fire Control Officer in the area.

Signs indicating a "Roadside Burning Ahead" are to be erected both ends of the controlled burn.

Approval to burn on the Great Northern Highway and Midlands Road and Moora-Bindoon Road are to be given only after consultation between the Main Roads Western Australia and Council.

- 7.2 PROHIBITED AND RESTRICTED BURNING TIMES -

- (a) RESTRICTED BURNING PERIODS - the restricted burning periods within the Shire are;
19TH SEPTEMBER TO 31ST OCTOBER
15TH FEBRUARY TO 29TH MARCH
- (b) PROHIBITED BURNING PERIODS- the prohibited burning period within the Shire is;
1ST NOVEMBER TO 14TH FEBRUARY

Variations to either prohibited or restricted burning times or conditions may be authorised by the Chief Bush Fire Control Officer and the Chief Executive Officer. In addition to the statutory requirements of Sections 17 and 18 of the Bush Fires Act 1954 the Chief Executive Officer shall notify the Council and the Fire Control Officers of any such variations as well as advising the public through the local paper and ABC Regional Radio Geraldton.

7.3 BURNING OF RUBBISH TIPS -

- (a) **BURNING DURING PROHIBITED BURNING TIMES** - The Moora rubbish disposal site situated on Melbourne Location 1239 Lot 1 and also Reserve 34278 may be burned during the Prohibited Burning Time subject to the conditions as presented in the Notice of Suspension of Section 25 of the Bush Fires Act 1954.
- (b) **BURNING AT OTHER TIMES** - The Moora and other rubbish tips may be burnt only when conditions are suitable. The burns are to be under the direction of a Senior Council Officer or an appointed Fire Control Officer, Chief Bush Fire Control Officer to be informed prior to burning.

7.4 PROSECUTIONS AND FIRE REPORTS - Fire Control Officers may recommend prosecution where considered desirable when submitting Fire Reports, with the knowledge they will be called upon to give evidence.

7.5 FIREBREAKS - The Chief Executive Officer and the Chief Bush Fire Control Officer are authorised to approve or reject applications from landowners for reasonable extensions of time in which firebreaks are to be provided and to approve or reject requests for approval to provide firebreaks in alternative positions.

Fire Control Officers are to notify the Chief Executive Officer or Chief Bush Fire Control Officer if it has been observed that firebreaks have not been constructed in accordance with Council's Firebreak By-Laws.

7.6 BURNING OFF -

- (a) **SUNDAY BURNING** - burning of bush is not permitted on any Sunday occurring during the Restricted or Prohibited Burning time.
- (b) **PUBLIC HOLIDAYS** - burning of bush is not permitted to be carried out on any Public Holiday occurring during the Restricted or Prohibited Burning times.

NOTE: Bush is defined as including trees, bushes, plants, stubble, scrub and undergrowth.

7.7 PERMITS TO BURN BUSH -

- (a) Authorised Permit Issuing Officers are the only persons allowed to issue permits; such persons are named in a list which is reviewed annually.

- (b) Permits to burn are for a maximum of seven (7) days only. Sundays and Public Holidays are excluded.
- (c) The permit issuer may vary conditions 2, 3, 4, 5 & 6 of regulations 15(b) but not 7, 8 & 9. Any variations must be in writing and clearly stated on the permit.
- (d) The Permit Issuing Officers are limited to three per Brigade and a mandatory condition of any permit is that the Permit holder is to notify the Brigade Captain in the first instance that he intends to burn on that day before 8.00am. The Chief Bush Fire Control Officer is authorised to issue "Special" Permits to Burn clover and/or rye grass.

8. HARVESTING

- 8.1 HARVEST BANS - Harvest Bans can only be placed by the Chief Executive Officer, Deputy Chief Executive Officer, Chief Bush Fire Control Officer or Chief Weather Officer. The Regional ABC is to be advised for broadcasting to the public. (See appendix)
- 8.2 HARVESTING ON SUNDAYS AND PUBLIC HOLIDAYS - Harvesting is permitted on all Sundays and Public Holidays excepting Christmas Day, Boxing Day and New Years Day in accordance with conditions set by Council in its separate Policy relative to the matter, included in appendix.

9. VEHICLES

- 9.1 The Shire to provide and maintain firefighting appliances and equipment pursuant to the powers conferred under Section 36 of the Bush Fires Act 1954.
- 9.2 Maintenance and repair of these Shire owned equipment will be the responsibility of Council and all maintenance or repairs will be carried out with the knowledge and consent of Council.
- 9.3 All replacement parts or equipment will be purchased on an Official Shire Purchase Order.
- 9.4 Any damage to Shire appliances or equipment shall be reported to the Council as soon as practicable after the damage has occurred.
- 9.5 The Council will be responsible for maintaining the fire fighting appliances in a roadworthy condition.
- 9.6 The Brigade Captains will be responsible for;
 - (a) Ensuring that the Brigade appliances are serviced and checked on a regular basis.
 - (b) Ensuring that the battery, tyres, water, oil and fuel of the Shire Fire Fighting appliances are checked at least once a week.
- 9.7 The fire appliances at Bindi Bindi, Coomberdale, Koojan, Miling and Watheroo are to be used to control fires occurring within the town or threatening the town with the understanding

that whether or not the Shire's fire appliances are used away from the townsite is at the discretion of the Brigade Captain.

- 9.8 Fire fighting appliances allocated to Volunteer Bush Fire Brigades will be stationed at the designated fire shed or other locations nominated in writing by the Brigades and agreed to by Council.
- 9.9 No fire fighting appliance shall be removed from the designated fire shed or other nominated location by any persons without the Brigade Captain or another Officer of the Brigade being advised either verbally or in writing of the intended location of appliances.
- 9.10 The Brigade Captain will at all times keep the Council informed of any charges of the day to day location and operational status of the brigades appliances.
- 9.11 The driver of any Shire fire fighting appliances will hold a current drivers licenses of the class appropriate for the appliance being driven and be either;
- A COUNCIL EMPLOYEE
 - A REGISTERED MEMBER OF THE VOLUNTEER BUSH FIRE BRIGADE
 - ANY PERSONS AUTHORISED BY THE CHIEF EXECUTIVE OFFICER, COMMUNITY EMERGENCY SERVICES MANAGER OR FIRE CONTROL OFFICER TO DO SO.
- 9.12 The driver of a Shire fire fighting appliance shall at all times observe the provisions of the Road Traffic Code, in particular those applying to emergency vehicles. The WA Road Traffic Code 2000, *Regulation 18* removes exemptions under Regulation 281 to drive at speed if that driving is deemed careless, reckless or at a speed, or in a manner, that is dangerous to the public.

10. EQUIPMENT AND TOOLS:

Each fire unit shall be supplied with such equipment and tools as deemed necessary.

11. SAFETY CLOTHING AND FOOTWEAR:

Registered Brigade Personnel on the fire grounds must be dressed in accordance with the Department of Fire & Emergency Services recommended industry standard or equivalent. Personnel turning up to fires without the minimum standards will be advised to dress properly or asked to leave the fire ground.

(Minimum Standard) - Is cotton or woollen long trousers, cotton or woollen long sleeve shirt and safety boots and leather gloves.

12. COMMUNICATIONS:

- 12.1 An efficient two-way radio network will be established and maintained for fire fighting communications.
- 12.2 Western Australian Emergency Radio Network (WAERN) sets to be located within all Brigade areas to the best advantage and such location are decided by;

- CHIEF BUSHFIRE CONTROL OFFICER
- COMMUNITY EMERGENCY SERVICES MANAGER
- SHIRE COUNCIL REPRESENTATIVE

after consultation with Area Brigade Captain.

13. INSURANCE:

The Shire will obtain and keep a policy of insurance for fire fighters and equipment as provided pursuant to Section 37 of the Bush Fires Act 1954, which will cover personnel, equipment and vehicles whilst engaged on authorised activities.

14. SUBDIVISIONS:

Conditions of approval for all subdivisions within the Moora Shire will be as per the Rural Subdivision Policy Statement.

SHIRE OF MOORA

POLICY ON SAFETY AND HEALTH RELATIVE TO VOLUNTEER, BUSH FIRE FIGHTERS

The Council of the Shire of Moora recognises the extremely valuable contribution to the community by the Bush Fire Volunteers.

It is the policy of Council to ensure that Bush Fire Volunteers are provided with safe working equipment, the safest work systems practical, and to minimise the frequency of accidents and injury.

Council recognises that both the Shire and Bush Fire Brigade Volunteers have a responsibility for safety and health.

COUNCIL RESPONSIBILITIES:

All practical efforts will be made to;

- Instruct Bush Fire Brigade Volunteers in safe working practices
- Ensure that brigade owned equipment is in safe working order
- Require the use of protective clothing and equipment appropriate to the task
- Ensure that volunteers have ready access to first aid facilities
- Investigate accidents and possible safety and health risks and take appropriate remedial action
- Provide a mechanism for joint Shire/Bush Fires Board Volunteer consultation on safety matters; and
- Review the effectiveness of Bush Fire Brigade Volunteer training, safety and health policies as necessary

VOLUNTEER RESPONSIBILITIES:

- To maintain a reasonable standard of physical fitness
- To acquaint themselves with safe working procedures
- To identify safety and health hazards and report these to senior officers
- To observe safe working practices and avoid unnecessary risks and be responsible for their own safety
- To ensure that they present themselves dressed appropriately for fire fighting and make proper use of personal protective equipment whenever necessary and when required to do so.

Council acknowledges that the occupational risks inherent in fire fighting and other emergency duties undertaken by Bush Fire Brigade Volunteers are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however, it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to Bush Fire Brigade Volunteers, both on the fire ground, and in the performance of all other duties.

RESPONSE TO HAZARDOUS MATERIAL FIRES

A Bush Fire Brigade when required shall;

- Provide an initial report of the incident to the local authority
- Extinguish bush fires that are associated with the incident if it is safe to do so.
- Assist Volunteer Fire & Rescue Service (VFRS), where possible, to render the situation safe
- Provide fire protection in the recovery phase.
- To provide a fire report on the incident at the conclusion.

Reports are important and must be furnished without delay so that specialist advice on how the incident must be handled with safety can be obtained.

Reports must contain information of the location of the fire, volume and direction of the smoke plume, suspected hazardous material involved, details of fire fighting equipment available on site.

Department of Fire & Emergency Services (DFES) is the designated Hazard Management Agency for all hazardous materials emergencies in Western Australia and Volunteer Fire & Rescue Service (VFRS) is the combat agency where a DFES brigade is established.

IT CANNOT BE STRESSED TOO STRONGLY THAT TO ACT WITHOUT SPECIALIST ADVICE IS DANGEROUS!!

SHIRE OF MOORA BUSH FIRE TRAINING POLICY

I. TRAINING AND THE BUSH FIRE ORGANISATION

Council recognises that Volunteer Bush Fire Fighters must be properly trained to perform their tasks in a safe and efficient manner.

Responsibilities differ at various levels in the fire Organisation and accordingly the level of skills required to perform related tasks varies also.

Council recognises that a basic level of skill is required for all fire fighters.

To ensure that fire fighters are adequately skilled to fulfil these tasks, Council adopts a Training Policy and supports its brigade officers in the implementation of the same.

2. TRAINING FIRE FIGHTERS:

THAT IT BE COUNCIL POLICY THAT;

- 2.1 The Community Emergency Services Manager oversee training of Council volunteer fire fighters

OR

That a bush fire brigade appoints an officer or a member of the brigade as the Brigade Training Officer.

It will be these Officers' responsibility to ensure that all fire fighters are skilled in basic fire fighting procedures the, efficient and safe operation of the brigade's equipment and that Council is informed of local training standards.

- 2.2 Council will encourage members of brigades to participate in the training programmes offered by the Department of Fire & Emergency Services.
- 2.4 All Training Officers appointed by Council and/or brigades will be required to present training to fire fighters throughout the Shire.
- 2.5 SAFETY OF PERSONNEL - the person in charge of training shall at all time keep the safety of these personnel under his/her direction as a primary consideration.
- 2.6 Serving brigade members who have not already undertaken formal training courses must satisfy their brigade Training Officer that they have a level of knowledge and skills at least equal to the Basic Training Officer that they have a level of knowledge and skills at least equal to the basic training level set by the Department of Fire & Emergency Services
- 2.7 The promotion within the Brigade should be based on experience.

- 2.8 Council will require its Fire Officers to be trained to a level consistent with rank and role within the bush fire Organisation.

PROFILE OF A FIRE FIGHTER:

1. At all times, Brigade members engaged in training, fire suppression, hazard reduction or any authorised activity must be acting in accordance with the Brigades constitution/objectives and Local Authority Policy.
2. The Brigade member has a responsibility not only to themselves in the manner they present, conduct or represent themselves or their Local Authority, but to their fellow members, their families and members' families.
3. All Brigade members have a duty of care to their fellow member to ensure they are in good health and physically fit to carry out the task allocated to them and their actions will not jeopardise the safety of fellow members.
4. They will carry out any instructions given to them by a Brigade Officer, if it is safe to do so.
5. They will endeavour to promote the Brigades objectives, to participate in fuel reduction and training programmes to the desired level within the Brigades and in accordance with their role in the Brigade.
6. Brigade members should set an example to their community by their dedication to fire protection and their home/land should be an example to the community.
7. The Bush Fire Brigade member has a valuable contribution to make to the Brigade the community and thus has a commitment/responsibility to local and district fire protection.
8. All Brigade members must acquaint themselves with Council's Bush Fire By-Laws Policy and Protection Plans.

PROFILE OF BUSH FIRE BRIGADE OFFICERS:

The Captain

1. Is in charge of all fire fighters and members of the Brigade.
2. Is responsible for the safety and well being of all personnel under his control at any time when involved in any activities while representing the Brigade and the Local Authority.
3. Has a responsibility to ensure the operation of equipment is maintained at a high level of proficiency and in a safe manner.
4. Shall be responsible for the co-ordination of Brigade Resources in fire related matters.

5. Shall be seen as a leader with demonstrated skills with the capability to delegate tasks to ensure the proper running, maintenance of the Brigade and its objectives.
6. Be required to have an intimate knowledge of the Brigades area of responsibility, the high-risk areas, firebreaks access, water supplies, major landowners and land vesting's.
7. To have a knowledge of the Brigade members special abilities and be able to co-ordinate these skills and abilities to the benefit of the Brigade and its members.
8. Shall have a demonstrative ability, to liaise with adjoining Brigades and to operate the Brigade under the direction of the FCO to ensure best use of the Brigade and its resources.
9. To assume the duties and responsibilities of a FCO
10. To co-ordinate the Brigades roster systems.
11. Be responsible for adequate training of members as per Council's Training Policy.

Lieutenants

1. Are responsible for the crew and fire equipment in their charge.
2. Will assume the duties and responsibilities of the Captain in order of seniority in the Captain's absence.
3. To carry out any instruction given directly by the Captain or in the Captain's absence, the FCO.
4. To ensure the crew present themselves in a safe manner and act in a safe manner so as to not endanger members of the crew.

PROFILE OF A BUSH FIRE CONTROL OFFICER:

Duties

The main duties of a Bush Fire Control Officer relate to fire prevention. The FCO is officer through whom Local Government works to control the use of fire and certain machinery and operations at such times of the year as these could lead to bush fires.

In all cases, the FCO works in close contact with the public and frequently in an enforcement role. At other times the FCO imposes conditions on activities, which as a result may become more onerous to carry out. The FCO has an advisory function on general fire safety also.

In carrying out an FCO's duties, they have the power of entry on land or into buildings, an activity which may be construed by some as in invasion of privacy.

In fire suppression, the duties involve the direction of volunteers and brigades the FCO is responsible for practical decisions, which would involve life and property and has wide powers when involved in fire fighting.

In all duties, they are subject to Council direction, control and possible limitation of power conferred by the Bush Fires Act.

Experience and Temperament

Bush Fire Control Officers must therefore have experience in dealing with the public from the aspect that they are in charge of the situation and issues may be contentious.

To maintain their position, they must have a good working knowledge of bush fire legislation, the fundamentals of bush fire prevention-work and fire behaviour.

An FCO must have even temperament as they may be called to deal with provocative situations, but at the same time they must have sufficient strength of character to maintain their ground.

In fire suppression a working knowledge of legislation as it relates to powers of Bush Fire Control Officers is essential as is knowledge of fire suppression techniques, preferably gained by experience from the grassroots upwards.

They must be trusted and respected by brigade personnel, and be their leaders.

They must command obedience and respect and must be capable of positive action.

They must have a clear understanding of their role of their relationship to Council, ie; they are responsible to Council to carry out fire protection work as they direct.

In looking for a Fire Control Officer, you would look for;

- A person of integrity
- Steady and reliable
- A person willing to take as well as give orders
- A high sense of responsibility
- Relevant fire experience

The persons to be selected for a Fire Control Officer, particularly if there is to be an accent of fire suppression, must be physically fit.

PROFILE OF A CHIEF BUSH FIRE CONTROL OFFICER

DUTIES:

The Chief Bush Fire Control Officer (CBFCO) is the most senior Fire Control Officer appointed by a Shire. He has all the powers and responsibilities conferred on Bush Fire Control Officers by the Bush Fires Act and regulations (see profile of a Bush Fire Control Officer).

As the most senior member of a Local Authority bush fire Organisation, he may take overall charge of fire fighting in the Shire. The Chief Bush Fire Control Officer is expected to assume the role of leader, guide and mentor to more junior Bush Fire Control Officers and the bush fire Organisation in his area.

He provides co-ordination between the various parts of his Organisation as well as coordination between municipalities and other fire suppression agencies.

Experience and Skills

The qualifications relevant to Bush Fire Control Officers apply equally to the Chief.

As the Senior Officer his leadership skills must be recognised and accepted by his peers. He must command their respect.

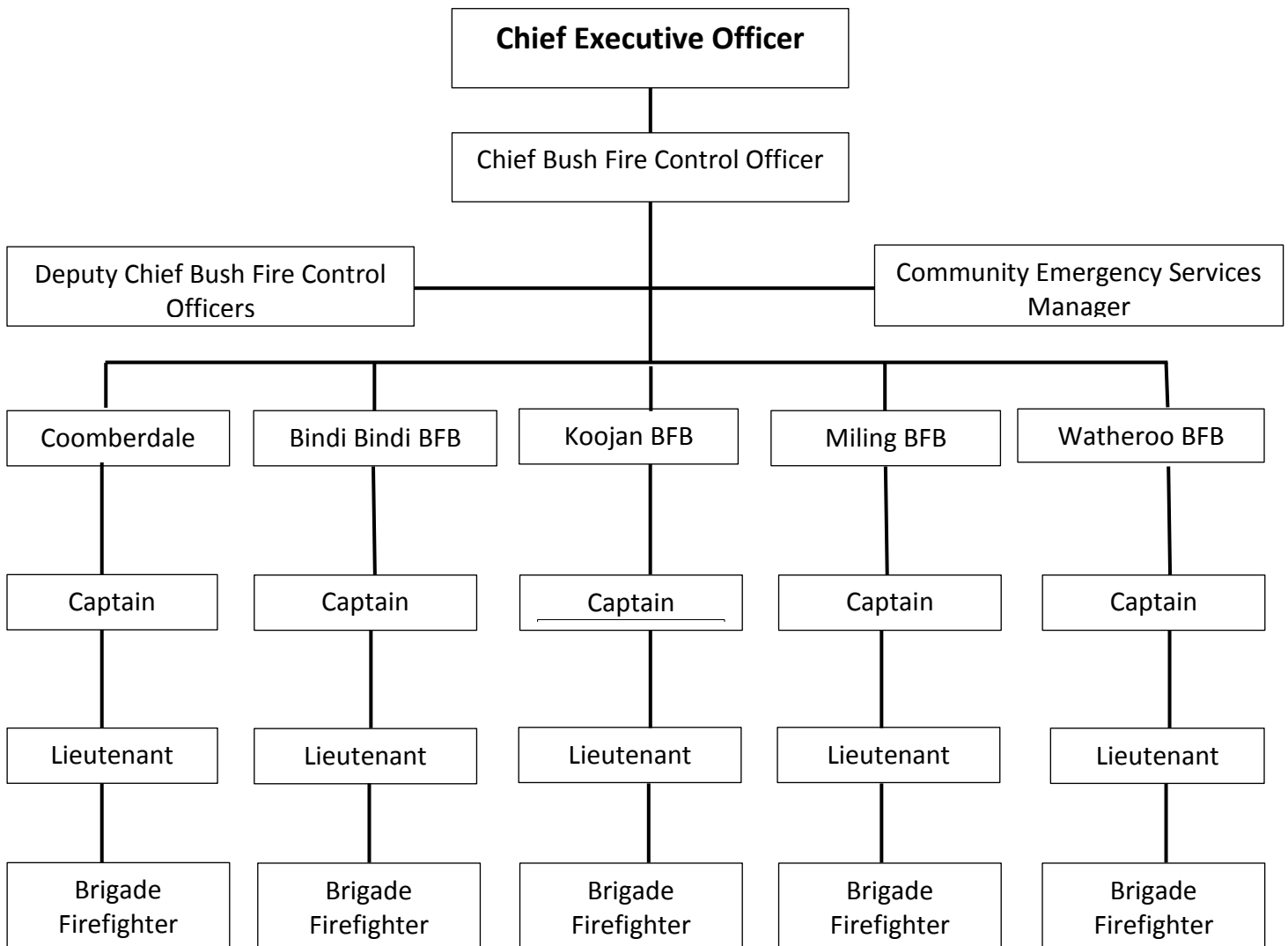
In effect he is the Manager of the local bush fire Organisation and as such must have managerial skills and a wide knowledge of the fire Organisation in his municipality.

Relationship with the Authority

The Chief Bush Fire Control Officer must enjoy the confidence of his Local Authority and have adequate authority (or access to it) to use Council resources and/or funds when fires may warrant such action.

While the choice of Bush Fire Control Officers can be influenced to a large degree by brigades and volunteers, the choice of Chief is an important decision which property lies with Council.

BUSH FIRE CONTROL ORGANISATION STRUCTURE



RURAL SUBDIVISION POLICY STATEMENT

Council recognises the need to address the level of protection, where life, properties and values would be threatened by bush fires in rural subdivisions which may develop.

Consultation with DFES will assist in compatibility of conditions of approval being set by both instrumentalities.

The following issues shall be addressed when setting the standard of fire protection in new developments.

These issues will be assessed by Council, Fire Control Officers, and appropriate recommendations made to Council for inclusion in their submissions to the WA Planning Commission.

ACCESS:

To avoid the possibility of residents being trapped by fire, the question of fire fighters access and residents egress will be addressed.

- (a) All created lots to be provided with road access.
- (b) Cul-de-sacs and battle-axe lots are to be assessed where alternative access is limited for resident escape routes and fire fighting access.

STRATEGIC FIRE BREAKS:

Strategic firebreaks provide access for fire units, and in some cases buffers between fuel areas and the subdivisions.

In some situations it may be necessary to require strategic firebreaks in addition to Council's firebreak notice to provide adequate protection to residents.

- a) Where strategic firebreaks are required around the subdivisions perimeter on any part thereof, the standard specifications shall be 6 metres in width with a 4 metre trafficable surface for fire units.
- b) The Council shall address the continuing access for fire units which may require property easement and appropriate gates on fence lines and the ongoing maintenance of any strategic firebreak.

PUBLIC OPEN SPACE:

Public open space is to be vested with an authority having a land management capability to ensure fire management of reserves is an ongoing commitment.

WATER SUPPLY:

A suitable permanent supply of water is essential for effective fire suppression.

- (a) Where a reticulated water mains are provided, fire hydrants will be installed to the DFES standard i.e.; maximum 200 metres intervals for residential and 100 metres intervals for commercial/industrial.

- (b) In areas of no water mains system, an acceptable supply of permanent water needs to be available for fire unit refilling. This water supply needs to be within a 20 minute turn-around time frame for vehicle refilling. Water supplies, tanks and soaks, hardstands, plumbing outlets, filling mechanisms to be to the satisfaction of the Shire in consultation with the Department of Fire & Emergency Services.

SHIRE OF MOORA

FIRE REPORTING PROCEDURE

REPORTING A FIRE:

The procedure to be used to report a fire is;

1. For all fires ring 000, contact to be made with the Brigade Captain and then neighbours.
2. Contact the shire administration and Community Emergency Services Manager

NOTE: Printed information cards to be arranged which detail the above procedure and also telephone number/radio call signs of; Brigade Captains.

POLICY

HARVESTING SUNDAYS AND PUBLIC HOLIDAYS:

Council's policy allows harvesting on Sundays and Public Holidays - subject to the undermentioned conditions:-

1. Two people must be in attendance while harvesting operations are taking place.
2. A fire unit must be situated within or adjacent to the paddock being harvested.
3. No movement of vehicles in paddocks while a harvesting and vehicle movement ban is in place other than carting of water, any other instances where vehicles are required to move in paddocks during a harvest ban to require prior authorisation from a fire control officer.

Persons harvesting contrary to this policy risk voiding their insurance cover.

Harvesting during Christmas and New Year:

It is hereby notified for public information that Council has in accordance with the Bush Fires Act Regulations, amended the general approval for harvesting on Sundays and public holidays for the Christmas and New Year holiday period as under –

CHRISTMAS DAY	-	HARVESTING NOT PERMITTED
BOXING DAY	-	HARVESTING NOT PERMITTED
NEW YEARS DAY	-	HARVESTING NOT PERMITTED

A HARVEST & VEHICLE MOVEMENT BAN - which may be applied due to extreme weather conditions, takes precedence over any approval for harvesting on Sunday or public holidays.

BROADCASTING OF HARVEST & VEHICLE & MOVEMENT BANS - ABC Regional Radio will broadcast notice of Harvest & Vehicle Movement bans and the community will be notified via Messaging System (SMS) if registered.

The assistance of all Fire Control Officers and the Public in reducing the risk of fires and suppressing any fires that may occur is appreciated by Council.

FIRE BREAK INSPECTION PROCEDURE TO BE CARRIED OUT BY FIRE CONTROL OFFICERS

1. An inspection of fire breaks to take place as soon as possible after the 4th Saturday in October, each year, such dates to be decided annually,
2. Notice of any inadequate breaks to be notified to the Chief Executive Officer in writing as soon as possible after the 31st October. The Notice is to contain name of owner or occupier, date and time of inspection; location of break and who carried out the inspection.
3. Shire Office to issue a reminder notice to any land holder who, in the opinion of the Bush Fire Control Officer, has not complied with Council's Fire Break Notice (inadequate break etc.) as soon as possible after notification by a Bush Fire Control Officer.
4. Where a notice has been issued, the Fire Control Officer who made the report will automatically carry out a further inspection as soon as possible after a date decided which is 14 days after the 31st day of October, which is the date Fire Break Notice requires fire breaks to be provided by.
5. Where a fire break is found to be inadequate on or after the date of such inspection and this is reported to the Shire Office in writing by a Fire Control Officer a Bush Fire Infringement Notice will be issued from the Shire Office imposing a fine of \$250 or as amended, for non-compliance with the Fire Break Notice.

FIRE BREAK REQUIREMENTS - RURAL AND TOWNSITE:

Rural Land

On or before the 31st day of October firebreaks must be provided not less than 2.7metre in width inside and along the whole of the external boundaries of the properties owned or occupied, where this is not practicable the firebreaks must be provided as near as possible to, and within, such boundaries with the exception that firebreaks can be modified or not required if after consultation with the Brigade Captain and neighbours it is decided that a natural barrier or man made structure will act as a firebreak and maintained free of inflammable material until the 29th day of March.

Townsites

On or before the 31st day in October all town lots within the townsite of Moora, Watheroo, Bindi Bindi, and Coomberdale are required to be treated as follows -

Land 2032m² (half an acre) or less - Do not require fire breaks, but are required to follow **General Fire Hazard Reduction**. (*e.g. slashed/mowed*).

GENERAL FIRE HAZARD REDUCTION- All property owners are required to reduce fire hazards on their property prior to the summer season, by maintaining grassed areas as far as is reasonably practicable, to 50mm in height over the entire area, by slashing, mowing, application of chemical or stock. Hazard Reduction orders will be issued where landowners have failed to reduce fire hazards.

Land is 2,032m² (half an acre) or more -A firebreak must be provided not less than 2.7 metres in width inside and along the whole of the external boundaries of the properties owned or occupied and all flammable material must be cleared 2.7m distance from all buildings and/or haystacks situated on the land and maintained free of such material until the 29th day of March.

DUTIES OF CHIEF/DEPUTY BUSH, FIRE CONTROL OFFICER

ACTION PROCEDURES:

I. CONTROL

- I.1 Co-ordinate and control operations in the field.
- I.2 Take charge of the fire situation if necessary.
- I.3 Establish a control and communication point at or near the fire ensure establishment of assembly area for incoming assistance.
- I.4 Carry out a reconnaissance and access PRIORITIES and decide tactics.
- I.5 Allocate sectors of responsibility; brief and allocate resources as required to sectors.
- I.6 Forecast fire spread and assess potential needs request mutual aid.
- I.7 Roster relief personnel.

2. REPORTING

- 2.1 Furnish situation reports to Council Office at regular intervals.
- 2.2 In multiple fire situations the Department of Fire & Emergency Services to be advised.

BUSH FIRES ACT 1954

SHIRE OF MOORA:

Local Laws relating to the establishment, maintenance and equipment of Bush Fire Brigades.

In pursuance of the power conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 21st July, 1993, to make and submit for confirmation by the Governor By-laws relating to the establishment, maintenance and equipment of the Bush Fire Brigades of the Shire of Moora.

1. The By-laws relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Municipal District or any part of the Municipal District of Moora gazetted on 9th January, 1942, and as amended on 16th May 1965 are hereby repealed.

2. Bush Fire Brigades

2.1 ESTABLISHMENT OF BRIGADES

- (a) By resolution, the Council may establish, maintain and equip a Bush Fire Brigade under the provisions of the Bush Fires Act 1954 (as amended), and Regulations there under. The Brigade shall be formed in accordance with these By-laws and a name shall be given to the Brigade. Details of the Bush Fire Brigade shall be held by the Council,
- (b) A Bush Fire Brigade may be established for the whole of the Shire or any specified area thereof.

2.2 APPOINTMENT OF BRIGADE OFFICERS

Each Brigade shall hold an Annual General Meeting at which a Captain, First Lieutenant, Second Lieutenant, Secretary and/or Treasurer and such additional officers as deemed necessary shall be elected. The Council shall be notified annually of the names of officers elected.

2.3 DUTIES OF OFFICERS

Duties of all Brigade Officers and Members shall be as detailed in the Provisions of the Bush Fires Act 1954 (and amended).

(a) Captains and Lieutenants

The Captain shall have full control over the members of the brigades whilst engaged in fire fighting and shall issue instructions as to the methods to be adopted by the fire fighters. In the absence of the Captain, the 1st Lieutenant, the 2nd Lieutenant or Senior Officer of the Brigade present at the fire, shall exercise all the powers and duties of the Brigade Captain.

(b) **Secretary and/or Treasurer**

Shall be responsible for administration in accordance with section 2.5 of the By-laws.

(c) **Equipment**

The Captain shall be responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the Council for the purpose of the Brigade. The equipment shall be kept at a depot approved by the Brigade Captain where, if possible, fire units can easily be called upon. If there is more than one such depot in the area, the Captain shall appoint at each depot a person to look after the equipment and have it ready for immediate use when required.

2.4 BRIGADE MEMBERSHIP

- (a) The membership of the Bush Fire Brigade consists of fire fighting members.
- (b) Fire fighting members shall be those persons being members of either sex and being (16) years of age and over, and willing to render service when possible at any bush fire and who sign an undertaking in the form contained in the First Schedule of these By-laws.
- (c) The enrolment of persons as fire fighting members shall in every case be subject to the approval of the Council.

2.5 ADMINISTRATION RESPONSIBILITIES

(a) **Meetings**

- i) Brigade meetings shall be held as required, with a minimum quorum of 3 Brigade members to be present. The minutes of such meeting to be tabled at the next following Fire Advisory Committee Meeting.
- ii) The Brigade Secretary shall provide the Chief Executive Officer with advice of meetings at least seven days prior to the date of the meeting in case there is any matter which the Chief Executive Officer thinks should be addressed.

(b) **Membership**

The Brigade Secretary shall maintain a register of all members and resignations of such members from the Brigade.

(c) **Secretary and/or Treasurer**

Is responsible for all Brigade Administration matters which will include the following

- i) Taking of Brigade Minutes.
- ii) Maintaining of Brigade Membership records.
- iii) Detailing revenue from all sources and expenditure made by the Brigades.
- iv) Receiving and answering correspondence as necessary.

3. Finance:

The expenditure incurred by Council in the purchase of equipment, payment for services and generally for the purpose of the Act, shall be a charge on the ordinary revenue of the Council and records of such expenditure shall be maintained in accordance with municipal audit requirements.

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