POLICY MANUAL

POLICY MANUAL IS CURRENTLY UNDER REVIEW:

SECTION 1 – POLICIES THAT HAVE BEEN REVIEWED IN 2026

SECTION 2 - POLICIES YET TO BE REVIEWED

(Please ignore page numbering)

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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POLICIES THAT HAVE BEEN REVIEWED

ELECTED MEMBERS/COUNCIL MEETINGS

Code of Conduct for Council Members, Committee Members and Candidates

Statutory context Sections of the Acts, Regulations and/or Local laws that apply to this item include:

- Local Government Act 1995
- Local Government (model Code of Conduct) Regulations 2021

Corporate context None

History

Adopted	14 June 2021
Reviewed	27 August 2025
Review Period	Every 3 years or when legislation changes

Purpose

This Policy is adopted in accordance with section 5.104 of the Local Government Act 1995 which requires a Code be prepared and adopted according to the Model Code, and may be amended, must be by Absolute Majority.

Division 1—Preliminary provisions

1. Citation

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

2. Terms used

(1) In this code —
Act means the *Local Government Act 1995*;
candidate means a candidate for election as a council member;
complaint means a complaint made under clause 11(1);
publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of Council Members, Committee Members and Candidates.

4. Personal integrity

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

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in Council Members and committee members; and

(b) participate in decision-making in an honest, fair, impartial, and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

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

(a) treat others with respect, courtesy, and fairness; and

(b) respect and value diversity in the community.

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

6. Accountability

A council member or committee member should —

(a) base decisions on relevant and factually correct information; and

(b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and

(c) read all agenda papers given to them in relation to council or committee meetings; and

(d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

(a) requirements relating to the behaviour of Council Members, committee members and candidates; and

(b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

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

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

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

9. Relationship with others

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

10. Council or committee meetings

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

11. Complaint about alleged breach

(1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.

(2) A complaint must be made —
(a) in writing in the form approved by the local government; and
(b) to a person authorised under subclause (3); and
(c) within 1 month after the occurrence of the alleged breach.

(3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

(1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

(2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.

(3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

(4) If the local government makes a finding that the alleged breach has occurred, the local government may —

  (a) take no further action; or

  (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

(5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.

(6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —

  (a) engage in mediation;

  (b) undertake counselling;

  (c) undertake training;

  (d) take other action the local government considers appropriate.

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

  (a) its finding and the reasons for its finding; and

  (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

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

  (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and

  (b) either —

    (i) the behaviour was dealt with by the person presiding at the meeting; or

    (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.

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

14. Withdrawal of complaint

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

(2) The withdrawal of a complaint must be —

  (a) in writing; and

  (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

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

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

Division 4 — Rules of conduct

16. Overview of Division

(1) This Division sets out rules of conduct for Council Members and candidates.

(2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

(1) In this clause —

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

resources of a local government includes —

(a) local government property; and

(b) services provided, or paid for, by a local government.

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

18. Securing personal advantage or disadvantaging others

(1) A council member must not make improper use of their office —

(a) to gain, directly or indirectly, an advantage for the council member or any other person; or

(b) to cause detriment to the local government or any other person.

(2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

(1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.

(2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

(a) employed by a local government under section 5.36(1) of the Act; or

(b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

(a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or

(b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or

(c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

(a) make a statement that a local government employee is incompetent or dishonest; or

(b) use an offensive or objectionable expression when referring to a local government employee.

(5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

(1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

(2) A council member must not disclose information that the council member —

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information —

(a) at a closed meeting; or

(b) to the extent specified by the council and subject to such other conditions as the council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

22. Disclosure of interests

(1) In this clause —

interest —

(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

(b) includes an interest arising from kinship, friendship or membership of an association.

(2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
   (a) in a written notice given to the CEO before the meeting; or
   (b) at the meeting immediately before the matter is discussed.

(3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

(4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
   (a) that they had an interest in the matter; or
   (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.

(5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
   (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
   (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.

(6) Subclause (7) applies in relation to an interest if —
   (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
   (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

(7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

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

Elected Member Training & Continuing Professional Development

Statutory context

Local Government Act 1995
s.5.126 – Training for Council Members
s.5.127 – Report on Training
s.5.128 – Council must prepare and adopt, and may amend, a Policy for continuing Professional Development (must be by Absolute Majority)
Local Government (Administration) Regulation 1996 Part 10

Corporate Context

History

Adopted 17 March 2021
Reviewed 27 August 2025
Review Period Every 3 years or when legislation changes

OBJECTIVE

To comply with the legislated requirement for elected Members to undertake ongoing professional development and to provide Council Members an opportunity to request consideration to attend a conference or meeting that affords individual development or value to the community.

POLICY STATEMENT

Compulsory Newly Elected Council Member Training

There are 5 mandatory modules, pursuant to the Local Government Act 1995:

- Understanding Local Government
- Conflicts of Interest
- Serving on Council
- Meeting Procedures and Debating
- Understanding Financial Report and Budgets

It is the preferred approach that such training be undertaken as online training, however if a newly elected Council Member prefers in person training, the Shire President, in conjunction with the CEO will evaluate and determine such a request and may approve it.

All unit fees and associated costs will be paid for by the Shire.

Continuing Professional Development (CPD)

Generally, preference will be given to the delivery of relevant training for Council Members at the Shire of Moora, and for all Council Members.

However, it is recognised that some Council Members may wish to avail specialised training which is not available to be delivered at the Shire of Moora, nor of interest to all Council Members - examples might include specialised training for the Shire President on meeting procedures and chairing meetings or to an individual Council Member on town planning laws and procedures.

Council Members are encouraged to identify their CPD preferences to the CEO as early as possible, to ensure that the CEO can monitor training opportunities as they arise, and which may be relevant to a Council Member's needs.

In such cases application must be made to the Shire President, who in conjunction with the CEO, will evaluate the request, considering:

- The costs of attendance including registration, travel, and accommodation, if required
- The Budget provisions allowed and the uncommitted or unspent funds remaining
- Any justification provided by the applicant when the training is submitted for approval
- The benefits to the Shire of the person attending
- Identified skills gaps of elected members both individually and as a collective
- Alignment to the Shire's Strategic Objectives
- The number of Shire representatives already approved to attend

If a request is refused, the Council Member may request that Council consider the matter, and in such an event the decision of Council shall be final.

Proposals for professional development for the Shire President must be considered and approved by the Deputy Shire President, in conjunction with the CEO.

Reporting

The Shire will publish, on the Shire's website, training undertaken by all Council Members within one month after the end of the financial year pursuant to the *Local Government Act 1995*.

Retiring Elected Members

The intent of providing training and CPD for is to develop the capabilities of the members elected by the community. On that basis, it is generally inappropriate for community resources to be allocated to training, CPD or conference attendance after an elected member has determined their intention to resign from Council or, within 90 days of the end of their term, when it is their intention not to nominate as a candidate at the next election.

Elected members, in those circumstances, should not nominate for CPD or conference attendance and should discuss cancelling attendance with the Shire President & CEO of any such attendance arrangements in progress.

Attendance at Events – Elected Members & CEO

Statutory context	Local Government Act 1995 – s.5.90A – Council must prepare and adopt, and may amend, a policy for attendance at events for Council Members and the CEO, must be by Absolute Majority
Corporate Context	Council Policy Manual – 1.1 Code of Conduct 1.3 Training and Continuing Professional Development of Council Members
History	Adopted 17 March 2021 Reviewed 27 August 2025 Review Period – every 3 years or when legislation changes

Purpose

This Policy meets the requirement of the Local Government Act to manage attendance at events as Shire representatives and this applies to Elected Members and the Chief Executive Officer (CEO)

In accordance with section 5.90A of the Local Government Act 1995, event includes:

- a concert,
- a conference,
- a function,
- a sporting event; and
- an occasion prescribed for the purposes of this definition by the Local Government (Administration) Regulations 1996.

This is not an exhaustive list, and this policy also applies to agricultural shows, cultural events and festivals etc.

Council acknowledges that it is an important function for Council Members and the CEO to represent their local government and fulfil their leadership role in the community.

Council's accountability to the community requires it to ensure that tangible benefits from spending ratepayers' money can be identified and that there is no perception of bias from accepting complimentary tickets when matters affecting the donor come before Council.

It is important that Council Members and the CEO make decisions – and are seen to be making decisions – free from influence and in the best interests of the community.

Attendance at an event, whether as a representative of the Shire of Moora, or otherwise as a Council Member or CEO, where the Council Member or CEO has not paid for the ticket or hospitality, is a gift and must be disclosed if the gift is valued over $300 (either one gift or cumulative over 12 months from the same donor).

However, attendance at an event in accordance with this policy will exclude the recipient of complimentary tickets from the requirement to disclose an interest if the ticket is over $300 and the donor has a matter before Council. Any gift received that is less than $300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

Provision of Tickets to Events

The following principles and procedures apply:

- All invitations for a Council Member or CEO to attend an event must be addressed in writing to the Shire of Moora
- Invitations addressed to Council Members or the CEO, but not submitted in writing to the Shire, are not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act

Events for Council Members and the CEO authorised in advance of the event by this Policy are:

- Shire hosted or sponsored ceremonies, functions and events
- Meetings and events hosted by clubs and not-for-profit organisations in the shire
- Any free events held in the shire

- Cultural events or festivals in the shire
- Events run by schools within the shire
- Events for which representation by the Shire President or the CEO has been requested
- Events run by other local governments, WALGA and Local Government Professionals Australia

Approval of attendance

In deciding on attendance at an event, Council will consider:

- who is providing the ticket to the event
- the location of the event i.e. whether in the district or out of the district
- the role of the Council Member or CEO when attending the event, i.e. participant, observer, presenter, and the value of their contribution
- whether the event is sponsored by the Shire
- the benefit of Shire representation at the event
- the number of invitations or tickets received
- the cost to attend the event, including the cost of the ticket and any other expenses such as travel and accommodation

Decisions to attend events in accordance with this policy will be made by simple majority and may be delegated.

Payments in respect of attendance

Where an invitation or ticket to an event outside the Shire is provided free of charge, the Shire may contribute to appropriate expenses for attendance, such as travel and accommodation, if Council determines attendance to be of public value.

Unless otherwise listed, for any events where generally members of the public are required to pay, Council will determine whether it is in the best interests of the Shire for a Council Member or the CEO to attend on behalf of Council.

If Council determines that a Council Member or CEO should attend a paid event, the Shire will pay the cost of attendance and appropriate expenses, such as travel and accommodation, for events outside the Shire and the cost of attendance for events within the Shire.

Where partners of an authorised Shire representative attend an event, any tickets for that person, if paid for by the Shire, must be reimbursed by the representative.

Reimbursement of Elected Members' Expenses

Statutory context Local Government Act 1995 Section 5.98 (2)(a)(b)

Local Government (Administration) Regulations 1996 –
r.30 – Meeting attendance fees
r.31 & 32 – Expenses that may be approved for reimbursement

Corporate Context Training and Continuing Professional Development Policy

Code of Conduct

History	Reviewed	20 April 2016
	Reviewed	27 August 2025
	Review Period	Every 3 years or if legislation changes

POLICY STATEMENTS

1. The Shire will consider reimbursing all reasonable expenses Council Members incurred in performing their role, which are not prescribed expenses, and which are not otherwise recoverable under an insurance policy.

2. Such expenses may include –
   - Accommodation
   - Meals
   - Refreshment
   - Travel
   - Other expenses related to the elected members' fulfilling their role, subject to budget allocations and prior approval by the CEO

3. Eligible conferences, training, meetings etc

   Elected Members are to be paid travel costs for the use of private vehicles at the rates determined by the Salaries and Allowance Tribunal determination each year for any travel to and from Council whilst attending any of the following, as provided by Regulation r.30 –
   - Council meetings (Ordinary and special)
   - Meetings of Council appointed committees
   - Annual and Special Meetings of Electors
   - Officially called Civic Receptions
   - Visits by Ministers of the Crown
   - Council authorised meetings of Elected members and staff
   - Meetings where the elected member is representing the Shire of Moora.

4. Accommodation

   Expenses automatically met by Council are limited to accommodation in single/twin or double room, registration fees, meals associated with registration, parking and breakfasts for elected members only.

5. Travel

   Unless otherwise authorised by Council, travel expenses will only be paid where:
   - The elected member is the appointed delegate to the organisation
   - To an appointed deputy delegate, where the delegate is unable to attend, and the deputy is performing functions consistent with the principles of section 5.11A(3) and (4) of the Act

6. Other expenses

   Unless otherwise authorised by Council or the CEO, meals, non-alcoholic refreshments, parking, taxi or other out-of-pocket expenses will be reimbursed to:

- Persons authorised to attend by Council
- Delegate appointed by Council to the meeting or organisation
- Deputy delegate appointed by Council, only when attending in the place of the appointed delegate

7. Carer expenses

Care and other related expenses are childcare expenses and/or the care of elderly, disabled and/or sick immediate family members of Councillors and relates to costs that are incurred directly because of the elected member's attendance at an approved meeting. Childcare expenses will only be reimbursed in relation to children of the Councillor that are up to and including the age of 16 years. The cost of care arrangements will be reimbursed subject to lodgement of a completed Claim Form supported by valid receipts and details of the Council related activity that was attended. Expenses are not reimbursable if care is provided by an immediate family member, spouse or partner or someone who ordinarily resides with the Councillor.

8. Accompanying person

Only at the WALGA Annual Convention, or similar event where the elected member's partner is reasonably expected to attend, will the reasonable additional costs incurred by a partner accompanying an elected member at the event, such as breakfasts, attending the official conference dinner, official sundowners, or Shire President or CEO convened dinners, be met by the Shire. All other partner costs, such as lunches, tours or evening meals not convened with the Shire President or CEO will be met or reimbursed by the elected member or employee.

Note:

The reimbursement of actual expenses incurred are to be verified by sufficient information (i.e. tax invoices, receipts, etc). In the absence of these documents, a statutory declaration will be required.

Councillor Dress Guide

Statutory context Nil

Corporate Context Council Policy Manual – Councillor Code of Conduct

History Adopted 26/08/2026
Review Period – every 3 years

Purpose

To provide guidance for Elected Members in terms of appropriate dress

Policy Statements

As community representatives, Councillors are encouraged to dress in a way that reflects respect for their role, the community, and each other — while embracing individuality, comfort, and cultural expression. This guide sets a *smart-casual* expectation that balances professionalism with a modern, approachable image.

General Standard

- Clothing should be neat, clean, and in good condition.
- The overall look should say *"ready to represent the community"* — practical, approachable, and confident.
- Councillors are welcome to express personal, cultural, or spiritual identity through attire.
- Keep clothing tidy and pressed where possible.
- Maintain personal grooming consistent with public representation.
- If unsure, consider: *"Would I feel comfortable representing the Shire in photos, at a public event, or in the media wearing this?"*
- As per the Code of Conduct, Councillors are expected to respect each other. Similarly, Councillors are expected to respect each other's attire choices and not make judgments based on clothing.

Smart-Casual Guidance (guidance - not rules, examples not an exhaustive list)

Council meetings, community events, and public appearances:

- Tops: Collared shirts and ties; tidy blouses or smart knits. Sleeveless tops are acceptable if modest and professional in appearance.
- Denim: Neat denim is permitted as part of a modern dress approach. Jeans should be clean, well-fitted, and free from holes, rips, or heavy distressing. Darker or classic denim tones are preferred for meetings, while lighter denim is suitable for community or outdoor events. Denim jackets are welcome if worn neatly and in good condition.
- Bottoms: Dress pants, chinos, tailored shorts, or skirts of appropriate length and style.
- Shoes: Smart, closed shoes or clean sneakers are acceptable. Footwear should be in good repair and appropriate for the setting. Avoid thongs or overly worn casual footwear.
- Outerwear: Blazers, jackets, jumpers, or cardigans suited to the season and formality of the occasion.
- Cultural & Spiritual Wear: Always welcome and respected as part of Moora's inclusive community values.

Special or Ceremonial Events

When attending formal or official occasions (e.g. civic receptions, government functions, or ceremonies), Councillors are asked to elevate attire slightly — such as wearing a jacket, tailored outfit, or polished footwear — while maintaining individual comfort and authenticity.

Dispute Resolution

Should any councillor have a concern or complaint regarding another's dress, the matter should be discussed directly with the CEO rather than the Shire President. This approach ensures issues are handled professionally, discreetly, and consistently, maintaining a respectful and inclusive working environment.

Caretaker Period for Shire Elections

Statutory context	Local Government Act 1995 – • s. 3.73 – Caretaker period Local Government (Elections) Regulations 1997 – • Reg 3A & 3B – Caretaker Period	
Corporate context	Code of Conduct for Council Members, Committee Members and Candidates	
History	Adopted Review Period	27 August 2025 Every 3 years or when legislation changes

Purpose

The primary objective of this Caretaker Policy is to:

- ensure the Shire of Moora makes no major decisions prior to an election, that would bind an incoming Council
- prevent the use of public resources in ways that are seen as advantageous to, or promoting Council Members who are seeking re-election
- recognising the requirement for the Shire of Moora administration to act impartially in relation to all candidates.

POLICY STATEMENT

This policy applies during a 'Caretaker Period' (defined below) to cover:

- Decisions that are made by the Council
- Materials published by the Shire
- Attendance and participation in functions and events
- Use of the Shire's resources
- Access to information held by the Shire

This policy applies to Council Members, candidates, employees and volunteers, and contractors of the Shire of Moora.

Caretaker Period - means the period when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations (37 days prior to the election day) – s4.49(a) of the Local Government Act 1995) until 6.00pm on election day.

Election Day – means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election but excludes an extraordinary election other than an extraordinary election to elect a new Shire President.

Electoral Material - means any advertisement, handbill, pamphlet, notice, letter, or article that is intended or calculated to affect the result in an election but does not include:

- An advertisement in a newspaper announcing the holding of a meeting (s4.87(3) of the Moora Shire Council
- Any materials exempted under Reg 78 of the Local Government (Elections) Regulations 1997
- Any materials produced by the Shire relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election

Extraordinary Circumstances – means a situation that requires a major policy decision of the Council because:

- In the CEO's opinion the urgent of the issue is such that it cannot wait until after the election
- Of the possibility of legal and/or financial repercussions if a decision is deferred
- In the CEO's opinion it is in the best interests of the Council and/or the Shire of Moora for the decision to be made as soon as possible.

Major Policy Decision – means:

- Decisions relating to the employment, termination or remuneration of the CEO or any other designated senior employee, other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their contract) pending the election
- Decisions relating to the Shire entering a sponsorship arrangement with a total Shire contribution that would constitute substantial expenditure unless that sponsorship arrangement has previously been granted 'in principle' support by the Council and sufficient funds have been included in the Council's annual budget to support the project
- Decisions relating to the Shire entering a commercial enterprise as defined by s3.59 of the LGA
- Decisions that would commit the Shire to substantial expenditure or actions that, in the CEO's opinion are significant, such as that which might be brought about through a Notice of Motion
- Decisions that, in the CEO's opinion, will have a significant impact on the Shire or the community
- Reports requested or initiated by a Council Member, candidate, or member of the public that, in the CEO's opinion could be perceived within the general community as an electoral issue with the potential to call into question whether decisions are soundly based and in the best interests of the community

Public Consultation – means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy but does not include consultation requirement to be undertaken to comply with a written law.

Substantial Expenditure – means expenditure that exceeds 0.1% of the Shire's annual budgeted revenue (inclusive of GST) in the relevant financial year.

Scheduling Major Policy Decisions

So far as is reasonably practicable, the CEO should avoid scheduling major policy decisions for consideration during a Caretaker Period, and instead ensure that such decisions are either:

- Considered by the Council prior to the caretaker period; or
- Scheduled for determination by the incoming Council.

Where extraordinary circumstances prevail, the CEO may submit a major policy decision to the Council.

Decisions made prior to Caretaker Period

This policy only applies to decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst announcements of earlier decisions may be made during a caretaker period, as far as practicable any such announcements should be made before the caretaker period begins or after it has concluded.

Implementation of Caretaker Practices - Role of the CEO in Implementing Caretaker Practices

The role of the CEO in implementing the caretaker practices outlined in this policy is as follows:

- The CEO will ensure as far as possible, that all Council Members and employees are aware of the Caretaker Policy and practices at least 30 days prior to the start of the caretaker period.
- The CEO will ensure, as far as possible, that any major policy or significant decisions required to be made by the Council are scheduled for Council resolution prior to the caretaker period or deferred where possible for determination by the incoming Council.
- The CEO will endeavour to make sure all announcements regarding decisions made by the Council, are made prior to the caretaker period.
- The CEO will provide guidelines for all relevant employees on the role and responsibilities of employees in the implementation of this policy.

Extraordinary circumstances requiring exemption

Despite other provisions in this Policy, the CEO may, where extraordinary circumstances exist, permit a matter defined as a 'major policy decision' to be submitted to the Council for determination during the caretaker period.

Whilst the definitions above establishes that a CEO may not be appointed or dismissed during a caretaker period, the Council may, where the substantive employee is on leave, appoint an Acting CEO, or in the case of an emergency, suspend the current CEO (in accordance with the terms of their contract) and appoint a person to act in the position of CEO pending the election, after which date a permanent decision can be made.

Caretaker Statement

To assist the Council to comply with its commitment to appropriate decision making during the caretaker period, a caretaker statement will be included in each report submitted to the Council where the Council's decision would, or could, be a major policy decision.

The caretaker statement will state: "The decision the Council may make in relation to this item could constitute a Major Policy Decision within the context of the Shire of Moora Caretaker

Policy, however, an exemption should be made because (insert the circumstances for making the exemption….)"

Shire of Moora Website

During the caretaker period the Shire's website will not contain any material which is precluded by this policy.

Information about Council Members will be restricted to names, contact details, titles, membership of special committees and other bodies to which they have been appointed by the Council.

Public consultation during the caretaker period

It is prohibited under this policy for public consultation to be undertaken during the caretaker period (either new consultation or existing) on an issue which, in the CEO's opinion could be perceived as intended or calculated to affect the result of an election, unless authorised by the CEO.

This policy does not prevent any mandatory public consultation required by the Local Government Act 1995 or any other relevant Act which is required to be undertaken to enable the Shire to fulfil its functions.

Approval for Public Consultation

Given the general prohibition above, the Council should not commission or approve any public consultation where it is likely that such consultation will continue into the caretaker period.

Where public consultation is approved to occur during the caretaker period, the results of that consultation will not be reported to the Council until after the caretaker period, except where otherwise approved by the CEO or necessary for the performance of the Shire's functions as prescribed in the Local Government Act 1995 or any other relevant Act.

Attendance and participation at events and functions

Public Events Hosted by External Bodies

Council Members may continue to attend events and functions hosted by external bodies during the caretaker period.

Shire of Moora Organised Civic Events/Functions

Events and/or functions organised by the Shire and held during the caretaker period will be limited to only those that the CEO considers essential to the operation of the Shire and should not in any way be associated with any issues that in the CEO's opinion, are considered relevant to, or likely to influence the outcome of an election. All known candidates are to be invited to civic events/functions organised by the Shire during the caretaker period.

Addresses by Council Members

Excluding the Shire President and Deputy Shire President fulfilling their functions as prescribed by s2.8, 2.9 of the Local Government Act 1995, respectively, Council Members that are also candidates should not, without the prior approval of the CEO, be permitted to make speeches or addresses at events/functions organised or sponsored by the Shire during the caretaker period.

Use of Shire resources

The Shire of Moora's Code of Conduct provides that the Shire's resources are only to be utilised for authorised activities (e.g. no use of employees for personal tasks or no use of equipment, stationery, or hospitality for non-Council business).

This includes the use of resources for electoral purposes. It should be noted that the prohibition on the use of the Shire's resources for electoral purposes is not restricted to the caretaker period.

The Shire's employees must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Council Members in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Shire resources might be construed as being related to a candidate's election campaign, advice is to be sought from the CEO.

Access to Shire information and assistance

Electoral Information and Assistance

All candidates will have equal rights to access public information, such as the electoral rolls (draft or past rolls), monthly enrolment details, and information relevant to their election campaigns from the Shire's administration.

Any assistances and advice provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

Media Advice

Any requests for media advice or assistance from Council Members during the caretaker period will be referred to the CEO. No media advice will be provided in relation to election issues or regarding publicity that involves specific Council Members. If satisfied that advice sought by a Council Member during the caretaker period does not relate to the election or publicity involving any specific Council Member/s, the CEO may authorise the provision of a response to such a request.

Publicity Campaigns

During the caretaker period, publicity campaigns, other than for the purpose of conducting (and promoting) the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Shire activity, it must be approved by the CEO. In any event, the Shire's publicity during the caretaker period will be restricted to communicating normal Shire activities and initiatives.

Media Attention

Council Members will not use or access Shire employees or resources to gain media attention in support of their or any other candidate's election campaign.

Election Process Enquiries

All election process enquiries from candidates, whether current Council Members or not, will be directed to the Returning Officer, or where the matter is outside of the responsibilities of the Returning Officer, to the CEO.

Public Question Time at Meetings

Statutory context

Local Government Act 1995

- S.5.24 – requirement for public question time

Local Government (Administration) Regulations 1996

- R.5 – meetings where public question time is required
- R.6 – minimum time for public question time
- R.7 – procedure for public question time

Shire of Moora Local Government (Council Meetings) Local Law 2016

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- Cl 6.7 – Other procedures for question time for the public
  (1) Questioner to state name and address
  (2) Question may be taken on notice
  (3) If on notice, response to be in writing and a summary in next agenda
  (4) Any interest is to be declared if question is directed to a relevant person
  (5) Two minutes to submit question or questions, unless extended
  (6) All members of the public to ask their questions before additional questions
  (7) Where submitted in writing, the presiding member may direct it is to be considered as correspondence
  (8) Circumstances in which the presiding member may direct no response is to be given – same question, a statement, offensive or defamatory
  (9) Presiding member may extend public question time, but is not obliged to
  (10) Summary of response to question to be in minutes

Corporate Context None

History

Reviewed	20 April 2016
Reviewed	21 May 2025
Review Period	Every 3 years

OBJECTIVES

To establish guidelines for the use of persons presiding at Council and committee meetings for the conduct of Question Time and to inform members of the public.

POLICY STATEMENT/S

Public question time will be in accordance with the Local Government (Administration) Regulations 1996 and the Shire of Moora Meeting Procedures Local Law.

The Presiding Member may extend Public Question Time at their discretion, with the following guidelines:

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.

ADMINISTRATION/CORPORATE

Standards for CEO Recruitment and Performance Management

Statutory context Local Government Act 1995, Section 5.39B
Local Government (Administration) Regulations 1996

Corporate context

History

Adopted	17 March 2021
Reviewed	27 August 2025
Review Period	Every 3 years or when legislation changes

Statutory Requirement –
The Local Government Act requires that the standards must be prepared and adopted that incorporate the Model Standards and may only be adopted or amended by Absolute Majority.

Purpose
To comply with legislation in adopting Standards for the Recruitment and Performance Management of the Chief Executive Officer (CEO)

Division 1 — **Preliminary provisions**

1. Citation

These are the Shire of Moora *Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b)

applicant means a person who submits an application to the local government for the position of CEO

contract of employment means the written contract, as referred to in s5.39 of the Act, that governs the employment of the CEO

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in s5.39(3)(b) of the Act

job description form means the job description form for the position of CEO approved by the local government under clause 5(2)

local government means the Shire of Moora

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of s5.36(5A) of the Act; or

(b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

(1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

(2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

(a) the duties and responsibilities of the position; and

(b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

(1) If the position of CEO is vacant, the local government must ensure it complies with s5.36(4) of the Act and the Local Government (Administration) Regulations 1996 regulation 18A.

(2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the Local Government (Administration) Regulations 1996 regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

(a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or

(b) if the person advises the local government that the person is unable to access that website address —

(i) email a copy of the job description form to an email address provided by the person; or

(ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

(1) In this clause —

independent person means a person other than any of the following —

(a) a council member;

(b) an employee of the local government;

(c) a human resources consultant engaged by the local government.

(2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

(3) The selection panel must comprise —

(a) Council Members (the number of which must be determined by the local government); and

(b) at least 1 independent person.

9. Recommendation by selection panel

(1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.

(2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —

(a) a summary of the selection panel's assessment of each applicant; and

(b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.

(3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —

(a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and

(b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

(4) The selection panel must act under subclauses (1), (2) and (3) —

(a) in an impartial and transparent manner; and

(b) in accordance with the principles set out in s5.40 of the Act.

(5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —

(a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

(b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

(c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

(6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. **Application of cl. 5 where new process carried out**

(1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.

(2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —

(a) clause 5 does not apply to the new recruitment and selection process; and

(b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

(a) the making of the offer of employment to the applicant; and

(b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

(1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

(2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

(1) In this clause —

commencement day means the day on which the Local Government (Administration) Amendment Regulations 2021 regulation 6 comes into operation.

(2) This clause applies if —

(a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —

(i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and

(ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day,

and

(b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

(3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.

(4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government during a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

(1) The local government and the CEO must agree on —

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

(2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

(3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

(1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

(a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

(b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

(a) the results of the review; and

(b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

(1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

(2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —

(a) informing the CEO of the CEO's rights, entitlements, and responsibilities in relation to the termination process; and

(b) notifying the CEO of any allegations against the CEO; and
(c) giving the CEO a reasonable opportunity to respond to the allegations; and
(d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

(1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
(2) The local government must not terminate the CEO's employment unless the local government has —
(a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the ***performance issues***) related to the performance of the CEO; and
(b) informed the CEO of the performance issues; and
(c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
(d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
(3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under s5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

(1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
(2) The notice must set out the local government's reasons for terminating the employment of the CEO.

Appointment of Acting or Temporary CEO

Statutory context	Local government Act 1995 – s.5.37 – senior employee or class of employee may be designated Local Government Act 1995, Section 5.39C requires Council to prepare and adopt, and may amend, a Policy for the Appointment of an Acting or Temporary CEO and this must be by Absolute Majority Local Government Act 1995 s5.39(1a) and 5.36(2) Local Government Act 1995 (Administration) Amendment Regulation 2021.
Corporate Context	Designated Senior Employees Policy
History	Reviewed 20 April 2016

Reviewed 21 May 2025
Review Period Every 3 years or when legislation changes

Purpose

To establish a Policy, in accordance with Section 5.39C of the Local Government Act, that details the Shire of Moora's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or a temporary vacancy in the substantive office.

POLICY STATEMENT

Appointment of an Employee

For the purposes of Section 5.36(2) of the Local Government Act 1995, the Council has determined that the following employees as suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave:

- Any of the Designated Senior Employees
- CEO will make this selection based on the availability of the employee; the length of the appointment; skills and experience of the employee, and, to provide an opportunity for professional development for an employee

Subject to the following conditions:

- The CEO is to make the appointment which is to be confirmed in writing for a defined period which may be extended
- The CEO is to advise the Shire President and Councillors of any appointments under this Policy as soon as practicable
- The CEO who is an interim CEO or Acting in the position may not appoint an Acting CEO
- The term of appointment including any extension is no longer than 20 working days consecutive; an appointment for any greater period is to be made by Council
- That the employee's employment conditions are not varied other than the employee is entitled at the CEO's discretion, no greater than the salary equivalent to that of the CEO during the Acting period

Should the CEO become incapacitated and unable to appoint an officer to the role of Acting CEO, the DCEO is to take on the role of Acting CEO. If the DCEO is unavailable, the Designated Senior Employee with greatest length of local government experience, who is available, is to take on the role.

Appointment of Other than an Employee

The process to be followed in relation to the appointment of a person to the position of Acting CEO, for a term not exceeding one year, other than to an existing employee as outlined above, is:

- Where the appointment is for a period of four weeks or less, invitations are sought from at least two suitably qualified persons, the appointment is at the discretion of the CEO
- Where the appointment is for a period of four to 26 weeks, invitations are sought from at least four suitably qualified persons, the appointment is made by Council
- Where the appointment is to be made for a period greater than 26 weeks and where time reasonably permits, public invitations for applications are to be sought

Subject to relevant advice, Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

Designated Senior Employees

Statutory context Local Government Act 1995 –
s.5.37 – senior employees or class of employee may be designated

Corporate Context

History

Reviewed	20 April 2016
Reviewed	21 May 2025
Review Period	Every 3 Years

Purpose

To identify positions designated as Senior Employee positions in the Shire of Moora

POLICY STATEMENT/S

Pursuant to Section 5.37 of the Local Government Ac 1995, the following employees are designated as senior employees –

- Deputy Chief Executive Officer
- Manager Corporate Services
- Manager Financial Services
- Manager Community Development
- Manager Infrastructure Services
- Manager Engineering Services

Workplace Health and Safety

Statutory context Work Health and Safety Act 2020
Work Health and Safety (General) Regulations 2022
Local Government Act 1995

Corporate context Procedures: Workplace Health & Safety

	Fit to Work Disciplinary Discrimination, Harassment, Victimisation & Bullying Grievance Resolution Uniform Code of Conduct – Employees WHS – Manuals, Requirements, Standards and Procedures

History	Reviewed	20 April 2016
	Reviewed	21 May 2025
	Review frequency	Every 2 years

PURPOSE

This Policy outlines the Shire of Moora's recognition of its moral, legal obligations and its commitment to continuously improve the Work Health and Safety Standards to reduce the hazards and subsequent incidents in the workplace for all employees and the public.

POLICY STATEMENT

The Shire of Moora shall plan and conduct works to the highest level of protection in such a manner that the health, safety and welfare of persons, so reasonably practicable, including for:

- Any members of the community, or other persons, who may be affected by works undertaken;
- All workers, whilst engaged in the performance of works; and
- All visitors to our workplace.

The Shire of Moora accepts and understands the responsibilities imposed under the Work health and Safety legislation and is committed to providing healthy and safe working conditions. And are aimed at the prevention of work-related injuries or ill health

The Shire of Moora will, so far as reasonably practicable, meet our objectives by:

- Provide and maintain a safe working environment through proactive identification of work-related hazards and mitigate the risk to employees, contractors and the public;
- Providing such information, instruction, and training to, and supervision of, workers as is necessary to enable them to perform their work in such a manner that they are not exposed to hazards;
- Consulting and cooperating with Work Health and Safety duty holders, including workers and their representatives, so as to ensure that everyone within the workplace is offered the opportunity to participate in the ongoing development of a healthy and safe workplace;

- Enhancing and recognising the importance of mental health and psychosocial wellbeing in the workplace by providing access to resources and support and destigmatising mental health issues through awareness campaigns and education.
- Ensure that all workers, are fully aware of their responsibility to take reasonable care to safeguard their own health and safety at work and to avoid adversely affecting the health or safety of others through any act or omission at work and report hazards, accidents, incidents and near misses to their supervisor; and
- Comply with all applicable legislation and requirements.

Copies of policies and procedures shall be made readily available to all workers and any other interested parties, including through display within the workplace.

Risk Management Policy

Statutory context Local Government (Audit) Regulations 1996 –
- r.17 – CEO to review certain systems and procedures

Local Government (Financial Management) Regulations 1996 –
- r.5 – CEO's duties as to financial management

Corporate context Nil

History		
	Reviewed	Risk Management Framework – August 2019
	Adopted	1 October 2025
	Review Period	Every 3 Years

Policy Objective

To articulate the Shire of Moora's (Shire) commitment to organisation-wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.

Policy Statement

The Shire considers risk management to be an essential management function in its operations. It recognises that the risk management responsibility for managing specific risks lies with the person who has the responsibility for the function, service or activity that gives rise to that risk.

Council is committed to the principles, framework and process of managing risk as outlined in AS/NZS ISO 31000:2009.

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making

through all levels of the organisation in relation to planning or executing any function, service or activity.

Policy Scope

The management of Risk is a collective responsibility of all persons engaged or closely associated with the Shire in any capacity.

Implementation

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity.

It will be applied to:

a) Strategic planning

b) Expenditure of large amounts of money

c) New strategies and procedures

d) Management of projects, tenders and proposals

e) The management of sensitive issues

Implementation will be primarily through the review of the Risk Profile, ensuring the identified risks remain current and accurate, appropriately and effectively treated and reported. Extreme risks will be reviewed at least twice annually and all other risks at least annually.

Shire of Moora Privacy Statement

Statutory context Privacy and Responsible Information Sharing Act 2024 (WA)
State Records Act 2000
Freedom of Information Act 1992

Corporate context Nil

History

Adopted	28/10/2026
Reviewed	N/A
Review Period	Every 3 years or if legislation changes

POLICY OBJECTIVE

To state the Shire of Moora's commitment to appropriate management of personal information collected in the conduct of local government operations.

POLICY STATEMENT

The Shire of Moora is committed to protecting your privacy and handling personal information lawfully, securely, and transparently. We respect your privacy rights and are committed to ensuring your personal information is managed responsibly.

We collect and manage personal information to deliver services, respond to requests, process applications, engage with the community, and meet our legal obligations.

How We Collect Information

The Shire may collect personal information when you contact us, submit forms or applications, lodge service requests, use online services, participate in community engagement activities, make payments, attend facilities or events, or otherwise interact with the Shire.

The information collected will depend on the service being provided and may include contact details, property information, payment details, correspondence, photographs, video recordings (including CCTV footage), or other information relevant to your requests.

Where required, the Shire will provide a collection notice explaining why the information is being collected, how it will be used, and whether it may be shared with other parties.

How We Use Your Information

The Shire uses personal information only for purposes that are authorised by law and are reasonably necessary to perform our functions or deliver our services.

Depending on the circumstances, your personal information may be used to:

- provide Council services and facilities
- process applications, permits, licences, registrations, and payments
- respond to enquiries, requests, and complaints
- communicate with you about services, projects, and community engagement activities
- administer local government functions and meet our statutory obligations
- protect the health, safety, and security of the community and facilities
- improve our services, systems, and customer experience
- manage records and comply with legal, regulatory, and audit requirements

The Shire will only use your personal information for the purpose for which it was collected, or for another purpose where permitted or required by law.

How Information May Be Shared or Disclosed

The Shire only shares personal information where it is necessary to deliver services, perform local government functions, respond to requests, or where authorised or required by law.

Depending on the circumstances, information may be shared with:

- contracted service providers
- government agencies
- emergency services

- regulatory or law enforcement bodies
- authorised consultants or advisers
- systems or platform providers supporting services

Some personal information may be published in Council agendas, public registers, planning documents, consultation processes, or other records where legislation requires or authorises the information to be made publicly available.

The Shire takes reasonable steps to ensure personal information is only shared where appropriate and with suitable privacy and security protections in place.

Protecting Your Information

The Shire applies information security and recordkeeping controls to help protect information from misuse, loss, unauthorised access, modifications, or disclosure.

Reasonable measures are used to protect information through secure systems, access controls, staff training, information classification, and information management practices. Access to information is limited to authorised staff and authorised service providers who require access to perform their duties.

Honorary Freeman of the Shire

Statutory context	s.5.93(3) of the Local Government Act 1995	
Corporate context	None	
History	Reviewed	20 April 2016
	Reviewed	27 August 2025
	Review Period	Every 3 years

Purpose

To detail the process for nominating and awarding the honourary "Freeman of the Shire of Moora".

POLICY STATEMENT

The awarding of the honourary "Freeman of the Shire of Moora" is to honour those exceptional individuals, who through their personal endeavours and commitment have made an outstanding contribution to the Shire of Moora and community.

Nomination for Freeman

Council encourages the community to nominate people for consideration as Freeman at any time. Nominations must be in writing addressed confidentially to the Chief Executive Officer (CEO) and justify in chronological order the actions/endeavours of nominees. Nominees must not be consulted or advised of nominations.

Council may also wish to nominate any person for the award who have rendered exceptional service to the Shire of Moora community.

Eligibility Criteria for 'Freeman of the Shire'

A person may be nominated for the honourary award 'Freeman of the Shire of Moora' if they meet all the following:

- Minimum service of 12 years to the Moora community in any capacity
- Resident of the district (lived, worked and served) for all or most of the period
- Have identifiable and long-standing connections with the community
- Not a currently serving Elected member or employee

Consideration by Council

From time-to-time Council may receive a nomination for the prestigious award of "Honorary Freeman of the Shire of Moora". The nomination and consideration of proposal to award the title of "Freeman of the Shire of Moora" shall be dealt with in the strictness of confidence.

When Council meets to consider the nomination, the meeting shall be closed to the public and reports concerning the nomination procedure shall be deemed to be a confidential item pursuant to s.5.93(3) of the Local Government Act.

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. Council will consider nominations in a confidential "in-camera" setting in accordance with the principles detailed in the Eligibility Criteria.

A decision by Council to award the title is to be by absolute majority.

Entitlement of Freeman

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

Freeman will be presented with a special badge and certificate at a function to be hosted by Council to acknowledge their Freemanship.

The Freeman shall be invited at no cost to formal civic functions by Council.

A photograph and plaque of the Freeman is to be displayed in the Moora Performing Arts Centre

Freemen shall be included on the Shire of Moora Honour Board.

Awarding the Titles

The formal conferring of these titles is to be carried out at a civic reception held by Council which may be a special reception for this purpose or form a focal point of any other suitable Council reception.

The decision on the occasion and format of the ceremony is to rest with the Shire President in consultation with the CEO.

The successful nominee is to receive a certificate (presented in a quality frame) and an official name badge (of a similar design to Council Member badges) which confirms his or her status.

Fraud and Misconduct Policy

Statutory context Local Government (Audit) Regulations 1996 –
- r.17 – CEO to review certain systems and procedures

Local Government (Financial Management) Regulations 1996 –
- r.5 – CEO's duties as to financial management

Corporate context Elected Member Code of Conduct
Employees Code of Conduct

History		
	Adopted	27 August 2025
	Review Period	Every 2 Years

Policy Objective

To articulate the Shire of Moora's (Shire) commitment to a zero-tolerance approach to fraud, misconduct, bribery and corruption (Fraud and Misconduct) and to building resilience through the identification and implementation of strategies to prevent, detect and respond to Fraud and Misconduct.

Policy Statement

The Shire adopts a zero-tolerance approach to Fraud and Misconduct and will appropriately deal with all allegations and suspected instances of Fraud and Misconduct. This includes notifying, reporting or referring any such instances to the appropriate authority for investigation and possible prosecution. The Shire will seek to recover any losses incurred after considering all relevant issues.

Policy Scope

The management of Fraud and Misconduct is a collective responsibility of all persons engaged or closely associated with the Shire in any capacity.

The Shire's Values, its Code of Conduct for Council Members, Committee Members, and Candidates and Code of Conduct (Employees) outlines the integrity and ethical standards expected by the Shire to ensure business relationships between the Shire (and its Employees), suppliers and/or service providers exhibit the highest standards of integrity when conducting business.

Implementation

This policy along with the Shire's two separate codes of conduct, the Shire's values and culture and Internal controls together operate to prevent, detect and respond to potential or actual fraud and misconduct.

This Policy confirms the intent of Council that any fraudulent activities identified through internal control processes or information received from internal or external sources will be thoroughly investigated, treated seriously and promptly and appropriately dealt with.

Reporting Serious or Minor Misconduct

A Public Officer or any other person may report to the Corruption & Crime Commission or the Public Sector Commission any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct. Information on reporting to the appropriate authority is available on the Shire's public website.

Public Interest Disclosure

Any person may make an appropriate disclosure of public interest information to the Shire, including anonymously. If disclosures are made in accordance with the PID Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability, disciplinary action or dismissal.

The PID Act requires local governments to appoint a PID Officer to whom disclosures may be
made. The PID Officer may be consulted when considering whether to make a disclosure. Information on disclosures and the Shire's PID Officer are maintained on the Shire's public website.

Disciplinary and Recovery Action

The Shire will respond to all instances of Fraud and Misconduct which may lead to termination, in accordance with its disciplinary process. The Shire will also seek to recover any losses it may have suffered through Fraud and Misconduct.

Complaint Management

Statutory context	Nil	
Corporate context	Code of Conduct – Elected Members, Committee Members & Candidates Code of Conduct – Employees	
History	Adopted	21 May 2025
	Review Period	Every 3 years

Purpose

To establish clear principles and direct the establishment of processes for the lodging, investigation, resolution, reporting back and implementation of decisions relating to complaints made to the Shire of Moora.

POLICY STATEMENT

From the Australian Standards, a complaint is *"an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required."*

The Shire of Moora aspires to provide a high level of service to its residents and ratepayers, to provide them with accessible and inclusive democratic services and to do so in a manner that is positive and respectful of members of the community.

The Shire recognises that from time-to-time members of the community may not be satisfied with Shire services, processes, and decisions and recognises that there needs to be a clear, simple, and accountable process available for people to lodge any complaint they may wish to make which provides assurance that responses will be considered objectively, and a positive outcome actively sought.

The Shire also takes the view that complaints can provide useful information and insights into community aspirations about future levels of service and into how existing processes, delivery, and communication to the community about services can be improved.

Principles

a. A complaint is not a request for a service or a new level of service but is an expression of dissatisfaction about a Shire service or action, accompanied by a request for redress. This redress might take the form of a seeking particular outcome for the individual making the complaint, or a more general desire to see a change to Shire services and procedures.

b. Members of the Shire of Moora community will have access to a simple, accountable, and transparent complaints response service.

c. Complaints will be regarded as a positive source of information for continuous improvement of Shire services and procedures.

d. Complaints will be taken seriously and anyone approaching the Shire with a complaint will be listened to, understood and respected. The matter will be dealt with fairly and properly.

e. Action will be taken to address their concern or fix the problem.

f. Complaints will be dealt with quickly and in a manner that provides the complainant with a clear decision as soon as possible.

g. Complainants will be given information about the process and progress on dealing with the matter raised. Regular updates on progress about their complaints will be provided until a decision is made. An explanation will be given about the process and any decisions made.

h. Any response to a complaint received from a member of the Shire of Moora community will seek positive outcomes which accommodate as much as possible the concerns of

the complainant, if response can be delivered in a way that is consistent with Shire budget decisions and approved annual programmes, and regulatory accountabilities.

i. If required, an apology in relation to the matter raised will be given.

j. Complainants will always be informed of further mechanisms available to them for redress if they do not agree with decisions made.

k. Responses to external statutory bodies investigating complaints will be undertaken in a positive, open, and timely manner.

The confidentiality of complainants will be protected according to statutory standards and requirements.

Acquisition and Use of Shire Vehicles

Statutory context	Work Health and Safety Act 2020	
Corporate context	Code of Conduct – Employees Code of Conduct – Elected members Procedure – Use of Shire Vehicles	
History	Reviewed Reviewed Review Period	20 April 2016 27 August 2025 Every 3 years

OBJECTIVES

To provide guidelines on the selection, allocation and use of vehicles in the Shire of Moora fleet.

POLICY STATEMENT/S

Acquisition

The purpose of the Shire's vehicle fleet is to service the operational objectives of the various management, administration and works positions within Council. Vehicles will be purchased with this as the primary consideration.

Apart from this primary consideration, other factors that should be considered:

- Appropriately sharing purchases as equally as possible between motor vehicle dealerships established within Moora Shire.
- Whole of life cost
- Safety factors, e.g. ANCAP rating
- Sustainability factors – where possible, vehicles should be selected with the least environmental impact

Allocation

CEO is to ensure vehicles are provided appropriately to meet the operational requirements of the Shire.

Provision is to be in accordance with conditions of employment, including contractual arrangements, where applicable.

Use

CEO is to ensure appropriate controls and processes are developed and implemented to ensure the safe use of Council vehicles and minimise whole of life costs.

All drivers of Council vehicles must be appropriately licensed and provide Council with such evidence as requested, prior to driving the vehicle.

Subject to any restrictions implemented by the CEO, vehicles may be driven by the following persons:

- an authorised employee of the Shire
- Elected Members when travelling to or from meetings or events when designated by Council as its representative outside of normal working hours by the spouse or partner of the employee allocated the use of the vehicle
- Other such persons as are authorised by the Chief Executive Officer.

Private Works Policy

Statutory context None

Corporate context None

History	Reviewed	20 April 2016
	Reviewed	23 July 2025
	Review	Every 3 years

Purpose

To provide guidelines of the undertaking of Private Works

Policy Statement

That Private Works only be carried out where :

- The Works and maintenance program will not be adversely affected unless it is determined that the advantages of carrying out the private works justifies some reassessment of the works program.
- Full costs including supervision and administration costs are recovered through private works charge rates to be set annually in the budget.
- 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

Memorials in Public Parks and Reserves

Statutory context Not Applicable
Corporate context Not Applicable

History Adopted: 1 October 2025
Review Period: Every 3 years

Purpose

To:

- Provide guidance in relation to the use of public open space in the placement of memorials, monuments, plaques, and the planting of memorial trees
- Ensure that applications for memorials, monuments, plaques, and trees are managed on a consistent basis and in accordance with the Council's strategic direction and corporate policies

Application

This Policy applies to the placement of memorials, plaques, and monuments as well as the planting of commemorative trees in Shire of Moora owned/managed parks, reserves, public open space, and streetscapes.

This Policy does not apply to operations of cemeteries.

The policy applies to memorials, monuments, plaques, and commemorative trees, where the naming is intended to commemorate a (deceased) person, organisation, or significant event. It also includes the placement of such items for community driven projects, where the intent of the project is to raise awareness of a particular community issue.

Requests to recognise a living person/individual does not fall within the scope of this policy.

An artwork or other feature intended primarily to enhance open space and not designed as a commemorative piece, is not considered a memorial for the purpose of this policy.

Policy Statements

The Shire of Moora recognises that members of the community may wish to use public open space to commemorate a person, group of people or an event through a memorial.

This may contribute to the wellbeing of the community and/or honour the contributions of past community members.

Notwithstanding this, it is also recognised that installation of memorials must be managed to maintain local amenity, ensure community safety and minimise the cost of maintenance/ operation of parks and reserves.

All items installed in accordance with this policy become Shire assets and are therefore owned and under the care, control, and management of the Shire.

Criteria for Approval

Each application will be assessed on its merits and must meet one or more of the following criteria:

- An individual or group that contributed significantly to the cultural, political, or social development of the Shire of Moora.

  Individual nominees are to be deceased, and demonstrate:

  - They were a local community member, and
  - Left a tangible legacy to the community that has resonance with the broader public, and
  - Placement of a memorial benefits the community in acknowledging the deceased.

- An event or occasion to be commemorated:

  - Anniversary or event must be unique and highly significant to the history and development of the Shire of Moora; and/or the State of Western Australia/ Australia
  - Reference to historical, social, or culturally significant events must be highly significant to a particular site within the Shire of Moora.

- Awareness campaign:

  - Where the intent of a plaque or memorial item is to raise awareness of a particular community issue, the applicant must demonstrate the relevance of the issue to the local community.

Application Requirements

All applications will be in writing and confirm:

- The commitment of the applicant to fund the requested memorial item (plaque, memorial, monument, or tree)
- Details of compliance with any of the relevant criteria
- The relationship between the memorial and the open space setting proposed
- Consistency with any approved masterplans for the site
- That the proposed memorial does not detract from the aesthetic value or the operation/maintenance of the site.

Decision Process

Decisions requiring approval by Council:

- Any application relating to memorialising an individual
- Any applications relating to the installation of monuments.

Decisions requiring approval by the CEO:

- Any other application that meets the conditions of this policy for memorials, plaques and trees and/or infrastructure such as seating or tables
- Any application related to an awareness campaign where the relevance to the community has been demonstrated

Any decision may result in approval, refusal, or approval subject to reasonable and relevant conditions.

Design/Installation Considerations

The size, design, installation, siting, structure, species selection (for plants), etc will be in consultation with the applicant(s) but final decisions, approvals and consent will be by the Shire.

Any ordering, purchasing, obtaining of quotes or any other procurement processes will be in consultation with the applicant(s) but final decisions and approvals will be by the Shire and compliance with procurement processes may be required.

Final costings/estimates may be obtained prior to agreement to proceed, and the applicant can confirm a commitment to meet the expected costs and agreement with the design/structure/ siting decisions or choose to withdraw the application.

End of Life Considerations

Although some monuments and memorials may have a very extended term of existence ("life"), It is expected that many memorials will have a much more limited life.

There is a reasonable expectation that most items of infrastructure such as seating and plaques will remain in place for a period of not less than 10 years. For a memorial tree, the life of the memorial is the life of the tree.

The Shire reserves the right to remove a memorial after the expiry of 10 years or, should a memorial fall into disrepair for whatever reason (for example vandalism, natural disaster), prior to the expiry of 10 years.

At the end of life of the memorial:

- Council will make reasonable endeavours to contact the applicant or their next of kin
- Council will negotiate an appropriate end-of-life process including the option of applying for a new memorial

Memorial Register

Council will maintain an appropriate register of approved memorials.

FINANCE

Purchasing and Tenders

Statutory context Local Government (Functions and General) Regulations 1996-
- R.11A – purchasing policy required, and matters to be addressed

Corporate context Code of Conduct – Employees
Procedure - Purchase Orders

History Adopted 15 September 2021
Reviewed 21 May 2025
Review Period Every 2 years or if legislation changes

OBJECTIVES

To provide compliance with relevant legislation and deliver an ethical and sustainable approach to procurement with appropriate internal controls

POLICY STATEMENT

Context

Reg 11A of the Local Government (Functions and General) Regulations 1996 requires a local government to prepare, adopt and implement a purchasing policy in relation to the supply of goods or services where the consideration is expected to be $250,000 or less. Purchases above $250,000 must follow the process detailed in Division 2 of the Local Government (Functions and General) Regulations 1996 and requires a local government to invite tenders.

All Purchases by the Shire of Moora shall:

- Comply with relevant legislation, regulations and the Shire's Policies, Procedures and Code of Conduct
- Be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements
- Ensure effective and proper expenditure of public moneys based on achieving value for money.

Ethics and Integrity

All 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
- 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.

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 considering 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
- the 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 enough competitive quotations wherever practicable
- Minimising the social, environmental, and economic impacts in procurement decision making

Where a higher priced conforming offer is recommended, there should be clear, demonstrable and documented benefits over and above the lowest total priced, conforming offer

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 always endeavour to identify and procure products and services that:

- Have been determined as necessary
- Demonstrate environmental best practice in water efficiency, energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling,
- 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, that can be refurbished, reused, recycled, or reclaimed - these shall be given priority and/or those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste
- For fleet motor vehicles – vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range (note that fleet vehicles shall be shared as close as possible to 50% / 50% of the total council light fleet between local suppliers). Council notes there is no requirement to obtain quotes from suppliers external to Moora, however the policy does not preclude external supplier quotes from being obtained at the CEO's discretion. Reputable independent trade in valuations e.g., Redbook shall be obtained by staff to validate trade-in prices of fleet vehicles,
- For new buildings and refurbishments – where available use renewable energy and technologies.

<u>Quote, tender and purchase record capture</u>

Written information and documents associated with quotes and purchases will be captured and retained as per the requirements of the General Disposal Authority for Local Government Records, under the State Records Act 2000.

<u>Quotation and tender exemption</u>

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency as defined by the Local Government Act 1995
- The supply of the goods or services associated with a state of emergency
- 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 procurement is the subject of a Shire of Moora Panel of Pre-Qualified Suppliers and therefore exempt from the Quotation process/thresholds but not from Tender processes/thresholds
- 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 Reg 11 of the Functions and General Regulations apply.

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:

Amount of Purchase	Required Quotation/s or Tender
Up to $5,000	Direct purchase from suppliers requiring only one verbal quotation or priced printout from a reputable supplier catalogue or website.
$5,001 to $20,000	Obtain up to three* verbal quotations or priced printouts from reputable suppliers' catalogues or websites.
$20,001 - $40,000	Obtain at least two* written quotations.
$40,001 - $249,999	Obtain at least three* written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
$250,000 and above	Conduct a public tender process, tender to be awarded by Council.

*A minimum of one quotation may be accepted at the discretion of the CEO for justifiable reasons consistent with quote and tender exclusions under Regulation 11.

Panels of Pre-Qualified Suppliers (PPQS)

As per R24AB of the Local Government (Functions and General) Regulations 1996 (the Regulations), Shire of Moora may establish Panels of Pre-Qualified Suppliers for goods and services where there will be a continuing need for the particular goods and/or services.

Quotations for applications to a Panel of Pre-Qualified Suppliers will be as required by the Regulations but may also be by direct invitation, depending on the nature of the goods/services.

Communications:

Applications to a PPQS will be on a prescribed form.

All applicants added to the PPQS will be notified in writing (email).

Any additions/deletions to/from the PPQS will be in writing (email).

Reviews of the PPQS will be by direct contact and advertising at least annually and/or in the event of a significant event (eg major price/supply disruption).

A specific procurement from a member of a PPQS will be on the basis of price, availability and/or previous experience for the specific requirement at the discretion of the Shire officer.

A register will be prepared and maintained for every PPQS for the Shire of Moora. Procurements use purchase orders and therefore record of procurement will be in the creditors system.

Rating Policies

Rate Payment Incentive Prizes and Eligibility

Statutory context	Local Government Act 1995 – s6.46	
Corporate context	None	
History	Reviewed	21 May 2025
	Review Period	Every two years

Purpose To detail the setting and drawing of and eligibility for Rate Payment Incentive Prizes

POLICY STATEMENT

- To qualify for rates incentive prize, payment of rates must be processed prior to close of business on the due date.
- Entry to the prize draw will not be allowed after this time and date in any circumstances.
- The monetary value of the rates incentive prizes, if offered, will be determined in the relevant Budget.
- The prizes are to be drawn by the Shire President or their nominee
- The date and time of the prize draw will be set each year by Council but will generally be within 2 weeks of the due date.
- Prizes as adopted by Council will be awarded to entries drawn at random.
- One entry per assessment notice (not rate payer) is to be entered into the draw.
- The Shire reserves the right to decide, in its absolute discretion whether the entry requirements have been fulfilled (for example, if the payment of rates was processed prior to close of business on the due date).
- The Shire may seek sponsorship for the provision of rate payment incentive prizes.
- Those not eligible to participate, are Key Management Personnel as defined in for Related Party Disclosures purposes and State or Commonwealth Government agencies.

Properties Exempt from Rating

Statutory context	Local Government Act 1995 – s6.47	
Corporate context	None	
History	Reviewed	20 April 2016
	Reviewed	21 May 2025
	Review Period	Every two years

Purpose To Identify properties that Council has determined as being 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.

Rates Collection Procedure

Statutory context	Local Government Act 1995 – s6.54-6.82	
Corporate context	None	
History	Reviewed	20 April 2016
	Reviewed	21 May 2025
	Review Period	Every two years

Purpose To outline expectations for the collection of overdue rates

(1) That as soon as practicable after 7 days following any rates or service charges falling due for payment, the CEO may issue a final notice for recovery of outstanding rates and service charges, allowing 14 days for payment.

(2) That action for recovery be taken after that time, to the extent allowed in the Act.

9.8 Small Rates Balance Write Offs

Statutory context Local Government Act 1995

Corporate context	None	
History	Reviewed	20 April 2016
	Reviewed	21 May 2025
	Review Period	Every two years

Purpose Authorising that small amounts of rates debt may appropriately be managed by staff rather than Council

The CEO or their delegate are authorised to write off rates balances up to and including $20.00. All amounts over $20.00 should be referred to Council for consideration.

Corporate Credit and Other Transaction Cards

History	Adopted	15 September 2021
	Reviewed	21 May 2025
	Review Period	Every three years

Policy Objective:
To provide for the Shire to maximise the benefits of the use of Corporate Credit/Transaction Cards while managing the risks.

Legislative Context:
The Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.

Policy Scope:
It is understood that, in very many instances, Credit Cards can provide the most convenient and appropriate medium for procurement and in some few instances, may be the only form of payment acceptable to a supplier.

On that basis, the CEO is authorised to obtain Corporate Credit Cards with the following limitations:

Chief Executive Officer Credit Limit $20,000
Only Designated Senior Officers as identified as appropriate Credit Card Holders by the CEO with Credit Limits up to $15,000 as identified as appropriate by the CEO.

Credit Card Management

The CEO will develop and implement appropriate controls for the management of the use of Corporate Credit Cards that will include:

Credit Card Usage

Credit Cards:

- are only to be used for the purchase of goods and services on behalf of the Shire such as, but not limited to, accommodation, meals, travel expenses, conference/seminar fees, subscriptions to professional memberships, journals/publications and activity cost charges where purchase orders are not appropriate and/or use of credit cards is most appropriate
- shall not be used for cash advances
- shall be subject to all existing legislation, Policies and Procedures, including but not limited to Codes of Conduct, Purchasing and Tenders Policy and Procedure for Purchase Orders and subject to the adopted Budget of Council.
- shall not be used for expenditure on personal items or services.
- shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.

Credit Card Issues/Acquittals

The CEO will ensure that issue of credit cards includes appropriate controls and documentation. Further, a system of ensuring regular and documented acquittal of all payments by Credit Card holders including appropriate procedures for review.

Other Transaction Cards

The CEO may also implement the issue and control of other transaction cards as may be appropriate for the procurement of specific goods and services, including but not limited to Fuel Cards and Store Cards.

Issue and use of any transaction cards will be subject to the implementation of appropriate regimes of control including processes for issue, use and acquittals.

Reporting

All transactions undertaken by use of Transactions Cards, whether Corporate Credit Cards or Other Transaction Cards, shall be reported in the List of Payments presented to each Ordinary Monthly Meeting of Council.

Investments

Statutory context Local Government Act 1995 s6.14
Trustees Amendment Act 1997
Local Government (Financial Management) Regulations 1996 R19 & 19C

Corporate context Code of Conduct – Employees

History Adopted 20 April 2016

Reviewed 21 May 2025
Review Period Every 2 years or if legislation changes

POLICY OBJECTIVE

To undertake the authorised investment of the Shire's surplus funds, with consideration of risk at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are met.

POLICY STATEMENT

While exercising the power to invest, consideration needs to be given to preservation of capital, liquidity, and the return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investing activities are to be performed in a manner that seeks to ensure the security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within specified limits and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated realisation of an investment.

Authority for Investment

The Chief Executive Officer (CEO) is authorised to implement this policy. The CEO may in turn delegate the day-to-day management of the Shire's investments in accordance with the provisions of the Local Government Act 1995.

Prudent Person Standard

Investments will be managed with the care, diligence and skill that a prudent person would exercise. Officers delegated with authority to manage investments are to safeguard the portfolios in accordance with the substance of this policy, and not for speculative or any other purposes.

Authorised Investments

Without Direct approvals from Council, Investments are limited to:

- Bank Accepted/Endorsed Bank Bills
- Bank Negotiable Certificates of Deposit
- Bank Interest Bearing Deposits
- State/Commonwealth Government Bonds

Prohibited Investments

The investment policy strictly prohibits any investment carried out for speculative purposes including:

- Derivative or derivative based instruments and or structured products

- Principal only investments or securities that provide potentially nil or negative cash flow
- Stand-alone securities issued that have underlying futures, options, forwards contracts, swaps of any kind
- Any form of investment that risks the loss of the initial capital outlay in anticipation of significant gain that may arise from expected changes in future economic conditions.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

Recognition and Depreciation of Assets Policy

Statutory context Local Government (Financial Management) Regulations 1993 s17A

Corporate Context

History	Adopted	23 July 2025
	Review Period	Every 3 years

OBJECTIVE

To determine the parameters for the recognition and depreciation of non-financial non-current assets

POLICY STATEMENT

Fixed Assets

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment losses.

Recognition of Assets

Assets for which the fair value as at the date of acquisition is under $5,000 are not recognised as an asset in accordance with Financial Management Regulation 17A (5). These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Gains and Losses on Disposal

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

Depreciation of Non-current Assets

The depreciable amount of fixed assets included in buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held

ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Major depreciation periods used for each class of depreciable asset are:

Asset	Years
Buildings	8 to 60 years
Furniture and equipment	4 to 20 years
Plant and equipment	3 to 50 years
Infrastructure - Roads Pavement & Surface	50 to 56 years
Infrastructure - Roads Subgrade	not depreciated
Infrastructure - Footpaths	60 years
Infrastructure - Drainage	73 years
Infrastructure - Parks and Ovals	14 to 65 years
Infrastructure - Bridges	80 to 100 years
Infrastructure - Street Furniture & Lighting	10 to 50 years
Infrastructure - Sewerage	50 to 80 years
Infrastructure - WIP	not depreciated

Portable and Attractive Items Policy

Statutory context Local Government (Financial Management) Regulations 1993 s17B

Corporate Context

History	Adopted	23 July 2025
	Review Period	Every 3 years

OBJECTIVE

To set guidelines for the management of Portable and Attractive Items

POLICY STATEMENT

The policy relates to all employees (full-time, part-time or casual) and temporary staff of the Shire, as well as Elected Members.

This policy applies to all items defined as portable and attractive. A portable and attractive item is an item purchased by the Shire, with Shire funds, irrespective of the funding source, and includes items gifted or donated to the Shire. The item is of a non-consumable nature, such as a portable plant, laptop computer, tablet, desktop computer, mobile phone or portable business/consumer electronic device of any value less than the adopted asset capitalisation threshold.

CEO will designate an Accountable Officer to maintain a register to record the receipt, movement and disposal of portable and attractive items with description, location and custodian details. The Accountable Officer will undertake a stocktake of portable and attractive items at least annually.

Users of items, whether employees, contractors, volunteers or elected members are responsible for their appropriate use and documentation of the status of the item. Responsibility for the control and safe custody of a portable and attractive item remains with the manager/supervisor responsible for that area or the worker who has control and use of the portable and attractive item.

The Shire will retain ownership of the portable and attractive item at all times.

Any disposal will be appropriately authorised and documented, compliant with all policies and procedures and ensure the management and security of any data/records.

Any breach of this Policy will be subject to disciplinary action as per Council's adopted Policies and Procedures.

Financial Hardship Assistance Policy

Statutory context Local Government Act s 6.12

Corporate context Small Rates Balance Write Off Policy
Delegation 1.16 Waive or Write Off Debts

History
Adopted 27 May 2026
Reviewed 27 May 2026
Review Period: every 3 years or if legislation changes

POLICY OBJECTIVE

The purpose of this policy is to enable Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates or other debt.

POLICY STATEMENT

Scope

This policy applies to ratepayers experiencing genuine and serious financial hardship and needing assistance to meet both their basic needs and their rate payment obligations to Council. It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship. Although primarily intended to address rating debts, the policy may also consider other debts owed to Council.

Genuine Financial Hardship

According to the Australian Taxation Office (ATO), individuals are considered to be in serious hardship when they are unable to provide the following for themselves, their family or other dependants:

(1) Food
(2) Accommodation
(3) Clothing
(4) Medical treatment
(5) Education
(6) Other basic necessities

Evidence of Financial Hardship

Applicants will need to provide evidence of their circumstances of financial hardship to justify Council's special consideration of their case. The type of evidence required will depend on the circumstances and may include, for example, one or more of the following:

- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment
- A statutory declaration from an appropriate and independent professional, familiar with the applicant's circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager, etc.)
- Pending disconnection of essential services, like water, electricity, gas (does not include mobile phone or internet bills)
- Notice of impending legal action
- Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities
- Bank notice for example, overdraft call or mortgaged property repossession
- Employer notice of redundancy or termination of employment
- Overdue medical bills
- Letter from doctor verifying the inability to earn an income due to illness or caring for a sick family member
- Final notice from school regarding payment of mandatory fees
- Funeral expenses
- Repossession notice of essential items, like a car or motorcycle

How Council can Help

Shire of Moora can offer three methods of rate relief:

(1) Postponing rate payments
(2) Remission of late payment penalties or interest
(3) Remission of rates

Postponing Rate Payments – Deferral Arrangements

In confirmed cases of financial hardship, Council may choose deferral of individual rates payments within a defined period, in whole or in part, to be paid back later, subject to any conditions Council determines. The deferral arrangement applies to specified payments, and other rate payments are not affected and continue to accrue as normal.

The terms of rate deferral arrangements will be proportionate to the applicant's demonstrated financial hardship circumstances, so supplying sufficient evidence of these circumstances is important for developing the appropriate terms.

Rate payment deferrals approved under this section are typically deferred by 3 months. However, rate deferral arrangements can only defer individual payments up to a maximum of two (2) years and only in the most serious circumstances.

All deferred payments must be repaid as specified in accordance with the deferral arrangement, otherwise regular late payment penalties and/or interest will apply.

Ratepayers who are subject to a deferral arrangement who overcome their financial hardship circumstances are encouraged to begin repaying their deferred rates payments as early as they are able.

Note that Council may revoke any postponement of rates payments at any time, by giving 60 days' notice in writing to the ratepayer.

Remitting Late Payment Penalties and Interest

For typical circumstances that are not of financial hardship, rates must be paid by the due date and Council may charge a penalty or daily interest or both for each late payment. However, for confirmed cases of financial hardship, Council may waive either the applicable late payment penalties, or the interest accumulated, or both, for a specified period that relates to the period of financial hardship.

Remitting Rates

Remission of any rates, late payment penalties or interest, in part or in full, is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered.

After the applicant has entered into a deferral arrangement with Council, the applicant may apply for remission of rates. The application must demonstrate:

(1) Financial hardship
(2) Exceptional and serious circumstances

(3) How the applicant's exceptional financial hardship circumstances make the maximum term deferral arrangement unfeasible and unreasonable to fulfil and
(4) How enforcing fulfilment of the maximum term deferral arrangement would only deepen the seriousness of the applicant's financial hardship and critically impact their ability to provide for the basic living necessities (food, accommodation, clothing, medical treatment) of the applicant and dependents

In the interests of community fairness and equity, wherever possible and appropriate in determining rates remission applications:

(1) Deferral arrangements are preferable to rates remission
(2) Amounts or proportions of rates to be remitted are to be minimised, for example, below $1000 or 50%; the remainder subject to payment arrangements
(3) Instances of rates remission are to be minimised to no more than one rates remission per applicant

Applying for Financial Hardship Assistance

To seek financial hardship assistance from Council, an application must be made in writing, addressed to the Chief Executive Officer (CEO), and submitted as follows:

- Emailed to shire@moora.wa.gov.au or
- Mailed to PO Box 211, MOORA WA 6510
- Delivered to 34 Padbury Street, Moora

Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances
- Describe the type of assistance sought, being:
  - Postponing rate payments (a deferral arrangement);
  - Postponing or waiving late payment penalties or interest;
  - Remitting rates, late payment penalties or interest, in part or in full;
- Address the requirements of the relevant subsections of How Council can Help

Contribution to Boundary Fences

Statutory context Dividing Fences Act 1961 – 5 (1)

Corporate context Fencing Local Law 2016

History

Adopted	23 September 2026
Review Period	Every 3 years

1. POLICY

Council will share the cost of fencing boundaries between private and Council owned land in accordance with the Dividing Fences Act 1961. This act exempts Council from contributing where Council owns land for public purposes, such as a street, right-of-way or reserve.

Situations where Council is not exempt and is required to share in the cost of a boundary fence include, for example, land being used for commercial purposes.

The contribution will be 50% of the cost of materials plus 50% of the cost or value of the labour component of a "standard" fence.

The contribution will only be payable where Council's written agreement is obtained before construction or repair works begin.

The following conditions form part of this Policy:

(a) Applications:

Applications for a Council contribution must be made in writing and detail fully the type of fence proposed and be accompanied by quotations for the materials and labour costs involved. Where a landowner proposes to supply and claim the value of labour, the estimated value of this labour must be included.

(b) "Standard" Fence:

A "standard" fence will be determined on a case-by-case basis, taking into consideration:

- The use of the land eg residential, commercial, industrial, livestock, cropping
- Consistency with other fences in the immediate area or of properties of a like nature
- Consultation with appropriate tradesmen/contractors if there are limited comparable properties

Where a landowner proposes a fence which, in Council's opinion, exceeds a "standard" fence, the contribution payable will be limited to no more than would have been payable by Council for a "standard" fence.

A contribution will not be payable in respect of retaining walls or any structure intended by a landowner to extend the usefulness or enjoyment of private land.

(c) Project Responsibility:

Council reserves the right to assume responsibility for the erection of any fence which is the subject of an application for a contribution under this Policy. Where it does so, written agreement from the adjoining landowner will be required before construction can commence.

Where it is agreed an adjoining landowner will assume responsibility for erection of a fence, Council's contribution will be payable on completion of construction of the fence to the satisfaction of Council's CEO or his delegate

BUILDING

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.

Outbuildings - 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 require

a) That all outbuildings on residential zoned land be clad with Colourbond on all wall surfaces

b) Any roof pitch for a large outbuilding which exceeds 15 degrees be clad in Colourbond

c) Any justified complaints from neighbouring properties in relation to reflectivity will require the building's owner to immediately paint the reflective surface.

Outbuildings - Maximum Sizes

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.

Outbuildings – Construction prior to Construction of Residential Buildings

No outbuildings 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.

Town Centre Zones

1. Any roof pitch for a large building that exceeds 15 degrees to be clad in Colourbond to decrease reflectivity.

2. Frontages to main entrance to building are to be covered by a verandah with Colourbond roofing or other structure approved by Council.

3. 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.

4. Landscaping plans are required to be presented with Development Applications.

5. 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.

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.

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.

Heritage Policy

Objectives

1. To explain the Shire's approach to and expectations for development affecting heritage buildings and places;

2. To facilitate continued use and appreciation of all heritage buildings and places within the Shire of Moora;

3. To preserve the amenity, character and cultural values of heritage buildings and places;

4. To enable adaptive reuse through appropriate additions or modifications; and

5. To set out potential planning conditions for the retention, restoration, recording and interpretation of heritage places.

PURPOSE

The Shire of Moora Town Planning Scheme prevails should there be any conflict between this Policy and the Scheme. It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches.

The Shire of Moora shall have due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

SCOPE

This policy relates to planning proposals for places included on a Heritage List adopted under the Shire's Local Planning Scheme No. 4, or included in the Municipal Heritage Inventory in accordance with the Heritage of Western Australia Act 1990.

This policy provides guidance in relation to the development of heritage places as well as detailing procedures for making applications for heritage related development

The policy does not relate to sites listed under the Aboriginal Heritage Act 1972, unless specific sites are also included in the Municipal Heritage Inventory or on the Heritage List.

BACKGROUND

The history of the Shire is visible through settlement patterns of early pioneers throughout the Shire and all high social, cultural, aesthetic or historical significance are listed within a Heritage List. These places are assets that contribute to the identity and appeal of their localities for both residents and visitors, and changes to heritage places must be carefully managed to retain or enhance their heritage values. This list has been put together by a committee consisting of Shire Staff, Shire Councillors and Members of the public involved in the History of the Shire. (i.e. Historical Society)

The Heritage of Western Australia Act 1990 requires each local government to maintain a Municipal Heritage Inventory (MHI). The Shire of Moora MHI lists many places that contribute to the history and character of the local area and classifies them according to the degree of significance.

The Heritage List is derived from the MHI to provide a higher level of protection for the most significant local places and buildings. Modification of a place on the Heritage List is not permitted without planning approval.

Extensions and modern facilities can often be accommodated if they are designed carefully with minimal disturbance to the original structure. Detailed schedules of materials and finishes will generally be required.

Additional information including specialist studies, heritage impact assessments and street elevations may be required based on the level of significance of the place and the scale and nature of the proposed changes, additional information may be required. This may include specialist studies, street elevations and/or a heritage impact assessment.

4.0 LEVELS OF SIGNIFICANCE

Level of Significance	Description	Expectations
Exceptional Significance Heritage List and State Heritage listed places	Rare or outstanding example: essential to the heritage of the locality	The place should be retained and conserved. Any alterations or extensions should reinforce the significance of the place and be in accordance with a Conservation Plan
Considerable significance (Heritage List)	High degree of integrity/ authenticity; very important to the heritage of the locality	Conservation of the place is highly desirable. Any alterations or extensions should minimise impacts on the original site or building and reinforce the significance of the place
Moderate significance (Municipal Heritage Inventory)	May have some altered or modified elements, not necessarily detracting from the overall significance; contributes to the heritage of the locality.	Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place and retain original fabric where feasible.
Some significance (Municipal Heritage Inventory)	Lower degree of integrity/authenticity but contributes to the heritage of the locality.	Retain elements of the place where feasible. Photographically record prior to major development or demolition.

Heritage places often include the setting or landscape features as well as buildings. Not all buildings within a heritage place will be a considered as a heritage building. This will be determined by referring to the 80 place record, together with the heritage assessment where one is required at the time of proposed development.

5.0 MANAGEMENT OF HERITAGE PLACES

The development approval procedure provides the opportunity to fully inform the property owners of the heritage value of the place and provide specialist conservation advice when dealing with listings on the Municipal Inventory recommended for the Town Planning Scheme protection.

Views of the State Heritage Council, other relevant bodies and community consultation shall be considered when determining the application. The importance of community views needs to be reflected in the planning processes.

Owners of heritage places are also to be fully informed of the implications of heritage recognition of their property.

5.1 HERITAGE ASSESSMENT

The Moora Shire may determine that a heritage assessment of the place which is the subject of the application, may be necessary prior to the development proceeding. Should the application be for a demolition order, the relevant bodies have the opportunity to photograph and document the place prior to the demolition.

5.2 HERITAGE APPLICATION FOR APPROVAL

The importance of the community views need to be reflected in the planning processes which affect places of heritage value. The owners of heritage places are to be fully informed of the implications of heritage recognition of their property. Every effort shall be made to inform the community and the land owners in particular of the implications of heritage recognition.

A development application when dealing with any places on the Municipal Inventory list recommended for Town Planning Scheme protection, it may be necessary for Council to solicit the views of the Heritage Council or other relevant bodies including a community consultation to take their views into account when determining the application.

5.3 SIGNAGE ON PLACES OF HERITAGE & CULTURAL SIGNIFICANCE

Appropriate signage may be required in accordance with the Shire of Moora Advertising devices Policy.

5.4 PROPOSED DEMOLITION

Structural Condition Assessment (in case of Demolition)

If structural failure is sited as a justification for the demolition of a building in the Shire of Moora Municipal Inventory (MMI), evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a of a majority of its significant fabric and/or prohibitive costs.

If a proposal is for the demolition or the substantial redevelopment of a building or place in the (MMI), the Local Government may require as a condition of approval, the preparation of an archival recording of the place, prior to the demolition or commencement of development.

6.0 ASSESSMENT CRITERIA

The criteria outlined below are to be read in conjunction with the Precinct Plan where one applies; State Planning Policy 3.5 - Historic Heritage Conservation; and the specific place record.

6.1 Buildings and structures on the Heritage List should not be demolished or their heritage values diminished by development. Where (in the opinion of the Shire) demolition or substantial change is necessary and unavoidable, then detailed recording in the form of archival record and appropriate interpretation of the site must be undertaken.

6.2 Designs for alterations/additions to heritage places should minimise disturbance to the original landscape setting and structure as much as possible and seek to maintain or enhance the specific heritage values identified for that place.

6.3 Additions to heritage buildings should be located towards the rear of the property with little or no alteration to elevations facing streets or public land, thereby maintaining the appearance from the public road or approach to the building.

6.4 External additions to heritage buildings must reflect the scale and character of the original structure, but be subtly identifiable as later additions.

6.5 Internal modifications to heritage buildings should be designed to minimise disturbance to the original structure and fabric, and leave visible traces of the original floor plan and function.

6.6 No outbuildings shall be located in the front setback area. Carports and garages must be detached and located to the side or rear of the heritage building, in order to minimise changes to the appearance from the public road or approach to the building.

6.7 Driveways and crossovers should generally avoid concrete and bitumen and make use of natural or earth coloured materials appropriate to the setting (such as compacted gravel or red-brown asphalt).

6.8 Earthworks should be minimised. Where retaining is necessary, it should be terraced to respond to the natural contours of the land and completed in natural or earth coloured materials appropriate to the setting.

6.9 Fences and walls should be reflective of the surrounding landscape and maintain clear and open sightlines between the public road and the heritage place.

6.10 Modifications to public buildings to provide modern facilities or improve access for people with disabilities must be sensitively designed to minimise disturbance to the original structure and external appearance.

6.11 The Shire will take into account the public benefit of proposed modifications, including adaptation that enables continued access, visitor use and appreciation of the history and significance of the site.

6.12 Solar panels, antennas and air conditioning units must be selected carefully, located unobtrusively and painted, finished or framed to minimise the impact on the external appearance of the place.

6.13 Where a proposal has been referred to the State Heritage Office the Shire shall have due regard to their advice and recommendations.

6.14 Where external modifications or extensions are proposed to a heritage building in a bushfire prone area, the Building Code of Australia will require construction to the relevant Australian Standard (AS3959).

The Shire will pay particular attention to the degree to which non-combustible building materials can be adapted and finished to complement the existing structure; the aesthetic impact of the modifications; and the impact of any clearing proposed in order to reduce the bushfire hazard. In some cases the modifications or extensions will not be supported, or the Shire may recommend a reduced or semi-detached addition to minimise the impacts on the heritage values of the original building.

7.0 CONDITIONS

Where conditional approval is granted for all or part of the proposal, one or more of the following conditions may be applied in addition to any other planning conditions:

a) This site is identified as historically significant and a comprehensive series of colour photographs shall be submitted to the Shire on a digital source (i.e. thumb drive), recording the present appearance of buildings and surrounds, before applying for a building permit or undertaking any works.

b) A detailed archival record is to be made and submitted to the Shire prior to any works being undertaken. This record shall be based on State Heritage Office guidance for preparing archival records and include a site plan at 1:200 scale; a floor plan and elevations at 1:100 scale; and photographs of both the interior and exterior (clear of furnishings or debris).

c) Detailed plans shall be submitted to the Shire with the application for a building permit, demonstrating how the chosen construction methods will minimise impacts on the existing fabric of the building. The work shall be undertaken in accordance with these plans and using practices that minimise disturbance and damage to the existing structure.

d) A detailed heritage impact statement shall be submitted to the satisfaction of the Shire before applying for a building permit or undertaking any works, clearly documenting potential impacts and providing specific recommendations to minimise those impacts on the significance of the place. The work shall then be carried out in accordance with the recommendations of the approved heritage impact statement.

e) Should an additional structure be constructed it shall be freestanding and not cause or require any modification to buildings of heritage significance.

f) Any additions shall be completed and maintained in materials and colours that are consistent with or complementary to adjacent buildings of heritage significance.

g) On the completion of building and works, landscaping is to be established or reinstated and then maintained to the satisfaction of the Shire, consistent with the existing grounds and landscaping

PLANNING

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.

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.

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.

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.

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 land use 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 land use 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 land use 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;

1) 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 creek line, 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 specifies endemic to the area, especially for rehabilitation of creek line 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 creek line, 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.

*Note1: 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 1 of the Code of Practice provides a detailed description of matters to be addressed so will not be replicated in this policy (e.g. establishment and maintenance plan, fire management plan, weed control, 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 1

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**
A formal application must be lodged and signed by; 1. The owner of the land as registered on the Certificate of Title. 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.	1. ☐ **OR** 2. ☐	☐
CERTIFICATE OF TITLE	**Applicant to tick**	
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 carriageway, and reciprocal rights of access, caveats and notifications. Titles can be obtained from Landgate.	☐	
PLANNING APPLICATION FEES (IN ADDITION TO BUILDING APPLICATION FEES)	**Applicant to tick**	**Office Use Only**
Estimated Cost — ***Planning Fee*** 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	☐	☐

PLAN REQUIREMENTS

LOCATION / CONTEXT PLAN **(Applicant to tick Left Hand side boxes)**	**Office Use Only**
Four (4) copies of a location plan which clearly shows; ☐ The boundaries of all lots included in the application with an overlay of the existing lot number. ☐ 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. ☐ All existing roads abutting the lot and the names of the roads. ☐ A north point.	

☐ 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.	

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.	☐	☐
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.	☐	☐

SITE PLAN REQUIREMENTS – DETAILS TO BE SHOWN ON THE SITE PLAN (Applicant to tick Left Hand side boxes)	**Office Use Only**
The site plan is to show; ☐ The boundaries of all lots included in the application with an overlay of the existing lot number. ☐ 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. ☐ The dimension of each lot boundary to be clearly marked in metres. ☐ The site plan to clearly show all existing roads abutting the lot and the names of the roads. ☐ A north point. ☐ 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. ☐ Existing physical features such as rock outcrops, watercourses etc. ☐ All existing trees or groups of trees with a clear indication of retention or proposed clearing. ☐ The location and type of all existing structures such as dwellings and sheds (and clearly marked 'existing' or 'to be removed'). ☐ 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. ☐ 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) ☐ Existing and proposed crossovers. ☐ 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	

clearly show the form of planting (i.e. block or belts). ☐ All existing dams, watercourses, main drainage lines or areas subject to inundation.	

WRITTEN INFORMATION

DETAILED SUBMISSION	Applicant to tick	Office Use Only
A detailed written submission or covering letter in support of the proposed application. The detailed submission should include information on; ☐ 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. ☐ Address the objectives of the Shires Town Planning Scheme applicable to Rural zoned land. ☐ Explanation of how the application complies with the Shires Local Planning Policy and the Code of Practice for Timber Plantations in WA ☐ 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.	☐	☐
☐ 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. **OR** ☐ 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. **This is not relevant for applications which comply with the Shires Local Planning Policy and integrate plantings with agricultural uses.**	☐ Yes **OR** ☐ Yes ☐ N/A Incidental Use	☐ ☐ ☐

DETAILED SUBMISSION	Applicant to tick	Office Use Only
☐ A Plantation Management Plan that complies with Appendix 1 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.).	☐	☐
☐ 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.	☐	☐

Photographs of the site (Optional)	Applicant to tick	Office Use Only
General photographs of the existing agricultural areas, proposed planting areas, main access in and water sources for fire fighting. 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. **Applications are dealt with in the date order that they are submitted, however generally it is easier to assess an application which includes photographs.**	☐	☐

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**

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 a 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.

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 3m3in 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;

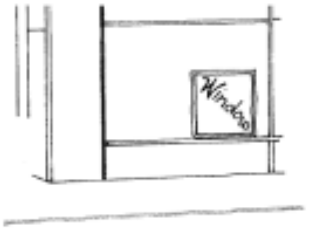
3) contains confusing, misleading, political, religious, offensive or objectionable information; and

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 10.0m^2 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

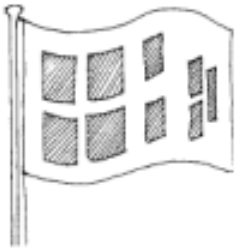


DEFINITION:
A sign to facilitate the sale, auction or leasing of a group of housing or building sites

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)

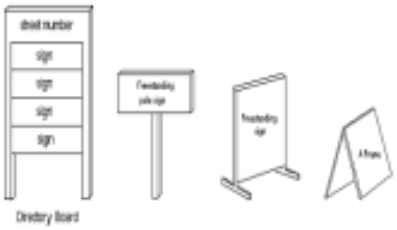


REQUIREMENTS:
a) Max 2 flag poles per lot (where not considered superfluous or unnecessary);
b) Max height of 6m;
c) Each flag no greater than 4.0sqm (with a pole of a size to satisfactorily support the flag under all conditions).

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

Freestanding Signs

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

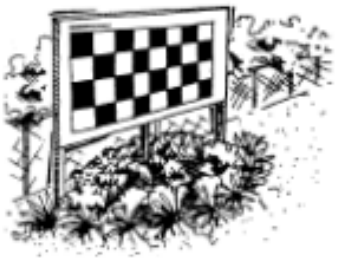


DEFINITION:
A portable sign that is displayed on a sign structure that is mounted on the ground on one or more supports.

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

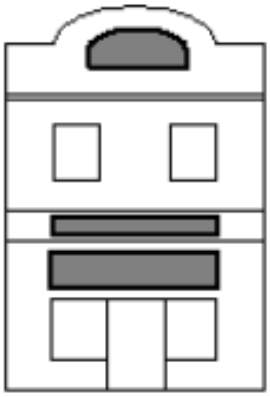


DEFINITION:
Detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel.

REQUIREMENTS:
The applicant is required to provide adequate justification for the use of a hoarding sign. Refer to Appendix 1.

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.

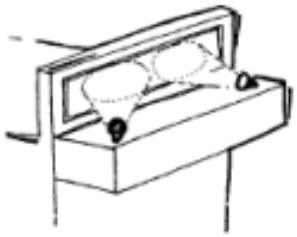
REQUIREMENTS:

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 $5m^2$ 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

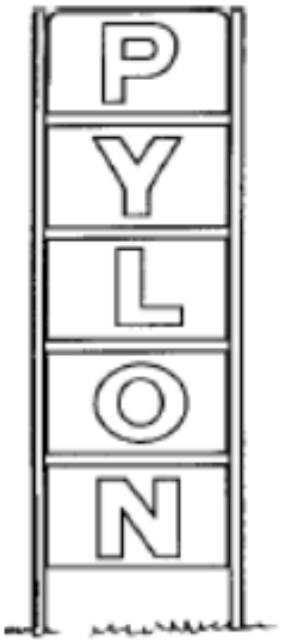


DEFINITION:
A sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light.

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 4m^2 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 is it 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 facia, 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

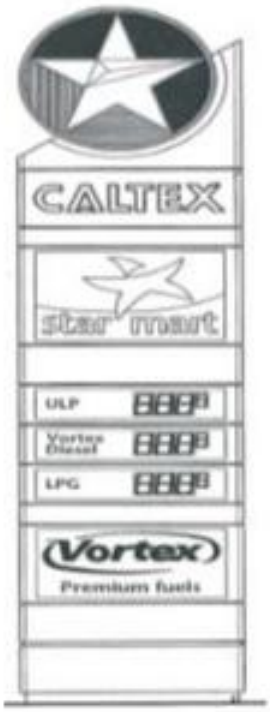
DEFINITION:
A sign erected on land zoned rural under the Local Planning Scheme indicating the products grown, reared or produced on the property.

REQUIREMENTS:

a) 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;
b) Be erected within the boundaries of the property; and
c) Not exceed $2m^2$ 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 (tired) 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 $0.4m^2$ per 1m of street frontage of the subject tenancy (max are of $10m^2$); 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 landowner 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 an 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.

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.

WORKS AND PLANT

Earthworks Affecting Council Drainage Policy

History	Reviewed	20 April 2016
	Reviewed	24 June 2026

Policy Objective:
To provide guidance where earthworks on private property affects drainage on Council roads

Legislative Context:
Local Government Act 1995, Schedule 9.1 (10)
Local Government (Uniform Local Provisions) Regulation 1996 Section 19

Policy Statement:

It is the responsibility of a land owner to seek the permission of the Shire prior to the undertaking of any earthworks near or adjacent to a gazetted road or thoroughfare such that a water hazard could arise due to a change in the 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 or similar organisation, or with the permission of a relevant government department

2. Written consent is received by the Shire from any other property owner(s) that may be affected as a result of such earthworks

3. The property owner/land holder wishing to undertake the earthworks agrees to meet all costs associated with the provision of the materials for and the construction of such floodways or culverts or other works as Council shall deem to be necessary

4. Construction of the culverts, floodways or other works is carried out to a design approved by an authorised Council officer/representative and/or under Council's supervision.

Crossover Policy

History	Reviewed	20 April 2016
	Reviewed	24 June 2026

Policy Objective:
To provide guidance where a crossover is being constructed between a Council thoroughfare and private property

Legislative Context:
Local Government Act 1995, Schedule 9.1 (7)
Local Government (Uniform Local Provisions) Regulation 1996 Sections 12 - 16

Policy Statement:

Shire approval/permission must be obtained prior to the undertaking of any crossover works affecting Council property.

Specifications for a "Standard" crossover may be obtained from the Shire.

The finished surface shall be approved with the agreement of Council. A standard surface shall be of composition so as to provide a hard trafficable surface that is not hazardous to pedestrians.

Contributions:

Council will only contribute to one crossing per property.

Council will contribute up to 50% of the cost of a standard crossover and this is the maximum contribution to a non-standard crossover.

This contribution will be adopted by Council annually and listed in its fees and charges.

A crossover subsidy cannot be applied for retrospectively.

Crossover subsidies are not relevant to renewal or upgrading of existing crossovers.

Disturbance of Soil or Flora on Council Reserves Policy

History	Reviewed	20 April 2016
	Reviewed	24 June 2026

Policy Objective:
To provide guidance on earthworks and interference with flora on Council roads and other reserves

Legislative Context:
Local Government Act 1995, Schedule 9.1 (2)
Local Government (Uniform Local Provisions) Regulation 1996 Sections 2, 5

Policy Statement:

Flora:

No interference with flora on Council reserves, whether road reserves or other, is permitted without prior permission being granted. This includes, but is not limited to, picking flowers or harvesting seeds.

Council works on reserves will endeavour to minimise disturbance to, and the preservation of native flora wherever practicable.

Earthworks:

Clearing is not permitted on road or other reserves without the prior permission of Council. Other works, including fire control, such as but not limited to spraying, ploughing and burning of firebreaks similarly require prior permission of Council.

Footpath Management Policy

History	Reviewed	20 April 2016
	Reviewed	24 June 2026

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

Legislative Context:

Federal and WA Disability legislation
Building Codes
Australian Standards

Application:

This policy applies to all town areas in the Shire

Policy Statement:

Footpath management including new construction, upgrade and maintenance or repair will be in accordance with:

- Any adopted Asset Management Strategy/Plan
- Any adopted Footpath specific plan/project or footpath ancillary to another adopted roadworks or other infrastructure project
- Adopted budget

Footpath Construction

Category	Parameters	Sides of Street	Surface	Width	Inspection Interval
1	Town Centre (Moora)	Designated by Planning Scheme	Brick paving or Coloured stamped concrete	Full width of road reserve	Every two years
2	Where the road is designated as local, district or primary distributor and/or where a footpath is needed to provide for safe universal access to schools, community centres, local centres, public facilities and public open spaces	Both	Brushed concrete	2.5 metres	Every two years
3	All other town areas except 4	One	Brushed concrete	2.5 metres	Every two years
4	Where there is no development	None	Not applicable	Not applicable	Not applicable

	fronting the part of the street; Topography or vegetation precludes provision for a footpath; future traffic volumes will be less than 300vpd; or where the street does not connect or contain land uses which generate high levels of pedestrian activity				

Footpath design including kerb ramps, crossovers, tactile ground service markers and dealing with utilities will be according to appropriate legislation, Standards and Codes.

Heritage considerations – specific design, construction, width and other parameters may apply to account for specific heritage circumstances, for example, adjacent to significant listings on the Municipal Heritage Register. This will be by specific application to Council and be considered on a case-by-case basis but will generally only apply to new footpath construction or complete footpath replacement projects.

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.

Policy name **Nature Strip Landscaping**

Statutory context Nil

Corporate context Nil

History

Adopted 28/10/2026
Reviewed N/A
Review Period Every 3 years or if legislation changes

POLICY OBJECTIVE

To manage the use and function of nature strips in the Shire of Moora

POLICY STATEMENT

Nature Strips (or verges) provide many functions including:

- To facilitate pedestrian traffic
- A corridor for utility infrastructure (eg water pipes, communication cables)
- Vehicular (and other) access to buildings from streets/roads (eg driveways)

Nature strips may also offer opportunity for enhancing the presentation of a property or neighbourhood.

Although nature strips are under the ownership/control of the Shire, like virtually all local governments, the Shire of Moora depends on the efforts of property owners and occupants to undertake their maintenance and care. Without this cooperation, either the overall presentation of the shire would be seriously compromised or rate increases beyond the capacity of the community would be inevitable.

On that basis, property owners and occupants are offered the opportunity to undertake nature strip plantings or other changes/enhancements to this area.

Applications for Use of Nature Strips

Any application for use of a nature strip, or part thereof, will be in writing providing sufficient information to allow assessment of the proposal.

Any such application should ensure that the primary purposes of the nature strip (as identified above) will not be compromised.

Permission may be refused, granted or granted with conditions and this will be provided in writing.

Any use of the nature strip will:

- be at the cost of the applicant, including any maintenance and restitution, if required
- mean that any risk or liability arising from the changed use will apply entirely to the applicant and not to the Shire

Bush Fire Control Policy

Statutory context Bush Fires Act 1954

Bush Fires Regulations 1978

Corporate context Bush Fire Risk Management Plan

Annual Firebreak Notice

History Adopted 26/08/2026
Reviewed 26/08/2026
Review Period Every 3 years or if legislation changes

POLICY OBJECTIVE

To minimise the risk and impact of bush fires, regulate burning and fire related activities within the Shire, ensure appropriate training and preparedness of fire fighters, and support for the Shire in meeting its statutory obligations under the Bush Fires Act 1954

SCOPE

This Policy applies to all landowners, occupiers, contractors and any persons undertaking burning, harvesting or machinery operations within the Shire of Moora, as well to the Shire's bush fire organisations and authorised officers.

DEFINITIONS

Harvest and Vehicle Movement Ban (HVMB) means a ban declared by the Shire during periods of extreme fire risk, restricting specified activities.

Bush Fire Control Officer (BFCO) means a person appointed under the Bush Fires Act 1954 with delegated authority for fire control within the district.

Prohibited Burning Period means the period declared by the Shire during which all burning is prohibited.

Restricted Burning Period means the period declared by the Shire during which burning is permitted subject to conditions.

POLICY STATEMENT

The Shire will establish and maintain a Bush Fire Organisation in accordance with the Bush Fires Act 1954 to provide adequate fire protection within the district to undertake hazard reduction activities, having regard to environmental considerations.

Harvesting, Movement of Machinery and Burning

The Shire will not permit harvesting operations including stubble processing during a declared a Harvest and Vehicle Movement Ban (including any hot works activities, or on Christmas Day, Boxing Day and New Year's Day.

Harvesting operations may be undertaken during the Restricted and Prohibited Periods (including Sundays and public holidays), subject to the following conditions:

- The Bush Fire Control Officer is notified

- That a fully operational fire-fighting unit (inclusive of associated pump, hose system and a minimum of 600 litres of water is present at all times; and at least two (2) able-bodied adults are present during the harvesting operations, only one of whom may be operating harvesting equipment.

ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for bush fire management within the Shire.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and for supporting the Shire's bush fire organisation.

The Chief Bush Fire Control Officer is responsible for coordinating bush fire management activities, including hazard reduction, fire response and compliance with legislative requirements.

The Emergency Services Manager is responsible for supporting operational planning, training, coordination of volunteer brigades and implementation of bush fire mitigation programs.

Authorised Officers, including Rangers and Fire Control Officers, are responsible for enforcing this Policy, issuing permits and bans, and monitoring compliance.

Landowners and occupiers are responsible for complying with all fire restrictions, permits and directions issued under this Policy and relevant legislation, including maintaining appropriate firebreaks and managing fuel loads on their property.

SECTION 2
STAFF

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 our 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

SECTION 5
HEALTH

5.5 Mobile and Itinerant Vendors and Commercial Trading Activities on Council Land

OBJECTIVE

- To allow for the operation of trading activities in such manner that they do not conflict with or prejudice the Shire's permanent retail and service base, or other normal functions of the Shire;

- To protect existing levels of public amenity and safety from the impact of trading activities by adequately addressing potential risk management issues;

- Set appropriate minimum standards in the interest of public safety, environmental protection and social amenity;
- Identify specific locations for activities and cap the number of activities weighted against the environment, conflict of use and broader public interest to accessibility;
- To ensure that commercial activities on Council land do not diminish the recreational amenity of residents or visitors who are attracted to the Shire for its environment.

POLICY STATEMENT

This Policy has been developed to provide clarity and guidance on the preparation and assessment of stallholder / mobile and itinerant vendor applications including commercial activities on Council land within the Shire of Moora. Each application is assessed on its merits. The Shire encourages applications that are creative and innovative that would support the attraction of the Shire as a tourist destination and the enjoyment of the public of the Shire of Moora.

With the introduction of the *Food Act 2008 and associated legislation, all regulation of Itinerant Vendors (e.g. Food Vans) was repealed, necessitating these businesses being considered 'traders' and therefore captured by the Trading in Public Places Local Law*

1.0 Definition

1.1 The main difference between an "Itinerant Vendor" and a "Mobile Vendor" is that a mobile vendor can solicit business from a parked location whereas an itinerant vendor has to be stopped by customers (an ice cream van is an itinerant vendor whereas a vehicle parked selling fresh flowers or produce is a mobile vendor).

For the purposes of this Policy:

"Mobile" means working in one place for a short period of time and then moving on to operate in another place.

"Itinerant" means a person who travels along a road looking for customers and who sells, hires or provides a product or service from a vehicle which is parked temporarily to customers who stop the vendor or come to the vendor while the vehicle is parked

"Vendor" means someone who promotes, exchanges or hires goods or services for money.

"Public Place" includes a road or place which the public are allowed to use, whether or not the road or place is on private property.

2.0 Licensing

The following conditions apply to all **itinerant and mobile food vendors** operating or intending to operate within land under the management, care and control of Shire of Moora'. Trading on land not vested with the Shire will require the applicant to seek the necessary statutory approvals from the managing authority.

2.1 All food vendors must have a health clearance certificate issued under the Food Act and Regulations.

2.2 Vendors must be present to receive the licence and vehicles must have received a health clearance certificate (see 6.2).

2.3 The approval period will be from 1st July each year to 30th June the following year.

2.4 Approvals are not transferable.

2.5 A separate approval must be obtained for each vehicle.

2.6 Employees of the applicant must be nominated on the licence application form.

2.7 An approval fee will exist as specified in Council's fees and charges policy.

2.8 All vendors shall be limited to the supply of products and services approved by the Shire.

2.9 In response to an issue of public safety (as determined by the Chief Executive Officer) all operations shall cease until the matter has been resolved to the satisfaction of the local government.

3.0 General

3.1 The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted unless otherwise approved by the Shire.

3.2 Itinerant vendors are to move on when all customers at a particular location have been satisfied when operating within the Town sites of Moora, Watheroo and Miling (refer to Clause 1.1 for definitions).

3.3 Public liability insurance cover of $20 million is required where an activity occurs on local government managed land.

3.4 The local government may seek contribution towards the upgrading and/or construction of a site.

3.5 An approval to operate may be cancelled by Council at its discretion due to non-compliance with any of the requirements outlined in this policy or if a reasonable complaint is received by Council.

3.6 A vehicle, cart, stall or the type of food sold etc., cannot be altered without consulting Councils Environmental Health or Planning Officers for approval.

3.7 No animal is to be used as part of the vehicle, cart or stall etc. without Shire approval.

3.8 No additional flashing or rotating lights, except that required under the Motor Traffic Act, are permitted.

3.9 All vehicles must be registered as per the requirements of the Motor Traffic Act.

3.10 Trading within a reserve controlled by Main Roads WA will not be permitted unless permission is received from Main Roads WA.

3.11 Vendors shall not obstruct traffic, pedestrians, entrance ways to shops and laneways.

3.12 Illegal, dangerous or offensive goods are not to be sold by the vendor.

3.13 No direct soliciting or collecting of donations will be permitted without approval by the Shire.

3.14 Banners, signs, bunting and the like are not permitted to be erected without approval.

3.15 The vendor's operation must not unduly disrupt normal business activities nor unduly disturb the ambience of both residents and passers-by.

3.16 Persons granted approval shall comply with the requirements of this code and such licences must be available to be shown on demand by an authorised officer.

3.17 All elements of the stall / vehicle will need to be of a high standard and maintained as to not detract, damage, or lead to the degradation of the natural environment or Town sites. In the case of such an event occurring, The Shire is to be notified immediately.

3.18 Approval for Trading in Public Places Licence is strictly limited to one-year. Inspections and reviews of the service may be conducted by the Shire of Moora. The Shire of Moora reserves the right to decline the renewal of, or amend the conditions of all Trading in Public Places Licence in the future.

4.0 Application of Policy

4.1 Vendors are not permitted to operate within 100m of an outlet selling a similar product if that outlet is open.

4.2 Vendors are required to obtain permission from event organisers when attending events (For example festivals, charity markets and sporting events).

4.3 Trading on Gardiner Street and Padbury Street North of Clinch Streets is prohibited.

4.4 Any rubbish or waste associated with the business is the responsibility of the Vendor.
If not complied to, Council may revoke the licence to operate or an infringement will be issued.

5.0 Legislative Requirements

5.1 A vendor's operation, including the vehicle, cart or stall, must be in accordance with the requirements of the Food Act 2008.

5.2 A vendor's operation must be in accordance with the Environmental Protection Noise Regulations.

5.3 Inspections

5.3.1 Regular Food Inspections will be carried out by Council's Manager of Development Services at random. A fee will be charged if the vendor's operation is unsatisfactory in accordance with the Shire's schedule of fees and charges.

5.3.2 A vendor's vehicles, carts, stalls, etc., must be made available for inspection by the Manager of Development Services for a health clearance certificate which is required to obtain approval.

6.0 Commercial Recreational Tourism Activity on Crown Land

6.1 If local government roads, car parks or dual use paths are to be used, then the activity will be assessed in terms of whether it will create a danger or obstruct other uses, or result in a major loss of car parking spaces.

6.2 Activities are to be ancillary and beneficial to the designated purpose of the reserve or local government property. In the event of damage to infrastructure or the environment the Shire may seek costs for repair and restoration works.

6.3 All activities are to demonstrate that they will not create a public nuisance to adjacent residential areas in context of noise, traffic, etc. and not create a conflict with the informal users of the reserves.

6.4 Where appropriate, activities should be located adjacent to constructed public car parking areas and public conveniences (within 100 metres). The applicant may be required to contribute towards the construction of the public facilities. Approved applications may be required to contribute towards the upkeep of the local public infrastructure and facilities if considered necessary because of that activity.

6.5 In response to an issue of public safety (as determined by the Chief Executive Officer) all operations shall cease until the matter has been resolved to the satisfaction of the local government.

7.0 Specific Restrictions

7.1 Based on the experience of the impacts of previous/similar activities (within or outside the Shire), the Shire is of the view that a restriction on the number and type of certain activities in these areas should be prescribed.

7.2 These restrictions (if any) are part of this policy and are based on the knowledge and experience now and may be amended from time to time by the local government as further knowledge and experience is accumulated.

Specific Location and Activity Restrictions

Location	Restriction
Recreation Ground Roberts Street	By application to Council
Apex Park	By Application to Council
Padbury Street North of Clinch Street	By Application to Council
Swimming Pool Car Park	By application to CEO
Moora Horse and Pony Club	By application to CEO

8.0 Application for Approval

8.1 Applicants should address the criteria as outlined in Clause 9.2 and provide the local government with the following information:

a) Full details of type of service to be operated;

b) Previous relevant experience of the applicant(s);

c) Appropriate level of knowledge and understanding of local conditions, natural and cultural history, ecological process and possible constraints;

d) capability to promote interpretive and educational information that ensures clients are receiving instructions in minimal impact techniques, environmental protection and ethics of appropriate behavior;

e) Preferred location of operation;

f) Hours and dates of operation;

g) Method of operation, e.g. hourly hire, 15 minute rides;

h) Type and numbers of equipment to be hired/used including details of make, age, special features;

i) A cover note or similar statement from an insurance company indicating a willingness to promote insurance coverage (minimum $20 million public liability coverage required and must be held in Australia);

j) Any additional information specific to the individual service to be provided.

8.2 Applicants are to provide a Plan/Diagram of layout of operation upon the Reserve showing location of equipment, trailers, signs, operators table, what areas are to be used and the like. This needs to be of a scale that demonstrates the location clearly and should not be indicated as being for the entire reserve.

9.0 General Agreement Terms

9.1 The local government will prepare all agreements.

9.2 For land not under the care, control and management of the local government, a draft agreement will be forwarded to the relevant statutory authority for consent prior to execution.

9.3 Copies of the agreement will be prepared and stamped with one (1) copy to be forwarded to the applicant, one (1) copy to be forwarded to the Department of Lands to be endorsed and one (1) copy to be retained by the local government.

9.4 The agreement should be signed prior to the commencement of the permitted period to which the agreement relates.

9.5 The agreement will include an automatic termination clause, if the activity is found to breach any of the conditions of the agreement.

9.6 The agreement is with the individual parties and is non-transferable.

9.7 All agreements and Permits are non-exclusive and do not grant the proponent the right to a portion of the reserve. The proponent will need to renegotiate access with the Shire and/or event organisers when events are scheduled on Shire Reserves.

9.8 All agreements are for one year and subject to review after the first year. The Shire reserves the right to decline the renewal of, or amend the conditions of the agreement in the future.

10.0 Fees

10.1 The Chief Executive Officer can grant exemption to charges if in their opinion the charges should be waived.

10.2 Not-for-profit community groups and charities are exempt from fees and charges.

Planning Approval by way of a Traders Permit	$147
Agreement preparation fees	$150
Reserve User fee	$500
Itinerant Food Vendors Permit / Trading in Public Places Permit Daily Weekly 12 month	 $ 80.00 $250.00 $750.00

10.3 Agreement Preparation Fees and other costs - $150.00 (GST inclusive)

10.4 Fees are set by Council and are subject to change annually due to CPI

10.5 Yearly license is to be at a set location determined by Council to ensure there is no direct competition with local traders.

10.5.1 Standard 'template' Agreement should cover most 'simple' applications however, should the local government consider that an application is 'complex' and warrants legal preparation of the Agreement then these additional legal costs will be charged to the applicant.

10.6 Reserve User Fee - $500 (per year, GST inclusive)

10.7 As commercial activity will increase the number of visitors on reserves, and as these commercial operators will benefit by commercial gain from the use of the reserve or UCL, it is considered appropriate to charge a fee for the use of the land. (Circuses etc.)

10.8 Revenue collected from these fees will be used for management, including the improvement of visitor services and facilities and the protection of the natural environment.

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.

8.5 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:-

1. 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 receival 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.

SECTION 9
FINANCE

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.)

9.4 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

9.6 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).

9.9 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 biennially 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.