



# POLICY MANUAL

## Document Control

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## **ADMINISTRATION**

Policy Number:	ADM1
Policy Type:	Administration Policy
Policy Name:	<b>Legal Representation Costs Indemnification</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

### **Introduction**

This policy is designed to protect the interests of council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Local Government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

### **General Principles**

The Local Government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly against the interests of the Local Government or otherwise in bad faith.

The Local Government may provide such assistance in the following types of legal proceedings:

1. Proceedings brought against members and employees to enable them to carry out their Local Government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
2. Proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions)]; and
3. Statutory or other inquiries where representation of members or employees is justified.

The Local Government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not

precluded, however, from taking their own private action. Further, the Local Government may seek its own advice on any aspect relating such comments and criticisms of relevance to it.

The legal services assistance under this policy will usually be provided by the Local Government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Local Government.

### **Applications for Financial Assistance**

- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the matter and the legal services required.
- c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer.
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by council, the CEO may give an authorisation to the value of \$5,000 in accordance with Delegation 34 of the Delegations Register.
- f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

### **Repayment of Assistance**

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be offset against any moneys paid or payable by the Local Government.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the Local Government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Local Government may take action to recover any such moneys in a court of competent jurisdiction.



Related Policies/Procedures/Council Documents	ADM4
Delegated Level	Chief Executive Officer
Adopted	OM 23 November 2000
Reviewed	OM 27 July 2023

Policy Number:	ADM 2
Policy Type:	Administration Policy
Policy Name:	<b>Internal Control Manual</b>
Policy Owner:	Chief Executive Officer
Authority:	Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996

## INTRODUCTION

The procedures detailed in this Internal Control Manual have been developed to:

1. Ensure that expenditures of Council are undertaken in a controlled environment to achieve the highest level of compliance with all Local Government legislation and Council policies; and
2. To meet the requirements of Regulation 5(2)(a) of the Local Government (Financial Management) Regulations 1996.

Regulation 5(2) (a) of the Local Government (Financial Management) Regulations 1996 states that the CEO is to “ensure that the resources of the local government are effectively and efficiently managed”.

The adoption of these procedures will meet the requirements of this regulation. These procedures shall be reviewed on an annual basis.

## 1. THE PURCHASING SYSTEM

### 1.1 OBJECTIVES

The objectives of the purchasing system include:

- Adhering to Council policy ADM 4 – Purchasing Policy.
- That purchase orders are initiated for the supply of all goods and services required by Council, except those referred to in section 1.2.1 of this manual.
- That goods and services are verified in terms of quantity and quality.
- That supplier invoices are certified for payment by authorised persons.
- That accurate and prompt payment of creditors is made in accordance with the terms of credit.

### 1.2 PROCEDURES

#### 1.2.1 Purchase Orders

A purchase order in a form approved by an authorised officer shall be issued in relation to the purchase of all goods and services except the following:

- Utilities
- Licenses

- Insurances, freight and postal charges
- Fuel
- Local suppliers where an account is set up
- Supply of goods or services under contract.
- Attendance at conferences and seminars (where payment is required in advance).
- Goods purchased from petty cash.

Officers authorised to sign purchase order forms and cheque requests (Authorised Officers) are those people appointed to the following positions:

- Chief Executive Officer
- Manager Corporate Services
- Manager Infrastructure
- Works Coordinator (up to \$5,000)
- Development Services Coordinator (up to \$5,000)
- Economic and Community Development Coordinator (up to \$5,000)
- Community Emergency Services Manager (up to \$5,000)

Purchase Orders shall be completed with the following information:

- The supplier's full name and address.
- A brief description of the goods or services required, including quantity if applicable.
- An estimate of the cost of the goods or services.
- The delivery point and date of delivery if applicable.
- The chart of account or job number.

Purchase order requests must be submitted via Altus Procurement from the requesting officer. The authorising officer shall ensure that the expenditure is authorised within the current year's adopted budget.

The purchase order form is duplicated. The first copy is to be forwarded to the supplier. The second copy is to be forwarded to the Customer Service Officer who shall file, awaiting receipt of the supplier's invoice. Altus Procurement will retain the original copy within the system.

### **1.2.2 Local Purchases**

Purchase Orders are not required for the provision of goods and services that are generally of a minor ongoing nature from local suppliers where an account is set up. A signature of receipt is required to be placed on the invoice or cart note accompanying the goods.

### **1.2.3 Tenders**

Tenders shall be processed in accordance with the Local Government (Functions and General) Regulations 1996 Sections 4 and 4A, Council delegation number 2 (Tenders) and Council policy ADM4 Purchasing Policy.

Tenders that result in contracts above \$250,000 shall, following Council's acceptance of the Tender, be processed as follows:

- A purchase order shall be raised in accordance with guidelines detailed in section 1.2.1 of these procedures, or
- A letter of acceptance of tender will be written which details the conditions of the contract with reference to the tender documentation.

#### **1.2.4 Corporate Credit Cards**

A Corporate credit card has been approved for the Chief Executive Officer before being applied to an Officer position.

Each Officer whom holds a credit card is responsible for reconciling receipts to the monthly statement and approve the purchases were authorised, these statements are then verified by the Manager Corporate Services before payment is processed.

Approved purchases shall be reported on a monthly basis to Council in conjunction with the normal presentation of accounts for payment.

#### **1.2.5 Cheque Requests**

Cheque requests in the form approved by the Chief Executive Officer are to be used for the payment of accounts due to people or organisations where no external invoice is rendered. Supporting documentation, where applicable, is to be attached to the cheque request. Only Authorised Officers can sign cheque requests, and in doing so shall ensure that the controls listed in section 1.2.1 of this manual are adhered to.

#### **1.2.6 Certification of Invoices**

All invoices received shall be stamped with the Shire of Nannup date stamp and the certifying stamp.

Where a purchase order form was generated for the supply of the goods or services, a copy of the purchase order form must be attached to the invoice. The invoice shall be passed on to the Authorising Officer for certification. The certification stamp shall be signed off in all sections by the Authorising Officer prior to the processing of the invoice through the financial system.

Having signed off the certification stamp, the authorising officer shall forward the invoice for payment.

The officer processing invoices shall:

- Verify that all prior procedures have been complied with. If any information or authorisation is lacking the invoice must be returned to the authorising officer for correction.
- Verify all prices and extensions.
- Process those correctly authorised invoices at least on a two weekly basis. Prior to the production of the cheques or electronic funds transfers, all invoices and the system invoice list shall be forwarded to the Manager Corporate Services or a person delegated by the Manager for approval to proceed.
- All cheque and electronic funds transfer payments paid shall be listed and submitted to the next Ordinary Meeting of Council for endorsement.

Payment Vouchers supported by creditor's invoices, quotations, purchase orders or any other relevant documentation shall be filed in cheque number or electronic fund transfer number order.

#### **1.2.7 Assets**

Those invoices that pertain to the purchase of assets over the Capitalisation Limit as set out in Policy FNC1, shall be recorded in the Council's Asset Management System.

#### **1.2.8 Retention of Records**

The following records shall be retained in accordance with the State Records Act 2000 and the Shire of Nannup's Record Keeping Plan:

Purchase Orders.

Contracts / Tender register.

Cheque payment vouchers together with associated support documentation.

### **2. PETTY CASH**

#### **2.1 Objectives**

The objective of the petty cash system is to provide an efficient means of handling approved minor Council purchases. Petty cash shall be maintained on an reconciled claim system. Each claim must be approved by a Senior Manager before payment is made. The advance to be held for Petty Cash shall be \$150.

#### **2.2 Procedures**

Petty Cash disbursements are restricted to expenses that are of a minor nature. Each time a disbursement is made the petty cash voucher in the form approved by the Chief Executive Officer/Manager Corporate Services shall be completed in full. The petty cash voucher must be authorised by an Authorised Officer. Receipts are to be attached to the petty cash voucher wherever possible.

The petty cash advance shall be reconciled with cash on hand and processed vouchers, as required, prior to reimbursement, using the petty cash recoup sheet.

It is the responsibility of the Customer Service/Creditor Officer to ensure that:

- The cash and relevant petty cash vouchers are secured at all times, and placed in the safe at night.
- The cash and relevant petty cash vouchers are regularly reconciled.
- Any discrepancies are reported to the Manager Corporate Services immediately.

### **3 PAYROLL**

#### **3.1 Objectives**

The operation of the payroll system should ensure that:

- The exact payment is made to all staff for all hours worked in accordance with the relevant industry awards and individual contracts.
- Timely payment is made to all staff.
- Accurate, timely and meaningful recording of wage and salary costs is undertaken in the accounting system and subsequent management reports.
- Payment of deductions from salaries and wages to appropriate organisations is made at the end of each month.

#### **3.2 Procedures**

##### **3.2.1 New Employees**

When a new employee commences, the member of the Senior Management Team responsible for that employee shall ensure that a copy of the letter of employment addressed to the employee, stating the level of employment, wages/salaries per fortnight, and any other allowances paid per fortnight is forwarded to the Corporate Services Officer.

The new employee will be required to complete the following documentation:

- Tax declaration forms.
- Superannuation forms.
- Deduction from payroll forms.
- Details of bank account for direct debiting purposes.

Upon receiving all the new employee information, the Corporate Services Officer shall set up a payroll record for the new employee based on the details received. A new employee file shall be created at this point.

##### **3.2.2 Termination of Employees**

Notification of an employee's termination shall be forwarded to the Corporate Services Officer by the employee's supervisor as soon as practicable. The notification shall include all necessary information to enable a termination payment to be made.

The Corporate Services Officer shall, upon receipt of the notice of termination, undertake the calculations for final payment, taking into account such matters as accrued leave and required notice in accordance with the relevant award or contract for the approval of the Manager Corporate Services, and amend the payroll system to ensure that further transactions are prevented.

##### **3.2.3 Time Sheets**

Time sheets in the form approved by the Chief Executive Officer shall be completed by the appropriate staff for the purposes of recording all ordinary hours, sick leave, annual leave, long service leave, rostered days off and over-time worked. The time sheets, when completed, are to be authorised by the Supervising Officer as detailed on the time sheet,

and forwarded to the Corporate Services Officer by 10.00am of the Monday of the pay week.

Where the time sheet requires the recording of job number details or chart of account, this information is to be checked by the Supervising Officer prior to being signed off.

Any anomalies or discrepancies observed by the Corporate Services Officer in the course of processing the time sheets shall be reported to the person authorising the time sheet for determination and suitable action.

#### **3.2.4 General**

All salaries and wages paid shall be credited to employees' bank accounts via direct banking.

Employee payments made outside of the appointed fortnightly schedule e.g. termination and pay adjustments, shall be processed through "one off pay run – P930W" to ensure correct allocation of costing.

The Corporate Services Officer shall ensure that general ledger control accounts associated with payroll are balanced on a monthly basis.

#### **3.2.5 Leave**

All sick leave, annual leave, long service leave, rostered days off, study leave and time in lieu shall be applied for using the application for leave form. The Supervising Officer shall ensure that adequate leave provision is available for the employee prior to granting approval for the requested leave. The leave form, after being approved by the Supervising Officer, shall be forwarded to the Corporate Services Officer for the correct calculation of time off requested, and the maintenance of the appropriate leave accrual system.

When the processing of the form through the payroll system is complete, it shall be placed on the relevant employee's personal file.

#### **3.2.6 Retention of Payroll Records**

The following records shall be retained in accordance with the State Records Act 2000 and the Shire of Nannup's Record Keeping Plan:

- Daily Attendance Records – Time Sheets.
- Employment History and leave entitlement records.
- Payroll pre-listing audit reports.
- Bank details and bank deduction reports.
- Employee deduction reports.
- Hours due reports.
- Payroll journals report.
- Group certificates.

## **4 THE RECEIPTING SYSTEM**

### **4.1 Objectives**

The objective of the receipting system is to ensure that all monies received by Council are recorded and accurately processed in a timely manner.

### **4.2 Procedures**

Only the following officers are permitted to issue receipts:

- Corporate Services Staff
- Development Services Staff

Any other officer requiring a receipt must give the money to one of the above officers who will then issue a receipt.

All monies received through the mail are to be recorded in a register. Each entry shall record the date of the receipt, details of the receipt, the initials of the officer issuing the receipt and the initials of the checking officer.

The person recording the money in the register shall not be the same officer issuing the receipt.

All cheques received through the mail shall be receipted on the same day.

At 4.00 p.m. each day, the cash on hand shall be reconciled using the daily cash receipts summary form.

All monies received shall be banked on at least a daily basis.

The cash drawer shall be secured at all times. All cash and cheques held over at the end of the day shall be placed in the safe overnight.

When balancing the till at the end of each day, if a discrepancy exists between the total of receipts and cash, the Manager Corporate Services shall be immediately notified. After exhausting all avenues to resolve the discrepancy, the following shall apply:

- If the amount of cash held is in excess of the receipts issued, the surplus shall be receipted into the Municipal Fund and held as a restricted asset.
- If the amount of cash held is less than the value of the receipts, if the monies held as restricted assets is not sufficient to address the shortfall, this will be addressed on a case by case basis.

Any variations to the above, must be discussed immediately with the Finance Coordinator, or in their absence the Manager Corporate Services, whereupon further guidance will be given.

## **5 INVESTMENTS**

### **5.1 Objectives**

The objective of this procedure is to ensure that the investment of surplus Council funds is undertaken to ensure the maximisation of return within a secure environment.



## **5.2 Procedures**

Surplus funds shall be invested in accordance with Policy FNC 7.

Details of the nature of the investment and interest rate payable on the investment will be maintained in the Investment Register.

Interest earnings on any investment shall be recorded in the books of account for the period in which the earnings were received.

## **6 THE JOURNAL SYSTEM**

### **6.1 Objectives**

The objective of this procedure is to limit the use of journals to:

- The bringing to account of direct debits and credits through the bank statement listing, and
- The correction of incorrect income and expenditure accounting record entries.

### **6.2 Procedures**

An Authorised Officer, having verified that an incorrect allocation of income or expenditure has occurred, shall request a journal transfer to be made.

The request shall detail all particulars of the required journals including the reason, quantities, dollar values and any supporting documentation.

The journal transfer may only be processed by:

- Manager Corporate Services
- Finance Coordinator

Related Policies	ADM4, FNC7
Related Procedures/Documents	Purchase Order Form, Cheque Request, Petty Cash Voucher, Petty Cash Recoup Sheet, Timesheet, Application for Leave, Daily Cash Receipts Summary
Delegated Level	Chief Executive Officer, Manager Corporate Services
Adopted	OM 23 March 2000
Reviewed	OM 27 July 2023

Policy Number:	ADM 3
Policy Type:	Administration Policy
Policy Name:	<b>Council Performance Reporting</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To provide an effective information flow between Councillors and staff on the day-to-day activities of the Shire.

### 1. Financial

Monthly: The Operating Statement and Statement of Financial Position for each month and a statement setting out all other income and expenditure not included in the operating statement as well as an analysis of significant variations between year to date expenditure and income and the relevant budget provision shall be tabled at the next ordinary Council meeting after that month's operation, or failing that, within two months of the end of the reporting period as set out in Regulation 34(4)(a) of the Financial Management Regulations 1996.

Annually: The audited financial statements shall be tabled at the next Council meeting after the audited statements have been received.

### 2. Office of the Chief Executive Officer;

A monthly report from the Office of the Chief Executive Officer shall be included in the Council Forum Report and shall include the following, as required;

- Chief Executive Officer major movements / meetings
- Development Services updates
- Economic Development updates
- Community Development updates
- Emergency Management updates
- Major Projects Updates
- Council Resolution Tracker updates

### 2. Works and Services Department:

- Major Projects Updates
- Works and Services updates

### 3. Corporate Services Department;

A monthly report shall be included in the Council Forum Report and as required shall include the following;

- Detailed payment of accounts listing
- Corporate Service updates

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Chief Executive Officer, Manager Corporate Service, Manager Infrastructure
Adopted	OM 26 August 1993
Reviewed	OM 27 July 2023

<b>Policy Number:</b>	ADM 4
<b>Policy Type:</b>	Administration Policy
<b>Policy Name:</b>	<b>Purchasing</b>
<b>Policy Owner:</b>	Manager Corporate Services
<b>Authority:</b>	Shire of Nannup

## OBJECTIVES

- To ensure compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended).
- To deliver a best practice approach and procedures to purchasing for the Shire of Nannup.
- To ensure consistency for all purchasing activities that integrates with all the Shire of Nannup's operational areas.

## 2 WHY DO WE NEED A PURCHASING POLICY?

The Shire of Nannup is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Nannup with an effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Nannup receives value for money in its purchasing.
- Ensures that the Shire of Nannup considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Nannup is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Provides transparency for the public and industry concerning the Shire of Nannup's purchasing practices.

## 3. ETHICS & INTEGRITY

All officers and employees of the Shire of Nannup 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 Nannup.

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 Nannup's policies and Code of Conduct;

- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Nannup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

#### **4. VALUE FOR MONEY**

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Nannup. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing decision 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 and distribution, as well as other costs, such as but not limited to, holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. This should include the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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

#### **5. SUSTAINABLE PROCUREMENT**

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government 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 negative environmental and social impacts. Sustainable considerations must be balanced against value for money outcomes.

Practically, sustainable procurement means the Shire of Nannup shall endeavour at all times to identify and procure products and services that:

- Demonstrate environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.

- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles fit for purpose featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

## 6. LOCAL PURCHASE

Local businesses may be given preference on the supply of goods and services to Council subject to:

- Their ability to provide the goods/services in accordance with the specification;
- Their ability to complete the contract within the time specified; and
- The economic benefit to the community of awarding the purchase locally.

Local business is business defined as being located with a business address within the Shire of Nannup local government area and will be afforded a 10% price preference.

## 7. PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) over the full contract period (including options to extend) is, or is expected to be:

Amount of Purchase	Model Policy
Up to \$5,000	Direct purchase from suppliers requiring one verbal quotation.
\$5,001 - \$50,000	Obtain at least two verbal or written quotations (unless exempted by proven procurement history).
\$50,001 - \$250,000	Obtain three written quotations under a formal Request for Quotation process.
\$250,001 and above	Public Exempt arrangements or Public Tender.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

### **7.1 Up to 5,000 (exc GST)**

Where the value of procurement of goods or services does not exceed \$5,000, purchase on the basis of one verbal quotation is permitted. However, it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

### **7.2 \$5,001 - \$50,000 (exc GST)**

At least two verbal or written quotations (or a combination of both) are required. Where this is not practical (e.g. due to limited suppliers) it must be noted in records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Shire of Nannup employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be made.

Where the procurement range is between **5,001** and **\$50,000**, one verbal or written quotation may be obtained from a supplier that has a proven procurement history to Council for the supply of similar goods or services, even if not a sole supplier situation.

Record keeping requirements must be maintained in accordance with record keeping policies.

### **7.3 \$50,001 - \$250,000 (ex GST)**

Obtain at least three written quotes by formal Request for Quotation process. The responsible officer is expected to demonstrate due diligence in seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

**NOTES:** The general principles relating to written quotations are:

- An appropriately detailed specification under a formal Request for Quotation (RFQ) should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
  - Written Specification
  - Selection Criteria to be applied
  - Price Schedule
  - Conditions of responding
  - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.

- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

#### **7.4 Over \$250,000 (exc GST)**

**Tender Exempt** arrangements (i.e. WALGA PSA, CUA or other tender exemption under *F&G Reg.11(2)*) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation.

OR

**Public Tender** undertaken in accordance with the *Local Government Act 1995* and relevant to the Shire of Nannup Policy and procedures.

The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:

- A detailed specification; and
- Pre-determined selection criteria that assesses all best and sustainable value considerations.

The purchasing decision for both above is to be evidenced using an evaluation report template.

### **8. REGULATORY COMPLIANCE**

#### **8.1 Tender Exemption**

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

- An emergency situation;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11(2) of the Functions and General Regulations apply.

#### **8.2 Sole Source of Supply (Monopoly Suppliers)**

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.



**Note:** The application of the "sole source of supply" provision should only occur in limited cases as procurement experience indicates that generally more than one supplier is able to provide requirements.

### **8.3 Anti-Avoidance**

The Shire of Nannup shall not enter into two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$250,000, thereby avoiding the need to publicly tender.

### **8.4 Tender Criteria and Panel**

The Shire of Nannup shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

An evaluation panel shall be established prior to advertising a tender and include a mix of skills and experience relevant to the nature of the purchase.

For requests with a total estimated (ex GST) price of

- Between \$50,001 up to \$250,000 the panel must contain a minimum of 2 members; and
- \$250,000 and above, the panel must contain a minimum of 3 members.

### **8.5 Advertising Tenders**

Tenders are to be advertised in a state-wide publication (e.g. "The West Australian" newspaper, Local Government Tenders section), preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include:

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted; and
- particulars identifying a person from whom more detailed information as to tendering may be obtained

Detailed information shall include;

- detailed specifications of the goods or services required;
- the criteria for deciding which tender shall be accepted;
- whether or not the Shire of Nannup has decided to submit a tender;
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted; and
- such other information as the Shire of Nannup decides should be disclosed to those interested in submitting a tender.

### **8.6 Issuing Tender Documentation**

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential in case clarifications, addendums or further communication is required prior to the close of tenders. All potential tenderers must have equal access to this information in order for the Shire of Nannup not to compromise its duty to be fair.

## **8.7 Tender Deadline**

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

## **8.8 Opening of Tenders**

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Shire Officer. The details of all tenders received and opened shall be recorded in the Tender Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial -in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Nannup officers present at the opening of tenders.

## **8.9 No Tenders Received**

Where the Shire of Nannup has invited tenders and no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,001 up to \$250,000 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

## **8.10 Tender Evaluation**

Tenders that have not been rejected shall be assessed by the Shire of Nannup by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

## **8.11 Addendum to Tender**

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Nannup may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

## **8.12 Minor Variation**

After the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Nannup and tenderer have entered into a Contract, a minor variation may be made by the Shire of Nannup.

A minor variation is one that will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

## **8.13 Notification of Outcome**

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include the name of the successful tenderer and the total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must also be entered into the Tender Register at the conclusion of the tender process.

## **9. RECORDS MANAGEMENT**

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Nannup's internal records.

Related Policies	ADM3, ADM11,
Related Procedures/Documents	Per Above Part 9
Delegated Level	Authorised Purchasing Officers
Adopted	OM 22 March 2007
Reviewed	OM 27 July 2023

Policy Number:	ADM 5
Policy Type:	Administration Policy
Policy Name:	<b>Recording of Votes at Council Meetings</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To enhance the information contained in Council Minutes.

To enable the Community to determine voting patterns of Council and individual Councillor positions on matters before Council.

## POLICY

Council shall record against each resolution the names of Councillors voting for or against the motion.

The record of voting shall be recorded against each resolution unless that resolution is carried unanimously.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Chief Executive Officer, Manager Corporate Services
Adopted	OM 25 May 2000
Reviewed	OM 27 July 2023

Policy Number:	ADM 6
Policy Type:	Administration Policy
Policy Name:	<b>Conference Attendance and Training – Elected Members, Senior Management and Employees</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

Attendance at conferences and training by representatives of the Shire of Nannup shall be in accordance with the following guidelines:

### **Elected Members**

#### 1. Western Australian Local Government Association Convention

The Shire President together with three (3) Councillors can elect to attend the Western Australian Local Government Association Convention in Perth and annual budgets will ensure that there is an adequate allocation to cover delegate expenses each year.

#### 2. Other Conferences and Training

Councillors are eligible to nominate for other specific Conferences and Training opportunities throughout the course of a financial year subject to budget provisions.

### **Senior Management**

1. The Chief Executive Officer, Manager Corporate Services and Manager Infrastructure are entitled to attend Conferences set out in accordance with their Contracts of Employment.
2. Conferences and/or Training Courses additional to their Contracts are subject to budget provisions and Council approval via budget adoption.

### **Shire Employees**

1. Senior Managers are authorised to approve the attendance of their staff members at Conferences and Training Courses that will be beneficial in the carrying out of their duties and which have been identified in their annual Performance Appraisal process and have the approval of the Chief Executive Officer.

### **Reporting Requirement**

Elected Members and Senior Managers who have attended a conference or training session are to provide a verbal or short written piece on the implications of the conference/training for discussion/inclusion in the next available Concept Forum. Staff

Members are required to present a similar report to their direct line Manager and the Chief Executive Officer.

### **Accommodation**

- To be arranged within the Conference Venue if possible.
- Attendees may take either spouse or partner.
- All meals to be booked to individual rooms and account settled by Council on presentation of invoice.
- Attendees may include children, provided that:
  - i. Any increase in accommodation and food cost above that to which the attendee is entitled to be reimbursed under the childcare provisions of the Local Government Act to be borne by the attendee.
  - ii. Costs may be allocated to the room account but must, where in excess of i) above, be reimbursed to the Shire upon receipt of an invoice.

### **Private Accommodation**

If Elected Members, Senior Managers or Staff use private accommodation whilst on Council business then a \$100 allowance per night is an eligible claim item.

Related Policies	ADM4
Related Procedures/Documents	Nil
Delegated Level	Chief Executive Officer
Adopted	OM 9 September 1993
Reviewed	OM 27 July 2023

Policy Number:	ADM 7
Policy Type:	Administration Policy
Policy Name:	<b>Council Community Meeting Room Hire</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

Council will charge all hirers of its facilities in accordance with its list of fees and charges, which is reviewed annually in line with the budget.

Should a “not for profit” community group/organisation seek the waiving of any fees and charges imposed for use/hire of a community facility, an application in writing is to be submitted and presented to Council for consideration.

All fees and bonds are to be paid prior to the use of the facility. Bookings are not confirmed until full payment is received. Keys provided to hirers are to be returned by midday of the following business day. Bonds shall be returned after an inspection of the facility has occurred to ensure compliance with bond conditions.

Bookings are taken on a first come first served basis with all regular Council related functions, events and meetings taking priority over external bookings.

Related Policies	HAB2 Use/Hire of Community Facilities
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 9 September 1993
Reviewed	OM 27 July 2023

Policy Number:	ADM 9
Policy Type:	Administration Policy
Policy Name:	<b>Appointment of Acting Chief Executive Officer</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

1. For periods of leave of the Chief Executive Officer in excess of five working days another member of the Senior Management Team delegated by the Chief Executive Officer, is to be the Acting Chief Executive Officer for that period of leave.
2. An information report is to be prepared prior to the period of leave to confirm for Council the period of leave. If this is not possible due to the leave being urgent and between Council meetings, the Shire President or if unavailable the Deputy Shire President is to be immediately informed.
3. The person acting in the position of Chief Executive Officer is to be remunerated at the current salary level of the Chief Executive Officer for the period while acting in the position.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Chief Executive Officer
Adopted	OM 28 August 2008
Reviewed	OM 27 July 2023



Policy Number:	ADM 10
Policy Type:	Administration Policy
Policy Name:	<b>Councillor Fees and Reimbursements</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

### **Meeting Attendance Fees**

All meeting attendance fees will be endorsed as part of the annual budget process in alignment with the Salaries and Allowances Tribunal Determination.

### **Allowances**

#### Presidential Annual Allowance

The Presidential Annual Allowance will be endorsed as part of the annual budget process in alignment with the Salaries and Allowances Tribunal Determination.

#### Deputy Presidential Annual Allowance

The Annual Allowance payable to the Deputy Shire President shall be equivalent to 25% of the allowance payable to the Shire President.

#### ICT Allowance

An annual allocation of **\$1,100** to the Shire President and Councillors to offset the expenses associated with private ownership of a computer and associated peripherals, software and telecommunications costs.

### **Reimbursement of costs**

A Council vehicle, if available, will be provided to transport members to meetings at which the Council is a delegate, provided that the car is driven by a Councillor or a staff member and that the use does not clash with other Council business.

A Council vehicle may be driven by a Councillor's partner while travelling to and from Nannup and while the Councillor is attending Council business provided that such use shall only be made if the vehicle is not required for the business of Council.

A mileage reimbursement will be made when Councillors use their private vehicles whilst on Council business at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances as apply under the *Public Service Award 1992* as amended from time to time.

Councillors shall check the availability of a Shire vehicle for use whilst on Council business prior to using their private vehicle.

## Administration

The Councillor Fee and Reimbursement Claim Form shall be used when claiming fees and reimbursements. Claims should be submitted by Councillors on a quarterly basis. No claims made after 31 August that relate to the previous financial year will be valid.

All claims for reimbursement of expenses such as childminding fees, accommodation costs etc., must be supported by a copy of the paid account. This policy will be reviewed by Council following new determinations by the Salaries and Allowances Tribunal.

Related Policies	ADM 6
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 22 May 1997.
Last Reviewed	OM 27 July 2023

Policy Number:	ADM 11
Policy Type:	Administration Policy
Policy Name:	<b>Records Management</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

The purpose of this policy is to provide guidelines for good recordkeeping practices within the Shire of Nannup in order to comply with the requirements of the State Records Act 2000.

## POLICY

### Creation of Records

All elected members, staff and contractors will create full and accurate records, in the appropriate format, of the Shire of Nannup's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

### Capture & Control of Records

All records created and received in the course of Shire of Nannup business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate recordkeeping and business systems, that are managed in accordance with sound recordkeeping principles.

### Security & Protection of Records

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

### Access to Records

Access to the Shire of Nannup's records by staff and contractors will be in accordance with designated access and security classifications as outlined in the Shire of Nannup Record Keeping Procedure Manual. Access to the Shire of Nannup's records by the general public will be in accordance with the Freedom of Information Act 1992. Access to the Shire of Nannup's records by elected members will be through the Chief Executive Officer in accordance with the Local Government Act 1995.

### Appraisal, Retention & Disposal of Records

All records kept by the Shire of Nannup will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

Related Policies	6.1 Shire of Nannup Document Control Procedure for OSH Information.
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Related Procedures/Documents	Record Keeping Plan Record Keeping Procedures
Delegated Level	Manager Corporate Services
Adopted	OM 24 March 2005
Reviewed	OM 27 July 2023

Policy Number:	ADM 12
Policy Type:	Administration Policy
Policy Name:	<b>Elected Members Records</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

The purpose of this policy is to assist elected members to manage the official records created or received by them in the course of their role as an elected member. It also aims to assist elected members to comply with their responsibilities under the State Records Act 2000.

## DEFINITIONS

### Government organisation employee:

- A person who, whether or not an employee, alone or with others governs, controls or manages a government organisation;
- A person who, under the Public Sector Management Act 1994, is a public service officer of a government organisation; or
- A person who is engaged by a government organisation, whether under a contract for services or otherwise.

It includes, in the case of a government organisation referred to in item 5 or 6 of Schedule 1 of the State Records Act 2000, a ministerial officer (as defined in the Public Sector Management Act 1994) assisting the organisation. (State Records Act 2000).

### Government record:

A record created or received by or for a government organisation or a Government Organisation Employee in the course of the work for the organisation. (State Records Act 2000).

### Record:

A record of information, however recorded, including:

- anything on which there is writing or Braille;
- a map, plan, diagram or graph;
- a drawing, pictorial or graphic work, or photograph;
- anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them;
- anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- anything on which information has been stored or recorded, either mechanically, magnetically, or electronically. (State Records Act 2000).

## **POLICY**

1. The value of records received or created can be divided into two broad categories - those of continuing value and those of temporary value. It is the responsibility of the elected member to identify the value of the records they create or receive. The two broad categories are described as follows:

### Records of Continuing Value:

Records which contain information that is of administrative, legal, evidential, fiscal or historical value to the local government. These records may be referred to for many purposes, including the need to:

- document elected members' decisions, directives, reasons and actions;
- check an interpretation of the local government policy or the rationale behind it;
- check the facts on a particular case or provide information;
- monitor progress and coordination of responses to issues; and
- document formal communications.

### Records of Temporary Value:

Records which have no continuing value or used for a short time only, for example, a few hours or a few days.

2. To assist elected members to handle the records created and/or received, the following descriptions and actions relate to some common records with which they may deal.

### Correspondence

Correspondence may be received by elected members either addressed to the Shire or their private residence. It may be in the form of a letter, fax or email.

- Correspondence received at or sent from an elected member's private residence may be of continuing value and at the elected member's discretion may be forwarded to the Shire offices for retention.
- Correspondence received at the Shire offices addressed to an elected member will be opened and processed with the mail. If the CEO deems the record as being of continuing value it will be recorded in the record keeping system, filed and a copy sent to the elected member.
- Correspondence received at the Shire offices addressed to an elected member and marked "Private/Confidential" will not be opened and will be directly forwarded to the elected member. The elected member is to determine the document's value at their discretion and if of continuing value the elected member will forward the document to the Shire offices for retention.

### Confidential Records

If an elected member forwards documents to be incorporated into the Shire's recordkeeping system that are of a confidential or highly sensitive nature, they should advise the Chief Executive Officer of this and the information will be treated as confidential and access to the records will be restricted.

#### Diaries, appointment books and calendars

Elected member's diaries, appointment books and calendars that are used to record information such as dates and times of meetings and appointments or to record notes and messages have no continuing value and may be destroyed when reference to them ceases. However, it is a matter of discretion to be judged by the elected member based on whether the information is relevant and worthy of retention.

#### Telephone and other verbal conversations

Conversations generally have no continuing value and need not be recorded. However, conversations relating to local government business transactions, or policy/procedure implications or otherwise significant to the conduct of the Shire's business may have continuing value and at the discretion of the elected member, shall be recorded and forwarded to the Shire office for retention.

#### Lobbying

Refers to documents produced through the process of members of the community or elected members attempting to influence Council. Correspondence and petitions may have continuing value and at the discretion of the elected member, these documents shall be forwarded to the Shire office for retention.

#### Election Material

Records created or received by an elected member in regard to electioneering are private records of the elected member and have no continuing value to the Shire.

#### Destruction of Records

Elected members records that are of no continuing value to the Shire should be destroyed completely so that no information can be retrieved.

Related Policies	Record keeping Policy
Related Procedures/Documents	Record Keeping Plan Record Keeping Procedures
Delegated Level	Manager Corporate Services
Adopted	OM 24 March 2005
Reviewed	OM 27 July 2023

Policy Number:	ADM 13
Policy Type:	Administration Policy
Policy Name:	<b>Electronic Mail</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To provide guidelines for the use of Council's electronic mail (email) and for the creation, retention, management and disposal of email.

## POLICY

The council's email system and the messages sent through it are part of the Council's formal communication network. This means that emails sent and received by Council employees are government records.

- Email messages must be kept as Council records if they provide evidence of Council business and activities, are needed for use by others or affect the work of others.
- The email system is part of Council's computer network and all the information processes, transmitted or stored in the system are the property of Council.
- Email messages which become Council records must be retained in accordance with the approved retention periods listed in the General Retention and Disposal Schedule for Local Government Records published by the WA State Records Office.
- Access to email is limited to Council staff, or other authorised persons, who have been given a user identification and password.
- Email is a business tool. Employees must make sure that all email messages are brief, concise and business related and are kept in the computer system only as long as required.
- Email messages that are retained as Council records are accessible to the public under Freedom of Information and Privacy legislation.
- Email systems should not be assumed to be secure. Employees must be aware of the potential risks involved in sending confidential or sensitive information by email.

Related Policies	
Related Procedures/Documents	Record Keeping Plan/Record Keeping Procedures
Delegated Level	Manager Corporate Services
Adopted	OM 24 March 2005
Reviewed	OM 27 July 2023



Policy Number:	ADM 14
Policy Type:	Administration Policy
Policy Name:	<b>Selection and Presentation of the Honorary Freeman Title</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

The title of Honorary Freeman is the highest local honour that can be awarded to a citizen of the Shire. The title should be bestowed on an individual who has provided substantial and significant service to the Shire of Nannup.

The title is not intended to be bestowed on an individual basis but conferred when a candidate meets the identified criteria. Application forms for the title will be available from the Shire of Nannup front office. Should there be a successful nomination during the year the title will be presented at the same time as the Australia Day breakfast held on January 26 each year.

### Procedure:

(This procedure is to be read in conjunction with the Shire of Nannup policy *ADM 16 Selecting and Presenting the Premier's Australia Day Citizenship Awards*).

1. The Economic and Community Development Officer is to ensure that application forms are made available at the Shire Offices throughout the year.
2. Councillors on the Australia Day Advisory Committee, with assistance from the Economic and Community Development Officer, may nominate potential recipients against the following criteria:
  - Any resident, elector, ratepayer, community or sporting group within the local government region.
  - The nomination is supported by such information as is necessary for the Advisory Committee and Council to make an informed decision on the matter.
  - The candidate has demonstrated long and/or distinguished service to the community of the local government.
  - The candidate has an achievement in any sphere which brings the local government area wide recognition.
  - As a mark of appreciation for a service or services rendered by a member of Council, community, sport, environmental and/or business of the local government.
3. Any successful nominations will be presented to Council for consideration at a closed door meeting of the Council.
4. Council may, by a resolution passed by an Absolute Majority of members, confer upon any resident of the local government the title of 'Honorary Freeman of the Shire of Nannup'.

5. All nominees will be advised in writing of their nomination, along with details of the Australia Day ceremony.
6. There will be an embargo on announcing the recipient until the Australia Day ceremony.
7. The Economic and Community Development Officer will prepare a press release that is forwarded to media after the official presentation ceremony.
8. Awardees will be promoted on the Shire website and included on the invitation list for civic functions and on an honour board of people awarded the Honorary Freeman title. A special lapel pin or broach will be awarded to the recipient.
9. The Shire President will write to congratulate the recipient on behalf of Council.

Related Policies	Selecting and Presenting the Premier's Australia Day Citizenship Awards ADM 16
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 26 May 2011
Reviewed	OM 27 July 2023

Policy Number:	ADM 16
Policy Type:	Administration
Policy Name:	<b>Selecting and Presenting the Australia Day Citizen of the Year Awards</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

The Australia Day awards promote national pride, community responsibility and participation. The Australia Day Council of WA provides three awards each year for presentation in each local government area in the categories of:

- 1. Citizen of the Year**
- 2. Citizen of the Year – Youth Award (under 25 years of age)**
- 3. Citizen of the Year – Senior Award (over 65 years of age)**
- 4. Active Citizenship Award (Group or Event)**

The awards aim to recognise individuals and groups making a significant contribution to the community, demonstrating leadership on a community issue resulting in the enhancement of community life, undertaking a significant initiative which has brought about positive change and added value to community life, or inspiring qualities as a role model for the community.

Nominations for the awards open in September and close on a date to be determined by the Chief Executive Officer.

The awards are announced at the Australia Day breakfast held on 26 January each year. Application forms are to be made available from the Shire of Nannup front office and the Community Resource Centre

### Procedures:

1. The Shire shall ensure that the promotion of the Australia Day Citizen of the Year Awards is placed into local and regional newspapers and nomination forms are available at the Shire office and at the Nannup Community Resource Centre.
2. Advice about Citizenship Ceremony shall be promoted in local and regional newspapers.
3. A community breakfast shall be coordinated by the Events Team.
4. The Shire President shall officiate at proceedings at the Australia Day breakfast.
5. Council will cover the costs of the breakfast.
6. The Australia Day Advisory Committee will select recipients of awards in each category with assistance from the Events Team. The Australia Day Advisory Committee's decision on the successful recipients is final and the decisions will be kept in confidence until the Australia Day ceremony.
7. All nominees will be advised in writing of their nomination, along with details of the Australia Day breakfast ceremony.

8. There will be an embargo on announcing awardees until the Australia Day ceremony.
9. The Economic and Community Development Officer is to prepare a press release that is forwarded to media after the official presentation ceremony.
10. Awardees will be promoted on Shire website.
11. The Shire President will write to and congratulate each recipient on behalf of Council.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Economic and Community Development Coordinator
Adopted	OM 24 February 2011 #8562
Reviewed	OM 27 July 2023

Policy Number:	ADM 17
Policy Type:	Administration Policy
Policy Name:	<b>Asset Management Policy</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

The objective of this policy is to ensure that services delivered by the Shire of Nannup will continue to be sustainably delivered. This will be achieved by ensuring that Council assets are able to function at the level needed to support all service areas as determined by Council, with consultation from the community.

It will also provide clear direction to the administrative arm of Council as to how Council, as custodians of community assets, will manage those assets within an Asset Management Framework on a “whole of life basis”.

## POLICY

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

The Council will make informed decisions in relation to its assets.

To achieve this, the Shire will prepare:

An Asset Management Plan for the following classes of assets:

- Roads
- Footpaths
- Drainage
- Buildings and Freehold Land
- Parks & Reserves
- Bridges
- Plant and Equipment
- Furniture and Equipment
- Playground Equipment

The Asset Management Plan will guide the implementation of asset management practices within the resource constraints of the organisation and will set out:

- Responsibilities
- Timelines, and
- Resources

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

The Asset Management Plan will be prepared in a format that will comply with the Department of Local Government’s Integrated Planning Framework. This will include long

term (10 year) financial modelling of the renewal profile of each asset class and will be underpinned by the Long Term Financial Plan.

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

- A philosophy of renewing assets before acquiring new assets and, where possible, rationalising assets that are no longer used or do not provide the necessary level of service required to sustainably deliver the service for which the asset was acquired.
- Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
  - The need for the facility (short and long term)
  - Ensure that all projects will be prioritized within organisational goals identified by key stakeholders.
  - Legislative requirements
  - Opportunities for rationalisation and/or potential for multiple use of assets
  - Future liability, including ultimate retention/disposal versus budget.
- All capital projects will be evaluated in accordance with a Capital Evaluation model and take into account the capital cost, the ongoing cost of maintenance, refurbishment, replacement and operating cost (“whole of life” cost assessment). As part of this evaluation, Council will undertake the following:
  - Identification of suitable sites.
  - Preparation of a needs analysis.
  - Preparation of a feasibility study.
  - Preparation of concept plans and indicative costing.
  - Extensive community consultation to gauge the level of community support for the project.
  - A quantity surveyor’s report on the proposed concept plans.
  - Funding sources to be identified and finalised.
- The management of assets utilising a team approach supported by the multi discipline cross-functional Asset Management Team.
- Developing and implementing a 10 year Long Term Financial Plan that incorporates infrastructure renewal requirements as identified within the Asset Management Plan.
- The commitment to involve and consult with the community and key stakeholders when determining service levels.

## **LINKAGE TO SHIRE OF NANNUP’S STRATEGIC COMMUNITY PLAN**

This policy sets out the Council’s overall approach to asset management. The Asset Management Plan, and the linked Asset Improvement Strategy, sit below the Community Strategic Plan and inform the Long Term Financial Plan. Together, these documents will inform the annual budget.

## **RESPONSIBILITY AND REPORTING**

It is important that the roles and responsibilities of asset managers are well defined and understood. This is set out as follows:

Council - responsible for approving (including amendments to) the following documents:

- Asset Management Policy

- Asset Management Strategy
- Asset Management Plan

Council is also responsible for ensuring (upon a recommendation from the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting the Asset Management Plan, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - responsible for ensuring that systems are in place to ensure that Council's Asset Management Policy, Asset Management Strategy and Asset Management Plan are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.

Asset Management Team (AMT) – Consisting of the Chief Executive Officer (CEO), Manager Corporate Service (MCS), Manager Infrastructure (MI), and the Corporate Service Coordinator (CSC) is responsible for ensuring that Council's Asset Management Strategy is achieved and that the Asset Management Plan is prepared and maintained in line with Council's Policy on Asset Management.

Any changes, non-compliances and proposed corrective actions within Council's Policy, Improvement Strategy or Plans will be addressed by the AMT.

Manager Corporate Services (MCS) – responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Strategy. The MCS reports to the CEO in relation to Asset Management resource allocation.

Manager Infrastructure (MI) – responsible for supporting and facilitating the AMT with all areas within his/her control and ensuring that resources are commissioned (where appropriate) to assist the Asset Management Team achieve its objectives. The MI reports to the CEO on all matters relating to Asset Management.

All Managers – responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Team. All managers' report to the CEO on all matters relating to Asset Management under their area of control.

## **CONSULTATION**

The Shire of Nannup will engage the community and key stakeholders to determine the levels of service outcomes from infrastructure and assets. The budget will be the key driver of this process.

## **POLICY REVIEW**

This policy is to be reviewed by the AMT in line with normal Council Policy review.

## **POLICY DEFINITIONS**

“Asset” means a physical item that is owned or controlled by the Shire of Nannup and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and intangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council’s priorities for service delivery.

“Asset Management Plan” means the plan developed for the management of infrastructure assets or asset categories that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected council (comprising Councillors) of the Shire of Nannup.

“Infrastructure Assets” are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Bridges.

“Level of Service” means the combination of function, design and presentation of an asset. The higher the Level of Service, the greater the cost. The aim of asset management is to match the asset and level of service to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep the asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenities and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means the restoration, rehabilitation or replacement of an existing asset to its original capacity. This may include the fixture of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.



“Risk” means the probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire of Nannup organisation. The Chief Executive Officer of the Shire of Nannup is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means the enhancement of an existing asset to provide a higher level of service.

Related Policies	ADM4 – Purchasing FNC1 – Capitalisation of Fixed Assets FNC2 – Depreciation of Fixed Assets WRK12 – Plant Replacement
Related Procedures/Documents	Integrated Planning Documents
Delegated Level	
Adopted	OM 25 August 2011
Reviewed	OM 27 July 2023

Policy Number:	ADM 18
Policy Type:	Administration Policy
Policy Name:	<b>Aged Housing Support</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **OBJECTIVE**

The aim of this policy is to achieve quality housing outcomes that meet the needs of current and future Shire of Nannup residents as they age.

This policy establishes what assistance the Shire of Nannup may make towards the development of accommodation and housing for aged residents in the Shire, by incorporated not-for-profit community based organisations (“Tier One” organisations) and by private companies (“Tier Two” organisations”). Support will only be provided to tier two organisations if the Council determines that the development is expected to provide significant community benefits.

## **BACKGROUND**

The Shire of Nannup’s population is ageing, with close to half of residents aged 55 years and over. This proportion is higher than averages for Australia, the State of Western Australia and Rural Western Australia. One outcome of this situation is an increasing demand for aged accommodation in the Shire. Affordable and accessible accommodation for seniors was one of the primary outcomes of the Shire’s Age-Friendly Community Plan (2011) and the mor recent Strategic Community Plan.

This policy has been developed as a consequence of these community views and in order to clearly enunciate what support the Council may consider for future aged accommodation developments.

## **STATEMENT OF PRINCIPLE**

Council considers that its support/assistance to the provision of aged accommodation and housing within the Shire of Nannup is to make suitable sites available, where practicable, to Tier One organisations. Council does not consider it has any role in contributing towards the operational management of aged accommodation facilities. To the extent that funds permit, Council may contribute towards the cost of common road access and parking for both Tier One and Tier Two organisations.

## **POLICY**

The Shire of Nannup may provide support to organisations developing accommodation and housing for aged residents in the Shire in the following manner:

1. As the manager of areas of land on behalf of the Crown, the Shire will support use by Tier One organisations of suitable land under its control for aged accommodation and housing, subject to this being zoned appropriately, being suitably serviced and with the Minister’s approval. Suitable land will be assessed according to its proximity to

shops, hospital, medical facilities, transport, and community services, as well as being reasonably flat and land easily serviced.

2. Management Orders of the land can remain with the Shire or be transferred from the Crown to the Tier One organisations.
3. The Shire may assist with gaining Native Title and Aboriginal Heritage clearances should they need to be obtained (Tier One organisations only).
4. The Shire may support approaching the State Government to obtain new reserves to facilitate aged housing.
5. Subject to budget approval, contributions may be made to Aged Housing Developments (Tier One and Tier Two organisations) to assist with the following works:
  - Statutory headwork charges (if applicable) after deduction of any rebate available from the State Government Headwork's Contribution Schemes.
  - Site clearing and levelling necessary to commence development.
  - Construction of common internal vehicle access and common car parking areas (including drainage thereof) and the crossover to the street.
  - Waiver of Shire Development Application and Building Permit Fees (tier one and tier two organisations).
  - Guidance and advice in preparing formal applications for Government funding to assist with construction costs (Tier One organisations only).

Applications for Shire support and assistance will need to be supported by suitable documentation, including formal designs and business plans. Where direct costs are involved, eligible organisations will need to ensure that the Shire has had sufficient notice of proposed developments to consider these during the preparation of Annual Budgets. Direct financial support may be excluded if this cannot be accommodated in the budget. As a guideline, staged projects may be eligible for funding at each stage subject to the size of each stage and a guarantee of a minimum time frame, agreed to by Council, between the developments of each stage of the project.

Related Policies:	Nil
Related Procedures/Documents:	Shire's Age-Friendly Community Plan (2011), Strategic Community Plan
Delegated Level:	Nil
Adopted:	OM 26 April 2012
Reviewed:	OM 27 July 2023

Policy Number:	ADM 19
Policy Type:	Administration Policy
Policy Name:	<b>Community Consultation</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

The purpose of this policy is to:

- Provide a framework to guide Council in undertaking community consultation and engagement activities;
- Facilitate Council decision-making that is open, transparent, responsive and accountable to the community; and
- Provide a framework for staff to facilitate a coordinated and consistent approach to community consultation and engagement across Council.

## POLICY

### 1. Council's decision-making processes

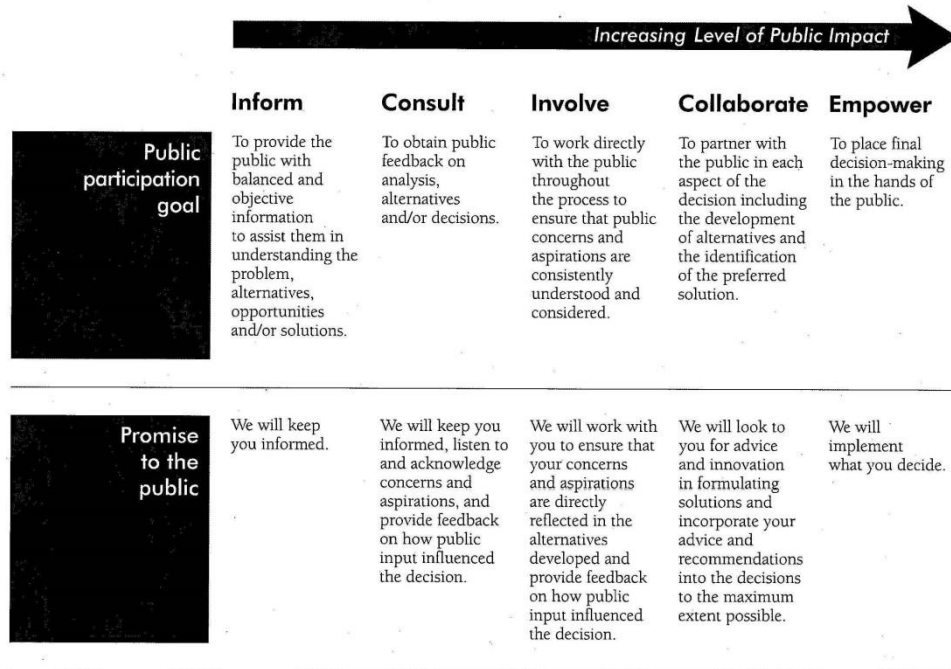
Council has various strategies to guide its decision-making. Consultation is an integral part of this strategy development. Community engagement is a process that allows people to participate in decisions that affect them, and at a level that meets their expectations. It helps strengthen the relationship between communities and government, enabling all the concerned groups to become part of the process.

Consultation is also integral to measuring our success and identifying new opportunities and areas for improvement. It is a continuous process.

In making specific decisions, council is guided by relevant legislation and strategies, and consults with stakeholders. Stakeholders include those who may be affected by the decision and those who may have an interest in the decision.

This policy is based on the widely recognised International Association for Public Participation (IAP2) Spectrum of Engagement.

# IAP2 Spectrum of Public Participation



Public Participation Spectrum, developed by the International Association for Public Participation (IAP2).

## 2. What is Consultation

Consultation is the process of informed communication between the council and the community on an issue prior to the council making a decision or determining a direction on that issue.

### Key elements:

- It is a process, not an outcome.
- It recognises the council has the mandate to be the decision-maker. Consultation is the process by which the council gathers information in order to make a decision. Consultation impacts on a decision through influence, rather than power.
- Consultation is about input into decision-making, not joint decision-making or decision-making by referendum.

## 3. What is Engagement?

Community engagement is a characteristic of democratic governance.

Engagement is achieved when the community is and feels part of the overall governance of that community. It is informed, connected and feels it has a role to play.

Engagement, by this definition, is an outcome.

It occurs when there is good ongoing information flow, consultation and participation between a council and its community.

#### 4. Principles underpinning council's consultations

##### ***Inclusiveness***

- The consultation must encourage the involvement of people who are affected by or interested in a decision.
- Affected and interested parties will be given equal opportunity to participate, including groups who have traditionally not participated previously.
- The type of consultation or contact that is made is sensitive to a group's particular needs.

##### ***Purpose***

- Consultation is purpose-driven.
- There is a clear statement about what the consultation is about.
- There is a clear statement about the role of council and the role of the participants in the consultation.
- There is a clear statement about how participants' input will be used.
- The type of consultation that is chosen is appropriate for the task.
- There is a commitment from the council to the principles and processes that this document defines in relation to consultation.
- There is a commitment from the council that it will respect the diverse range of interests and views which may exist around a particular issue and make genuine attempts to resolve conflicts, while recognizing that it has the ultimate decision-making role.

##### ***Provision of information***

- Information relating to the consultation can be accessed easily by everyone involved before key decisions are made.
- Information must be presented in an easily understood format.
- All information on issues that the council is consulting upon will be available unless it is of a commercially sensitive or personnel nature.
- In some circumstances, council may determine to recover part of the cost of providing the information. These circumstances may include situations where documentation is costly to reproduce ie maps/plans/lengthy reports, etc. In such instances the council will endeavour to facilitate access via individual viewing, loaning of the material and or other appropriate methods.

##### ***Informed consultation***

- Consultation is most effective when people have the facts before them. This means that council may have the officers do some development work on an issue or proposal, prior to the commencement of the consultation.
- This work will generally be described as the scoping work or study. This scoping work will be the factual information that council puts into the public arena for consultation.
- On occasions, council may develop a preliminary preference for a particular position. When this occurs, council will indicate what that preliminary position is.

This will assist the community to understand where the council stands at the start of the consultation.

### ***Timing***

- The consultation will take place early enough in the decision-making process to ensure that its outcomes are able to be considered prior to the decisions being made.
- The timeframe for the consultation process will be clearly communicated, including when decision-making is to take place.

### ***Informing people of the final outcomes***

- After a decision has been made upon which feedback has been sought and received, those who provided feedback and or had input into the process will be informed of the final decision and the reasons for it.

## 5. Who will speak for Council

The Shire President represents Council's views on strategic and political matters, whilst the Chief Executive Officer is the delegated authority to speak on behalf of Council for operational matters.

## 6. Choosing to Consult

### ***When Council must consult - Statutory consultation***

Council has responsibilities and makes decisions under a wide variety of State and Federal legislation. In many instances the legislation sets minimum standards and this relates to the following matters:

- Adopting a council plan
- Making a local law
- Differential rating proposals
- Changing the council's system of land valuations for council rates
- Adopting a budget
- Declaring a special rate or a special charge
- Selling, exchanging or leasing land
- Deviating or discontinuing a road

The consultation required by law for these matters must include the following:

- The council must publish a public notice (in a local or daily newspaper, and on the council's website) that identifies the proposal and tells people that they have the right to make a written submission to the council.
- People who wish to make submissions must lodge them by the date specified in the public notice, which is a date not less than 28 days of the public notice.
- Anyone who has made a written submission and asked to be heard in support of this submission is entitled to speak to the council or a committee appointed for the purpose. The submitter may appear in person or be represented by someone else.

- The council must fix a time, date and place for this meeting and give reasonable notice of the meeting to each person requesting to be heard.
- The council must consider any submissions received before making a decision.
- After it has made a decision, the council must write to a person who has lodged a submission advising of the council decision and the reasons for it.

Planning applications carry their own statutory legislative requirements for consultation. Council has a policy relating to consultation for planning applications, which is filed in the Corporate Library, Policy number: LPP 005

### ***When Council may not need to consult***

This framework will apply predominantly to matters requiring a decision by council. It will not necessarily apply to routine, day-to-day activities such as:

- maintenance activities, including tree maintenance
- works such as new footpaths or roadworks
- implementing an existing plan
- where the work is integral to the work of an advisory committee.

However as a courtesy, when undertaking day-to-day activities such as tree works/footpath works/road works and the like, council will communicate with people living at affected properties where appropriate and in the most appropriate way.

There may be occasions when council does not consult on a matter due to circumstances/requirements beyond its control, such as statutory requirements, funding requirements or policy requirements of other levels of government/agencies.

### ***When council will consult***

Council believes that there are basically six different categories of issues on which it will wish to consult:

<b>Category One</b>	<b>Matters that are significant ‘one-off’ issues</b> For example: Digging a small trench outside a home
<b>Category Two</b>	<b>Matters that change the current arrangements/uses on a single site</b> For example: The temporary closure of a sporting facility for maintenance works
<b>Category Three</b>	<b>Matters impacting on an area or neighbourhood</b> For example: Traffic management proposals/solutions, streetscape proposals
<b>Category Four</b>	<b>Service planning matters which have impacts across the shire</b> For example: Changes to the waste disposal service
<b>Category Five</b>	<b>Major plans which have impacts across the Shire</b> For example: Development of strategies relating to



residential/industrial land use, open space planning or economic development.

**Category Six      Major projects or issues with shire-wide impacts**

For example: Bushfire Prone Areas Amendment

7. Determining the level of participation

The nature of the decision will influence the level of consultation, or public participation.

8. Methods of communication and consultation

The methods used in relation to any consultation will be selected to suit the category of the issue and the identified stakeholders. It is recommended that several communication methods be used to maximize awareness and participation in the consultation.

It is important to ensure that communications (e.g. printed material) and consultations (e.g. public meetings/forums) are accessible to all people who may be interested in or affected by the decision. This includes those who may have an impairment/disability, those who may not have access to transport, and those who may not have internet access.

It is also important to consider the availability of identified stakeholders and provide a choice of meeting/discussion times. For example, many residents may not be available during the day due to work commitments whilst others may not be available or willing to attend a consultation forum at night due to family commitments, lack of transport, etc.

Methods that may be used include, but are not limited to, the following:

*Printed material*

- Letter/flier to every affected household or group
- Fact sheet/s
- Brochures
- Technical reports
- Scoping/draft document
- Council newsletter

*Media*

- Media advertising
- Media release/briefing/photo opportunity
- Community-based newsletters

*Display*

- Sign/notification on-site
- Static display
- Community noticeboards

*Technological*

- Council's website
- eNewsletter
- Email mail list

#### *Surveys*

- Comment form
- Surveys (online, written or verbal)
- Interviews
- Listening post (in person, in public places)
- Random phone surveys

#### *Small groups (The characteristics of the participants should represent the target group).*

- Advisory committees
- Reference group or working group

#### *Public forums*

- Tours
- Events
- Public meeting
- Workshops

#### *Social Media*

- Council does not currently have a social media policy that provides a framework for the issues/processes this organisation needs to consider in using tools such as Facebook, Instagram, Twitter and LinkedIn. Council engages in social media through a Facebook page for the Youth Advisory Council and the Well Being Warren Blackwood project.
- This is an area where further policy development is likely to occur over the next 12 months.

In all consultations, life cycle costs must be incorporated into the project development.

#### 9. Things to consider

When planning a consultation, consider the following points:

A	Write to every affected household/group	Writing to a select group of people based on a geographic area needs careful consideration. Consider the diversity of your audience and ensure your message is in clear, simple language and meets the requirements of people with a vision impairment, including older people.
B	Survey/other forms of formal market research	The validity of a survey is critical if you or council intend to rely on it to support a particular view. If external organisations are being engaged, it should be presented to council in the context of the

		broader consultation plan being pursued.
C	Council's shire-wide newsletter	Council produces a newsletter twice a year that is distributed with the rates and via post box delivery for the second newsletter. Additional copies are available at the Shire offices.
D	Community-based newsletters	Council distributes an email newsletter bi-monthly or monthly, depending on the events, activities and projects to be communicated. The newsletter is promoted on the Shire website, so that individuals can add their details to the database.
E	Council's website	<p>Council's website provides the opportunity to publish information relating to a consultation quickly and can be updated as frequently as required. It also enables a lot of content to be published without any cost.</p> <p>It can be an effective way to communicate with those who may have a vision impairment, as it provides the ability to increase the type size and may be read by a screen reader device/software.</p> <p>Council promotes an Events calendar on their website and encourages community members to promote their event using this service.</p>
F	Letter/flier to specific area	Sending an internal email to everyone may identify someone else in the organisation who is conducting a mail-out or poster run, enabling you to share the mail preparation and postage costs. Consider the community noticeboards/shops/facilities where you may be able to put up a flier.
G	Council-organised meeting	<p>Council hosts community meetings four times per year in conjunction with the Volunteer Fire Brigades and community groups.</p> <p>It is important to consider the timing, length of meeting and catering/seating requirements.</p>
H	Media release/advertisement (including print media, local radio and regional promotion)	The Nannup Community Resource produces the Nannup Telegraph with a deadline for material by the 20th of each month. They are also the agent for media articles for the Donnybrook Bridgetown Mail. All media advertisements must be authorized by the CEO prior to release. If submitting photographs with

		people, their permission must be sought for release, and their names provided to the media. Children must have authority from parents/guardians for printing.
I	Input via advisory committee or working party	Council has a Risk Management Advisory Committee and working parties are established on an 'as needs basis'. All groups will have Terms of Reference and a Councillor and Officer will attend meetings. Minutes must be presented to Council.
J	Personal contact or meetings on site	The offer of personal contact can be an excellent way to personally interact with residents, however consider issues such as timing and safety.
K	Feedback at council offices/service centres	Customer feedback and complaint forms are held at the Shire offices and are forwarded to the appropriate officer for comment or to be dealt with.
L	Public comment with submissions invited	A folder is on the front desk with current public comment submissions and plans.
M	Notification on-site (if appropriate)	In the case of works or a project that is funded by council, ensure that council's logo is included at an appropriate size on the sign.

Also to note:

- Avoid sending letters/holding meetings, etc. during holiday periods
- Include a reply paid envelope if seeking a response on important matters

#### 10. Consultation category/methods matrix

The following are recommended methods for each type of issue. However, it is acknowledged that:

- the timeframes for the consultation may not coincide with the deadlines of some newsletters or the Nannup Telegraph,
- some issues may not warrant a meeting or there may be insufficient interest expressed in participating in a meeting/discussion,
- there may be occasions when council does not consult on a matter due to circumstances/ requirements beyond its control, such as statutory requirements, funding requirements or policy requirements of other levels of government/agencies, specific consultation requirements apply in relation to statutory consultation and land use planning matters.

	SUGGESTED CONSULTATION METHODS FOR CATEGORY OF PROJECT	<b>Category 1</b> One-off issues	<b>Category 2</b> Changes to current arrangements on a single site	<b>Category 3</b> Area or neighbourhood impacts	<b>Category 4</b> Service planning with shire-wide impacts	<b>Category 5</b> Major plans with shire-wide impacts	<b>Category 6</b> Major projects with shire-wide impacts
A	Write to affected household/group			✓			
B	Survey/other forms of formal market research					✓	✓
C	Council's shire-wide 'Update' newsletter				✓	✓	✓
D	Community-based newsletters			✓	✓	✓	✓
E	Council's website		✓	✓	✓	✓	✓
F	Letter/flier to specific area including community noticeboards		✓				
G	Council-					✓	✓

	organised meeting						
H	Media release/advertisement					✓	✓
J	Input via working party (if a relevant committee exists)				✓	✓	✓
K	Personal contact or meetings on site			✓	✓	✓	✓
L	Attendance at community-organised meetings (if organised)			✓	✓	✓	✓
M	Feedback at council offices/ service centres	✓	✓	✓	✓	✓	✓
P	Notification on-site (if appropriate)	✓	✓	✓			✓

# 11. How council will plan a consultation for a Category 6 Project

## Step 1

Identify the category of the issue, project or policy – according to the list in the ‘When Council will Consult’ section.

## Step 2

Identify the scope of the decision, taking into account what data exists, what research is required and what is to be consulted on.

## Step 3

Consult with internal stakeholders, who may:

- need to have input in relation to the proposal/may have actions assigned to them
- be affected by the decision
- have conducted consultation on a similar issue or with the same sector of the community
- have expertise in conducting consultations or elements thereof (e.g. council's sustainable communities planner/social planner)
- be willing to participate in an internal working group.

Advise the following stakeholders of the proposal and proposed consultation:

- councillors
- staff within the organization:
- advisory committees of council or working parties

## Step 4

Identify the external stakeholders who may be affected or have an interest in the decision.

External stakeholders may include:

- Residents in the immediate area
- Ratepayers (including those who do not live in the shire)
- Service users
- Business operators, Business and Tourism Associations and relevant industry associations.
- Investors/developers (re: infrastructure requirements)
- Local community groups and organizations
- Healthcare providers
- Partner agencies (e.g. catchment management authorities)
- Advocacy groups (e.g. welfare organizations/environment groups)
- Special interest groups (e.g. commuters)
- Utilities (water, electricity, gas)
- Emergency services (Police, SES, Ambulance)
- Australian and State Government departments

## Step 5

Identify the goal of the consultation, including the level of participation. Refer to the Level of Participation section of this document.

Consider establishing a working group, including members of the community.

## Step 6

Select the consultation method/s appropriate for the category of issue and suited to the identified stakeholders. Refer to the 'Methods of communication and consultation' section of this document and the consultation category/methods matrix.

#### Step 7

Consider privacy implications of submissions: e.g. whether submitters' names and addresses will be included in public documents such as council reports.

#### Step 8

Identify the timeframe for the consultation and decision-making.

#### Step 9

Ensure that adequate resources will be committed to the consultation process. This includes identifying who will manage/auspice the consultation process and who will do the work.

#### Step 10

The details identified via the steps above form the basis of an implementation plan. Present this to the relevant manager for approval.

#### Step 11

When communicating about a forthcoming consultation, develop a one-page summary (for use in advertisements, letters, fliers, etc.) stating:

- Purpose of the consultation – refer to step 5
- Background (summarized) – what is proposed
- Contact person/s
- Closing date for public comments.

#### Step 12

After the consultation has been finalized and the decision made, those who provided feedback or had input into the process must be informed of the final decision and the reasons for it.

#### Step 13

Review consultation process: what worked/what didn't work?

### 12. How council uses feedback and input from consultations

In preparing a proposal, council may have already consulted with a sector of the community and developed a background paper or draft document, which council will adopt for public comment.

- Following the designated closing date for feedback or input, council will:
- Analyse the feedback received;
- Consider the feedback in the context of the other data, advice, strategies and/or legislation that is relevant to this matter;
- Review the proposal in the context of concerns or suggestions expressed. There is a commitment from the council that it will respect the diverse range of interests



and views which may exist around a particular issue and make genuine attempts to resolve conflicts, while recognizing that it has the ultimate decision-making role.

- A report will be presented to council for a decision.
- The decision will be reviewed once implemented, at a time to be determined.
- Agenda items will incorporate the level of consultation required.

Related Policies	Nil
Related Procedures/Documents	LPP 014
Delegated Level	All Officers
Adopted	OM 26 June 2014
Reviewed	OM 27 July 2023

Policy Number:	ADM 20
Policy Type:	Administration Policy
Policy Name:	<b>Privacy &amp; Confidentiality</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## Introduction

The Shire of Nannup is committed to protecting the privacy of personal information. This Privacy Policy embodies this commitment. The policy supports the council's need to collect information and the right of the individual to privacy. It ensures that the council can collect personal information necessary for its services and functions, while recognising the right of individuals to have their information handled in ways that they would reasonably expect and in ways that protect the privacy of their personal information.

## Commitment

The Council will:

1. collect only information which is required for a specified primary purpose;
2. not use or disclose personal information about an individual for a purpose other than:
  - a) the purpose for which it was collected;
  - b) a related purpose (or, in the case of sensitive information, a "directly related" purpose) which the individual would reasonably expect;
  - c) a purpose required or permitted by law; or
  - d) a purpose for which the consent of the individual has been obtained.
3. take all reasonable steps to make sure that the personal information collected, used or disclosed is accurate and up to date;
4. take all reasonable steps to protect and safeguard the personal information collected and to securely destroy the information when it is no longer required for the purpose for which it was collected;
5. make available policies relating to the management of personal information;
6. provide people with access to their own personal information and permit people to seek corrections if necessary.

## Responsibility

The responsibility for protecting privacy does not lie with one individual or a group, but with all staff at all levels, no matter what role they fulfil.

## Individuals

Individuals are at all times personally responsible for their conduct to others. They must:

- comply with any professional codes of practice which relate to their role
- understand and work within organisational policies
- uphold the duty of care they have to others, particularly service users and members of the public they encounter in the discharge of their duties

- be aware of and work within the legislative framework

### Managers

Managers are responsible for their own conduct, attitudes and behaviours as described above. Additionally they are responsible for:

- ensuring individuals within their teams understand their roles and responsibilities with regard to privacy
- understanding and implementing privacy policies and standards relevant to the service and team
- ensuring policies are understood and implemented
- ensuring staff have the tools, resources and skills to promote and deliver services which uphold privacy
- monitoring the performance and actions of individuals and teams
- ensuring action is taken to address deficits and gaps in a timely and appropriate manner

### Chief Executive Officer

The Chief Executive Officer is accountable to Council for all of the above and in addition must:

- lead, promote and champion the privacy agenda
- ensure measurable standards are set and met
- ensure that Council and the public are briefed on privacy policies, achievements and actions taken to rectify any deficits

### **Collection of Personal Information**

Personal information is collected and used for the following purposes:

1. to provide services or to carry out statutory functions;
2. when dealing with any request or application for products or services;
3. when dealing with certain government agencies;
4. when required by law.

Personal information may include sensitive information (for example, religious beliefs, health status, ethnic origins, membership of a trade or professional association). If so, then the council will apply the National Privacy Principles required to that type of information.

Personal information may be collected in person, in writing, by telephone, through the website and through other methods of communication with individuals.

Sometimes personal information may need to be collected from third parties in the course of carrying out council's responsibilities, ensuring that information that has been provided is correct.

In each case, personal information collected will be treated in accordance with the principles set out above.

### **Use of Personal Information**

Personal information may be used to maintain records, provide information and enable individuals to receive services. In addition, to satisfy regulatory requirements, personal

information may be used to carry out administrative tasks and manage individuals' rights in relation to statutory obligations as required.

### **Disclosure of Personal Information to Third Parties**

Personal information may be disclosed to third parties. These may include agents, contractors (including organisations used by us to store information in an electronic format), and other entities, to which it is reasonable to expect that information would be provided in the course of or incidental to the provision of products and/or services by the council.

Such disclosure will be in accordance with this policy.

### **Disclosure to the Individual**

The council will take reasonable steps at or before the time it collects personal information from an individual, to ensure that the individual is aware of:

1. who is requesting the information and the full contact details;
2. the fact that person is able to gain access to the personal information collected and seek the correction of such information if necessary;
3. the purposes for which the personal information is collected;
4. the organisations (or types of organisations) that the personal information will usually be disclosed or transferred to;
5. any law which requires the council to collect the personal information;
6. the main consequences (if any) if all (or part) of the personal information requested is not provided.

However, there are circumstances, such as the exercise of statutory responsibilities, where this may not be required.

### **Access to Personal Information**

Requests from an individual to review the personal information held about them by the council should be made in writing to the Chief Executive Officer.

In most circumstances the personal information collected will be made available. In certain circumstances access may be denied. These circumstances include, where:

1. it would have an unreasonable impact on the privacy of others;
2. the information relates to legal proceedings with the individual requesting access;
3. the information would reveal a commercially sensitive decision-making process;
4. providing access to the information would prejudice certain investigations;
5. the council is required by law not to disclose the information.

The council will respond to a request for access to information as a priority and will seek to do so within a maximum of 10 days.

There will be no charge to the individual for requesting access to their own personal information.

## Correcting Inaccurate Information

If an individual believes that any information held about them is inaccurate or out of date, they should contact the council, who will review and update the relevant information as necessary.

## Complaints

A complaint about information privacy is an expression of dissatisfaction with the council's procedures, staff, agents or quality of service associated with the collection or handling of personal information. The council will be efficient and fair when investigating and responding to information privacy complaints.

Any complaints about how the council has handled personal information should be addressed in writing to the Chief Executive Officer.

Related Policies	ADM 11 Records Management Policy ADM 12 Elected Members Records ADM 13 Electronic Mail
Related Procedures/Documents	Record Keeping Plan Record Keeping Procedures Freedom of Information Statement
Delegated Level	Manager Corporate Services
Adopted	OM 24 July 2014
Reviewed	OM 27 July 2023

Policy Number:	ADM 21
Policy Type:	Administration Policy
Policy Name:	<b>Council Spokespersons</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

1. In accordance with Section 2.8(d) of the Local Government Act 1995, the Shire President is the authorised spokesperson of the Council.
2. In accordance with Section 5.41(f) of the Local Government Act 1995, the Chief Executive Officer may also be the spokesperson of the Council if the Shire President agrees.
3. If the Shire President is not available or unable to be the spokesperson and the Chief Executive Officer is not available or unable to be the spokesperson, then the Deputy Shire President may perform this function in accordance with Section 5.34 of the Local Government Act 1995.
4. With the authority from the Shire President, individual Councillors may be authorised to make statements to the media on specific items relating to that Councillors responsibility (e.g. Committee Chairman) and the Chief Executive Officer may delegate authority to other officers to be the spokesperson in accordance with Section 5.44(1) of the Local Government Act 1995.
5. If a Councillor or staff member is approached by the media to answer questions or make a comment on Council business, that, unless specifically authorised by the Shire President (if a Councillor), of the Chief Executive Officer (if an Officer), that member of the media be referred to the authorised spokesperson of the Council for a response.
6. That this Policy in no way diminishes the basic rights to freedom of speech, but a disclaimer must accompany any personal statements made by Councillors.

Related Policies	Nil
Related Procedures/Document	Nil
Delegated Level	Nil
Adopted	OM 25 January 2017
Reviewed	OM 27 July 2023

Policy Number:	ADM 22
Policy Type:	Administration Policy
Policy Name:	<b>Complaints Handling</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

The Policy sets the guidelines with regard to handling customer complaints ensuring that the Shire of Nannup:-

1. Recognises, promotes and protects the customer's rights to comment on their dealings with the Shire of Nannup;
2. Provides for natural justice and procedural fairness to ensure that the Shire officer is able to respond to any complaint and is not subject to unfair, unfounded or inappropriate allegations;
3. Provides for efficient, fair and accessible framework for resolving customer complaints;
4. Sets standard for dealing with customer complaints;
5. Increases the level of satisfaction among customers through the delivery of effective and consistent services; and
6. Enhances the Shire's image and reputation, particularly its reputation for customer service.

## POLICY

### Definitions

A complaint is a grievance against a process or the quality of service that a customer receives when dealing with the Shire (i.e. poor customer service, inappropriate staff behaviour etc.), as distinct from a service request, which is a request for the Shire to undertake certain works or rectify a particular problem (notification of a pot hole in road, dangerous tree branches, stray dogs/livestock etc.). Service requests are lodged with the relevant department for action as soon as they are received.

A complaint can be received either;

- in writing;
- in person;
- by telephone; or
- by email;

but it must be reproduced onto the Customer Feedback Form for record keeping purposes.

Anonymous and vexatious complaints cannot be investigated as it is not possible to undertake due process to ensure procedural fairness.

### Commitment

1. All complaints will be handled quickly, fairly, effectively and courteously and in a manner which ensures natural justice and due process.
2. Responses to complaints should always be in positive terms and never retaliatory.
3. The rights of the complainant are protected as are those of staff who receive the complaint, or who may be subject of a complaint.

### Recording Customer Complaints

1. The standard Customer Feedback Form will be used throughout the Shire of Nannup to record all customer complaints.
2. Immediately a complaint is received, a copy of the complaint and/or the Customer Feedback Form must be forwarded to the relevant Manager who will monitor the process.
3. The physical record of all complaints and all supporting documentation will be recorded in the Shire's Records Management system to allow for accountability and audit.

### Responsibility

1. All staff are charged with the responsibility of dealing with customer complaints in a courteous manner and to provide customers with information on the Shire of Nannup complaint handling process.
2. Staff have a responsibility to record all customer complaints on the Customer Feedback Form in compliance with this policy.
3. Any complaints of a serious nature involving inappropriate behaviour of staff (rudeness, discrimination or harassment) should be referred to the Chief Executive Officer, who will inform the relevant Manager.
4. All other complaints should be referred to the relevant Manager who will assign investigation of the complaint to an appropriate officer. In some instances it may be appropriate to engage someone external to the organisation to conduct the investigation. This will be a decision of the Senior Management Team.
5. All complaints will be acknowledged in writing, detailing the action to be taken within 5 working days.
6. Complaints which are unresolved after 5 working days will be referred back to the relevant Manager.
7. Complaints which are unresolved after 15 working days will be referred to the Chief Executive Officer.

### Compliant Handling – Verbal Complaints

Complaints received in person or by telephone will be handled by the staff member receiving the complaint if possible, or referred to someone who can resolve the matter. Verbal complaints which are resolved immediately must be recorded on the Customer Feedback Form and forwarded to the relevant Manager.

When the complaint cannot be resolved immediately the Customer Feedback Form will be completed and the complaint handled as for a written complaint.



#### Compliant Handling – Written Complaints

Complaints received by letter, email or Feedback form will be forwarded to the relevant Manager unless the complaint relates to inappropriate behaviour of staff (rudeness, discrimination or harassment) and should therefore be referred to the Chief Executive Officer who will then inform the relevant Manager.

#### Compliant Handling – Response to the Complainant

The complainant will be advised of receipt of the complaint within three working days. After the complaint has been investigated and a resolution agreed to, the complainant will be notified.

Related Policies	Nil
Related Procedures/Document	Nil
Delegated Level	All Senior Officers
Adopted	OM 25 January 2017
Reviewed	OM 27 July 2023

Policy Number:	ADM 23
Policy Type:	Administration Policy
Policy Name:	<b>Attendance at Events and Functions</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

### Introduction

Section 5.90A of the Local Government Act 1995 provides that a local Government must prepare and adopt an Attendance at Events policy.

This policy addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government.

The purpose of the policy is to provide transparency about the attendance at events by Councillors, the Chief Executive Officer (CEO) and other employees.

Nothing in this policy shall be construed as diminishing the role of the CEO in approving attendance at activities or events by other employees that in the opinion of the CEO are appropriate, relevant and beneficial to the Shire of Nannup.

### Legislation

Section 5.90A of the Local Government Act 1995 for attendance at events.

(1) In this section – event includes the following;

- a concert;
- a conference;
- a function;
- a sporting event;
- an occasion of a kind prescribed by the Local Government (Administration) Regulations 1996.

(2) A local government must prepare and adopt a policy that deals with matter relating to the attendance of council members and the CEO at events, including;

- the provision of tickets to events;
- payments in respect of attendance;
- approval of attendance by the local government and criteria for approval; and
- any prescribed matter.

\*Absolute majority required

### Gift Disclosure Requirements

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose a potential conflict of interest if the ticket is above \$300 (inclusive of GST) and the donor has a matter before Council. Any gift received that is \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

Guidance is provided below:

If a Councillor receives a ticket in their name, in their role as Councillor, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.

Whilst the law permits greater than \$300 to be accepted by the CEO (but not other employees), in their role with the Shire, the CEO and all other employees are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event or as a gift pursuant to Section 5.50 of the Local Government Act 1995 (gratuity on termination).

If the CEO or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct as per notifiable and prohibited gifts.

Note this policy doesn't apply to prizes won by 'games of chance' such as a lottery, raffle, business card draws or contest.

### Pre-approved events

In order to meet the policy requirements tickets and invitations must be received by the Shire (as opposed to in the individual person's name).

Under this policy Council approves attendance at the following events by Councillors, the CEO and employee of the Shire:

- Advocacy, lobbying and Ministerial briefings;
- Meetings of clubs or organisations within the Shire of Nannup;
- Any free event held within the Shire of Nannup;
- Australian or Western Australian local government events;
- Events hosted by local Clubs and Not for profit organisations within the Shire of Nannup to which the Shire President, Councillor(s), CEO or employee(s) have received an official invite their position;
- Shire hosted ceremonies and functions;
- Shire hosted event with employees;
- Shire run tournaments or events;
- Shire sponsored functions or events;
- Community Art exhibitions within the Shire of Nannup or South West region;
- Cultural events/festivals within the Shire of Nannup or South West region;
- Events run by a Local, State or Federal Government
- Events run by schools and universities within the Shire of Nannup;

- Major professional bodies associated with local government at a local, state or federal level.
- Opening or launch of an event or facility within the Shire Nannup or South West region.
- Recognition of service events;
- RSL events;
- An event run by an organisation of which the Shire of Nannup is a member such as Warren Blackwood Alliance of Councils and Southern Forests and Valleys Tourism Association.
- Where the Shire President, Councillor(s), CEO or employee(s) have been formally requested.
- If the event is free to attend.

If there are more tickets than prospective attendees, the Shire President and CEO will liaise to determine allocations.

#### Approval Process for events not Pre-approved

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event for approval as follows:

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for the Deputy Shire President may be approved by the Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the CEO may be approved by the Shire President; and
- Events for employees may be approved by the CEO.

Considerations upon granting approval include:

- The benefit to the Shire of the person attending.
- Alignment to the Shire Strategic Objectives.
- The number of Shire representatives already approved to attend.
- Any justification provided by the applicant when the event is submitted for approval.

Where a Councillor has an event approved through this process and there is a fee associated with the event, then the cost of the event, is to be paid by the local government.

Where the CEO or employee has an event approved through this process and there is a fee associated with the event, then the cost of the event is to be paid for by the local government.

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

#### Approval Process for events not Pre-approved

Any event that is pre-approved or approval is not submitted through an approval process, or is received personally is considered a non-approved event:

If the event is free then no approval is required.

If the event is ticketed and the attendee pays the full ticketed price and is not seeking reimbursement from the Shire, then no approval is required.

If the event is ticketed and the Councillor, CEO or employee pays a discounted rate, or is provided with a free ticket(s), then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days.

Organisations that desire attendance at an event by a particular person(s), such as the President, Deputy President, Councillor, CEO or particular employee of the Shire, should clearly indicate that on the offer, together what is expected of that individual, should they be available, and whether the invite/ticket is transferable to another Shire representative.

Tickets that are provided to the Shire without denotation as to who they are for, will be provided to the CEO and attendance determined by the CEO in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Councillor or employee.

#### Disputes

Any disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Councillors and by the CEO in relation to employees.

#### References

[https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline---attendance-at-events-policy.pdf?sfvrsn=f053677a\\_9](https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline---attendance-at-events-policy.pdf?sfvrsn=f053677a_9)

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 23 July 2020 – Resolution 20081
Reviewed	OM 27 July 2023

Policy Number:	ADM 24
Policy Type:	Administration Policy
Policy Name:	<b>Councillor Training &amp; Professional Development</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

### Introduction

This policy describes Council's approach to enable Councillors to meet their statutory obligations in relation to Councillor training and gives effect to the requirement to adopt a continuing professional development policy.

Part 5, Division 10 of the Local Government Act 1995 describes provisions related to the universal training of Councillors:

- Under section 5.126 of the Act, each Councillor must complete training in accordance with the Regulations;
- Under section 5.127 of the Act, the CEO must publish a report on the local government's website within 1 month of the end of the financial year detailing the training completed by Councillors; and
- Under section 5.128 of the Act, a local government must prepare and adopt a policy in relation to the continuing professional development of Councillors.

Councillors have a unique and challenging role performing their functions under the Act. Council recognises the value of training and continuing professional development to build and supplement Councillor skills and experience.

Training can take several forms including formal qualifications, short-courses, seminars and conferences.

Training paid for in accordance with this policy must have benefit to Council, the Shire and the community. Training must relate to the professional development of Councillors in their role as a Councillor. Training must be provided by a registered training organisation (RTO). A registered training organisation is a training provider registered by Australian Skills Quality Authority (ASQA) or a state regulator to deliver vocational education and training (VET) services.

Training related to town planning; strategic planning; financial management; corporate governance; risk management; and emergency management is also considered to be relevant.

Attendance and/or participation at conferences is also considered to be training where value to the Council, Shire and community can be demonstrated.

### Universal Councillor Training

The Local Government (Administration) Regulations 1996 (the Regulations) requires Councillors to complete a 'Council Member Essentials' course consisting of five modules. Certain exemptions, specified in the Regulations, apply.

Training must be completed by all Councillors following their election within 12 months of taking office. Non-compliance with the requirement to complete training is an offence under the Act punishable by a fine not exceeding \$5,000.

Once completed the compulsory training modules are valid for five years.

Councillors have an obligation to complete training in accordance with legislation.

The CEO will ensure that newly elected Councillors will be provided with information on training options from the approved training providers. Councillors will be able to select a training option to meet their learning style and availability.

Council will allocate funds in its annual budget for the completion of compulsory training. This allocation will be separate to the individual Councillor professional development funds budgeted annually (refer below).

### Continuing Professional Development

The Shire is committed to supporting continuing professional development of Councillors to the benefit of Council, the Shire and the community. Continuing professional development can include training and attendance at conferences in accordance with this policy. Training that exceeds the allocated budget amount may be approved by resolution of Council.

Each Councillor is to be allotted an annual professional development allocation of \$1500 (excluding GST) in each financial year.

Note this allocation doesn't include attendance at the annual Local Government Convention (WALGA). Elected Member attendance at the annual WALGA Convention is detailed in ADM 6 Conference Attendance and Training – Elected Members, Senior Management and Employees.

Related Policies	ADM6
Related Procedures/Documents	Nil

Delegated Level	Nil
Adopted	23 July 2022 – Resolution 22080
Reviewed	OM 16 November 2023





Policy Number:	ADM 25
Policy Type:	Administration Policy
Policy Name:	<b>Hardship</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

### **Policy Objective**

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

### **Policy Scope**

This policy applies to:

- Outstanding rates and service charges as at the date of adoption of this policy; and
- Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 will apply.

### **Policy Statement**

Payment difficulties, hardship and vulnerability.

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

#### Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income

- Unanticipated circumstances such as caring for and supporting extended family Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

#### Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Nannup of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

#### Interest Charges

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

#### Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property.

The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

#### Debt recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the Local Government Act 1995.

#### Review

We will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

#### Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at the ratepayer's request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegation Level	Manager Corporate Service
Adopted by Council:	23 July 2020 – Resolution 20082
Reviewed	OM 27 July 2023

Policy Number:	ADM 26
Policy Type:	Administration Policy
Policy Name:	<b>Mining Tenement Communication</b>
Policy Owner:	Chief Executive Officer

## OBJECTIVES

The objectives of this Policy are to:

Provide a clear direction on the communications the Shire will provide to impacted land owners in relation to correspondence the Shire receives for existing or new mining tenements.

## POLICY

### Public Communication

The Shire will display at the front counter and on the Shire's website, the details of the proposed tenement as provided by the Department of Mines, Industry Regulation and Safety, for the entirety of the submission period.

The Shire will write to individual land owners that fall within the tenement boundaries notifying them of the details as provided by the Department of Mines, Industry Regulation and Safety.

The Shire will not be responsible for the collation of feedback and will encourage land owners to make their individual submissions to the tenement proposal where applicable.

Related Policies:	Nil
Related Procedures/Documents:	Nil
Delegation Level:	Development Services Coordinator
Adopted:	28 July 2022 OCM
Reviewed:	OM 27 July 2023

## **BUILDING**

Policy Number:	BLD 1
Policy Type:	Building
Policy Name:	<b>Use/Hire of Community Facilities</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

### **POLICY**

Council will charge all hirers of its facilities as per its list of fees and charges which is reviewed annually in line with the budget.

Should a “not for profit” community group/organisation seek the waiving of any fees and charges imposed for use/hire of a community facility, an application in writing is to be submitted and presented to Council for consideration.

Council encourages the self-management of community buildings and will endeavour to provide adequate support to community groups who are eager to maintain and develop community buildings and facilities.

The tenure of local controlling committees with their buildings and/or land shall be by way of lease agreement, with each lease/agreement being endorsed by Council prior to the occupation of any premises. Council is to have regard to the individual circumstances of community groups when finalising any lease/agreement.

All facilities must be managed on a financially independent basis and fees, subscriptions, rentals, levies etc; must be sufficient to cover all operational outgoings which should include maintenance required as a result of normal wear and tear, as well as electricity, water and any other utilities.

Council reserves the right to provide annual operational grants to managing committees if such expenses are considered to be outside the resources of the organisation, is seen to be in the general interests of the community or is granted to assist an organisation in its establishment.

Council, upon receipt of Annual Financial Statements and Building Reports will consider budget allocations for expenses of a non-operational nature such as major repairs, additions or renovations in line with normal annual budget deliberations.

Council will undertake an inspection of all community buildings as part of its budget deliberations.

Council will not, at the expense of a community based not for profit group, enter into a lease/agreement with any organisation that is considered commercial in nature. If

Council does enter into a lease/agreement with an organisation that is considered commercial in nature, commercial arrangements and conditions are to be put in place.

Related Policies	HAB 2
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 17 December 1992
Reviewed	OM 27 July 2023

Policy Number:	BLD 2
Policy Type:	Building
Policy Name:	<b>Naming of Council Facilities</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## **OBJECTIVE**

The objective of this policy is to provide a framework for selecting and adopting new and replacement names for Council owned facilities including properties, buildings, memorials, and other physical structures, but excluding road infrastructure throughout the Shire of Nannup.

## **POLICY**

Council recognises that the names of infrastructure owned by Council can have significant influence on the development of an improved sense of community within the Shire. It is important that the community be part of the process by having an opportunity to contribute possible names for Shire infrastructure.

The naming of facilities, buildings and amenities under the control of the Council will be undertaken in a planned, coordinated and inclusive manner which represents and acknowledges the area's history, heritage and environment.

Principles of Naming Facilities:

When proposing names for facilities developed and owned by the Shire of Nannup, the following criteria will be taken into consideration:

- The locality of the development (eg – Carlotta)
- Any historical events associated with or near the site
- Indigenous and cultural heritage relevant to the site
- Pioneering families (family names only) associated with the immediate area
- Significant individuals who have contributed substantially to the community in a voluntary capacity
- Social or calendar events
- Community or corporate sponsorship

Procedure for Naming New Facilities:

Elected members and members of the community may submit, in writing, names for consideration by Council for new facilities or for the renaming of facilities including in their submission their reasons for their suggestion. Where the suggestion is to name a facility after a person who is no longer living, who has made a significant contribution



to the community, extensive background information on the person's voluntary contributions to the community is to be provided as part of the written submission.

Where a name or names are suggested other than a name relating to the locality or prime function of the facility, using the criteria above (Principles of Naming Facilities), The Chief Executive Officer shall cause a confidential report to be prepared on the proposed name(s) for Council consideration. Elected members shall select their preferred option by 1st past the post ballot. If no clear preference is decided on the 1st ballot, a second ballot shall be held with the two most popular choices from the first ballot, the only choices.

Where there is a request to rename an existing Council owned facility, in addition to the above criteria, the additional information is to be considered:

The historical reason for the original name,  
The public's acceptance and familiarity of the original name, and  
The costs associated with changing the name.

Consultation Process:

Following the completion of the above procedure Council will undertake community consultation on any proposed name. Consultation and background research will vary according to the nature of the nomination however should be generally in accordance with the following:

(i) Nominee is an individual -

Consultation shall occur in the first instance with the nominee or relevant family members to ascertain their support. If the nominee disapproves the naming process will not be pursued. If the nominee is deceased, then appropriate relatives or friends will be contacted asking if they approve of the request. If the relatives or friends do not approve, the naming process will not be pursued. If the nomination is approved in either case, then background research and community consultation is then to be conducted.

(ii) Nominee is a Community Group -

The community group will be asked if they approve of the nomination. If the nominated group disapproves the naming process will not be pursued. If the nomination is approved, then background research and community consultation is then to be conducted.

(iii) Nomination is an Historical, Social or Culturally Specific Name -

In the case of culturally specific names, consultation is to occur in the first instance with relevant cultural groups with any request for the use of indigenous names requiring the approval of the appropriate indigenous representatives. If the

nomination is approved, then background research and community consultation is then to be conducted.

(iv) Background Research -

Appropriate background research should be conducted regarding the level of community or Council service of the nominee and the significance of any historical, social, or culturally specific names proposed. The purpose of the research is to provide a rationale for the merit of the nomination.

(v) Community Consultation -

Where appropriate, community consultation will be conducted with relevant stakeholders. The stakeholders, method and level of consultation required will be determined by the Chief Executive Officer and will include as a minimum local public notice of the proposed name. The purpose of the consultation is to seek stakeholder feedback on the naming request. Council is to consider all comments received and may accept or reject in whole or in part any such comments received in respect of the proposed name.

Memorial in Recognition of Reason for Name:

Once Council has made a determination on the preferred name, the Chief Executive Officer will cause the commissioning of a memorial to be placed upon the facility by way of the placement/erection of a plaque consistent with the facility's size and location. Such plaques will record the person's initials and surname (including post nominals) and, subject to preference, use of a single first (or preferred) name and the date of the memorialisation. Where appropriate the extent or significance of the person's or group's contribution to the community will be notated.

Related Policies	HAB 5
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 24 April 2009
Reviewed	OM 27 July 2023

Policy Number	BLD 3
Policy Type	Building
Policy Name	<b>Kerb Bond</b>
Policy Owner	Chief Executive Officer
Authority	Shire of Nannup

## OBJECTIVE

To provide a mechanism for the recovery of any likely damage to roads, kerbing, footpaths and verges as a result of building works.

## STATEMENT

It is Council policy to require recipients of a building permit to lodge a bond to cover any likely damage that may be caused to Council's roads, kerbs, footpaths and verges during the time of construction. The bond will be lodged prior to the issue of a building permit.

Council will establish the amount of bond and include the same in its annual schedule of fees and charges. The amount of bond will be reviewed annually as part of the budget process.

Initial bond of;

\$1,000 - domestic singular building application

\$2,000 - multiple domestic building application

\$3,000 – commercial building application

Related Policies	HAB 6
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 23 August 2012
Reviewed	OM 27 July 2023

Policy Number:	BLD 4
Policy Type:	Health
Policy Name:	<b>Relocated Dwellings</b>
Policy Owner:	Chief Executive Officer

### **Authority**

Shire of Nannup  
Health (Asbestos) Regulations 1992  
Building Act 2011  
Health (Miscellaneous Provisions) Act 1911  
Building Regulations 2012  
Building Code of Australia

### **OBJECTIVES**

The objectives of the policy is to:  
Control the type of materials used and the standard of finish of relocatable/transportable buildings within the Shire of Nannup to ensure that they do not detract from the amenity of the surrounding buildings and/or properties.  
Ensure no hazardous materials are brought into the Shire of Nannup that are damaged as part of the relocation process and not remedied in accordance with the relevant legislation.

### **DEFINITIONS**

Nil

### **POLICY**

Re-sited dwellings within the local government area are subject to the following conditions as part of the building permit approval process:

The dwelling is to be inspected by a practicing Structural Engineer, who is to issue a full report to the satisfaction of the Building Surveyor stating that the proposed dwelling is in a sound condition, and can be transported and relocated. The report must also detail any defects in relation to cladding, roofing and any other repairs necessary to bring the house up to standard in accordance with this policy. The report is to be accompanied by photographs of each elevation of the house.

Dwellings clad with asbestos cement sheeting will be permitted, provided that the cladding is undamaged and the relocation complies with the Health (Asbestos) Regulations, 1992.

Building plans of the dwelling must be provided per the Building Regulations 2012 as part of the building permit application to the local government.

A building permit application is to be completed by the applicant and submitted to the local government to enable a building permit to be issued. The building permit fee must be paid prior to the house being relocated.

Dwelling relocation into the local government prior to a building permit being issued may result in prosecution with the offender being required to remove the dwelling and relocate it outside the local government boundary.

A septic tank application form or a notice of intent to connect to the Nannup infill sewerage scheme shall accompany each application.

Approved building permits will be void if the work covered by the license is not substantially commenced within 6 months of the date of issue of the license. The building must be completed to the satisfaction of the local government's Building Surveyor within 12 months of the date of issue of the building permit.

Note:

The local government can institute action under the Building Regulations 2012 and the Building Act 2011 if the building is not completed within the specified time. Non-compliance with any of the conditions imposed on the building permit will render the building incomplete.

All work carried out on the dwelling is to comply with the provisions of the Building Code of Australia and the Health (Miscellaneous Provisions) Act 1911.

All damage is to be repaired as below:

Any damaged sections of external cladding to be replaced by new full sheets (or boards of timber) to match existing.

Any damaged roofing sheets, gutters and ridge-caps are to be replaced with new roofing materials.

Any damaged or rusted gutters or downpipes are to be replaced with new materials.

Any damaged tiles are to be replaced with new tiles of the same colour and design of the existing tiles.

Second hand materials are not to be used without the prior approval of the DSC.

All external fixtures such as architraves, fascias, barge boards etc are to be replaced where necessary through damage incurred in transit, splitting rot or other reason to the satisfaction of the Building Surveyor.

Any broken glass in the dwelling is to be replaced with all windows and doors to open freely. Locks and catches are to be easily operable.

All ablution facilities are to be contained within the main structure. Wet area floors and walls are to be of concrete or other approved impervious material complying with the Building Code of Australia (BCA).

On completion, the dwelling is to be painted or otherwise treated to present a neat appearance to the satisfaction of the Building Surveyor.

The WC door is to open out, or be easily removable from outside in accordance with the BCA.

The kitchen stove is to be provided with an approved fume hood or an exhaust fan in accordance with the BCA

All electrical work is to be certified by a licensed electrician.

A suitable supply of potable water for all domestic purposes is to be provided.

The building is not to be occupied prior to final inspection being undertaken by the Building Surveyor.

Related Policies:	LPP 009 (Adopted 22/4/2010 Revoked 25/6/2015)
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Coordinator
Adopted:	OM 25 June 2015 #9218
Reviewed:	OM 27 July 2023

Policy Number:	BLD 5
Policy Type:	Building
Policy Name:	<b>Wood Encouragement Policy</b>
Policy Owner:	Chief Executive Officer

### Policy Objectives

To stimulate sustainable economic development within the Shire of Nannup timber and wood products industry and encourage value adding products within the timber industry;

To encourage the use of wood in the construction and fit out of Council buildings and infrastructure;

To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure;

To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure;

To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure;

To encourage the use of wood in demonstration projects across the municipality;

To align with opportunities for State and Federal funding;

To reinforce Council's preference for quality wood buildings in the development of briefs for projects;

To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

### Implementation

Council recognises the importance of the forest and wood products industry to both the Local Government Area and the broader region. Central to Council's commitment to job retention and creation is supporting significant local industry in order to secure jobs and leverage further investment.

Council will encourage the increased utilisation of wood in Council assets by:

1. Ensuring that all briefs for new Council projects incorporate the requirement to use wood as the preferred material for both construction and fit out purposes, where wood is deemed a suitable material for the proposed application;
2. Seeking those who can find, practical, efficient, versatile and cost-effective building and design solutions using wood when sourcing design and architectural expertise;
3. Ensuring that all comparisons to the cost of building with other materials will take into account all long-term and life cycle benefits of using wood;
4. Where possible, sourcing locally produced wood products for construction and fit out purposes;

5. Being a champion of the forest and wood products industry, by establishing this policy and demonstrating commitment to the further development of the local forest and wood products industry;
6. Actively seeking demonstration projects that showcase the use of wood within the local government area;
7. Actively working to attract new, innovative wood products manufacturers to the LGA.

In using wood as a preferred construction material for Council infrastructure, Council will have regard to:

1. The utilisation of wood products that meet the Australian Forest Standard, Program for the Endorsement of Forest Certification and/or Forest Stewardship Council certifications; maintenance required throughout the life of the project;
2. Pest and fungus protection; and
3. Using wood only when it is the right material for the selected application.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Development Services Coordinator
Adopted	OM 28 January 2016
Reviewed	OM 27 July 2023



## **BUSH FIRE CONTROL**

Policy Number:	BFC 1
Policy Type:	Bushfire Control
Policy Name:	<b>Brigade Administration</b>
Policy Owner:	Chief Executive Officer

### **POLICY**

The Bush Fire Advisory Committee is to meet on the first Monday in February, May, August and November of each year. This will allow ratification of recommendations by Council.

The August meeting shall be the Bush Fire Advisory Committee's Annual General Meeting.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Community Emergency Service Officer
Adopted	OM 9 September 1993
Reviewed	OM 27 July 2023

Policy Number:	BFC 2
Policy Type:	Bushfire Control
Policy Name:	<b>Roadside Burning</b>
Policy Owner:	Chief Executive Officer

## POLICY

That Council adopt the following policy regarding road-side burning:

1. Authority to allow road-side burning on Council controlled road reserves shall rest with the area Fire Control Officer and the Chief Executive Officer, jointly.
2. Initially, all requests for road-side burning should be directed to the area Bush Fire Control Officer for the issue of permits, where appropriate.
3. Fire Control Officers should then contact the Chief Executive Officer to obtain permission for the burn, and
4. All necessary safety precautions are to be taken, including the placing of warning signs either end of the burn.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Community Emergency Services Officer
Adopted	OM 9 June 1994
Reviewed	OM 27 July 2023

Policy Number:	BFC 3
Policy Type:	Bushfire Control
Policy Name:	<b>Bushfire Brigade Training</b>
Policy Owner:	Chief Executive Officer

## POLICY

The Council duty of care recognises the competencies contained in Department of Fire and Emergency Services (DFES) Introduction to Fire Fighting and Bushfire Fighting courses to be the desired minimum requirement for fire fighters on fire ground in the Shire of Nannup area.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Community Emergency Services Officer
Adopted	OM 27 February 1997
Reviewed	OM 27 July 2023

Policy Number:	BFC 4
Policy Type:	Bushfire Control
Policy Name:	<b>Maintenance of Equipment</b>
Policy Owner:	Chief Executive Officer

## PURPOSE

The purpose of this policy is to clearly define the responsibility for certain expenditures and activities associated with Brigade (Shire) firefighting equipment.

## POLICY

Fuel / Fire retardants:	Council, except when the Brigade is receiving payment for its service.
Licence :	Shire – ESL reclaimed from DFES
Insurance :	Shire – ESL reclaimed from DFES
Preventative Maintenance/Servicing :	Emergency Services Levy
Damage/Repairs (not covered by insurance) :	Council
Equipment loss :	50% Shire, 50% Brigade
General upkeep (weekly checks of Equipment, cleanliness of equipment) :	Brigade
Fire extinguisher inspection:	Shire
\	
ESL – Emergency Service Levy	

All other requests for financial assistance associated with equipment are to be submitted to the BFAC for a recommendation to Council.

Any variation to this policy will be by a recommendation from the BFAC to Council.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Community Emergency Services Officer
Adopted	OM 22 October 1998
Reviewed	OM 27 July 2023

Policy Number:	BFC 5
Policy Type:	Bushfire Control
Policy Name:	<b>Brigade Vehicles for Driver Training</b>
Policy Owner:	Chief Executive Officer

## OBJECTIVE

To facilitate the legal and competent use of large fire appliances by members of Council's volunteer bush fire organisation.

## POLICY

The Shire will permit firefighting units to be used for driver training and to allow Brigade Members to obtain their "HR" Class drivers licence subject to:

The person being a current active member of a Shire of Nannup Bush Fire Brigade.  
The cost of obtaining the learners permit and license be at the Brigade member's expense.

The driver being approved by the Brigade Executive to undertake the training.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Community Emergency Services Officer
Adopted	OM 25 February 1999
Reviewed	OM 27 July 2023

## **FINANCE**

Policy Number:	FNC 1
Policy Type:	Finance
Policy Name:	<b>Capitalisation of Fixed Assets</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

### **POLICY**

Fixed Assets shall be capitalised where their individual value equals or exceeds \$5,000 in accordance with [AASB 136](#).

Assets may also be capitalised where they can be easily grouped and where the total value of the assets so grouped exceeds \$5,000.

Where assets are so grouped a separate register of the numbers and value of the assets shall be kept exclusive of the Asset Register.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 26 May 1994
Reviewed	OM 27 July 2023

Policy Number:	FNC 2
Policy Type:	Finance
Policy Name:	<b>Depreciation Rates of Fixed Assets</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

Council's Fixed Assets are to be depreciated in accordance with the Australian Accounting Standards – AASB 13 and as shown at Note 1 of the Financial Statements.

The depreciable amount of all fixed assets including 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.

When an item of property, plant or equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

Reinstated proportionately with the change in the gross carrying amount of the asset so that the carrying amount of the asset after revaluation equals its revalued amount;  
or  
Eliminated against the gross carrying amount of the asset and the net amount reinstated to the revalued amount of the asset.

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

Asset Class	Depreciation Period	Application
Buildings	30 to 100 years	Straight line
Furniture	4 to 20 years	Straight line
Office Equipment	4 years	Straight line
Plant and Equipment	5 to 20 years	Straight line
Infrastructure Assets		
Clearing and Earthworks	Not depreciated	
Pavement	80 years	Straight line
Seal	34 to 43 years	Straight line
Kerb	50 years	Straight line
Drainage	100 years	Straight line
Parks & Gardens	50 years	Straight line
Footpaths	50 years	Straight line

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ significantly from that determined using fair value at the reporting date and at least every three years.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 26 May 1994
Reviewed	OM 27 July 2023



<b>Policy Number:</b>	FNC 3
<b>Policy Type:</b>	Finance
<b>Policy Name:</b>	<b>Community Group Grants and Donations</b>
<b>Policy Owner:</b>	Chief Executive Officer
<b>Authority:</b>	Shire of Nannup

## POLICY

1. Council will advertise submissions for community grants in the local newspaper twice a year. Round 1 is for projects completed between July and December with Round 2 for projects completed between January and June of each year.
2. A submission form with all the required details will be used in order that Council can arrive at an informed decision on the distribution of public funds. Responsibility will be placed on groups, where applicable, to provide an accurate financial status providing suitable documentation to ensure fair consideration of their submission by Council.
3. Budget allocations outside of the Community Group Grant program are not guaranteed. Such requests are to be made in writing, giving full details of the organisation concerned and the purpose for which the donation will be used. Council reserves the right to request any information necessary in order to arrive at a decision whether or not to provide a donation in any instance.
4. The Community Grant Guidelines stipulates the values supported by category.
5. Payment of Community Grants will be made twice a year for a funding pool of \$25,000 with an allocation given to Round 1 of \$15,000 and Round 2 of \$10,000. If applicable any surplus funds from Round 1 will be available for Round 2.

Related Policies	Nil
Related Procedures/Documents	Community Group Grants Guidelines Community Group Grants Application Form
Delegated Level	Chief Executive Officer
Adopted	OM 9 June 1994
Reviewed	OM 27 July 2023

Policy Number:	FNC 4
Policy Type:	Finance
Policy Name:	<b>Tourism Based Rural Properties – Rating Basis</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To provide guidelines to establish when the classification of a rural rateable location should change from traditional “rural”, to “rural GRV”; ie its use is predominantly tourism based.

## POLICY

As per the intent of S 6.28 of the Local Government Act 1995, where land is used predominantly for rural purposes, the property shall be valued based upon its unimproved value.

Where tourism development has occurred on a location to the extent that its use is predominantly non rural, the location shall be valued based upon its gross rental value.

The following should be taken into consideration when determining whether a location is being used for tourism related activities as opposed to rural:

When tourism related activity produces the majority of the income for a location, then this activity takes over as the “predominant use”.

The predominant use must be definable within a rateable lot or location.

Tourism based activities include Chalets, Lodging Houses, Guest Houses, Wineries, door sales of produce (eg marron, wine, cheese, craft, woodwork, etc), Restaurants, etc., or a combination of these.

As a guide, five or more chalets on a small rural property would indicate the predominant use has changed.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 25 February 1999
Reviewed	OM 27 July 2023

Policy Number:	FNC 5
Policy Type:	Finance
Policy Name:	<b>Rate Rebates for Pensioners</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

Rebates for eligible pensioners or seniors who reside on a property with a non-residential component will be applied to the minimum rate applicable to a residence in the town site, on the condition that State Treasury fully reimburses Council the total amount of the rebate applicable.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 20 December 2001
Reviewed	OM 27 July 2023

Policy Number:	FNC 6
Policy Type:	Finance
Policy Name:	<b>Acceptance of Grant Funding</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

Acceptance of grant funding by Council is to be in accordance with the following:

1. Any matching funding required of Council is to be included in the annual budget or by Council resolution.
2. The Chief Executive Officer is delegated authority to accept grants on behalf of Council up to a maximum amount of \$20,000 or for higher sums where budgetary provision for the grant or associated match funding already exists. In all remaining cases the Chief Executive Officer is delegated authority to accept the grant from the funding body but the grant may not be committed to projects until such time as a formal report has been presented to Council seeking endorsement of its application.
3. Where a grant is accepted on behalf of Council up to the delegated amount, an Information Report is to be provided to Council at the next available opportunity giving details of the grant accepted.
4. Where a grant is accepted on behalf of Council up to the delegated amount, the grant purpose is to be consistent with existing planning documents or direction of Council such as Council's adopted Forward Plan, budget or existing resolution of Council.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 26 February 2009
Reviewed	OM 27 July 2023

Policy Number:	FNC 7
Policy Type:	Finance
Policy Name:	<b>Investment Policy</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

### **Definition**

The Council defines its treasury management activities as the management of the Council's investments and cash flows, its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks.

## **OBJECTIVE**

The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation. Priority for investment decisions will be based on security and liquidity.

### Legislative Requirements

All investments are to be made in accordance with:

Local Government Act 1995 – Section 6.14

The Trustees Amendment Act 1962 –, re: Part III Investments (as amended 1997)

LG Financial Management Regulations (19, 28 and 49)

Australian Accounting Standards

### Management and Decision Making

The Chief Executive Officer, shall be responsible for the management of the Council's funds and for reporting to the Council on these affairs.

All executive decisions on borrowing, investment or financing shall be delegated to the Chief Executive Officer and the CEO may delegate the exercise of these powers to the: Manager Corporate Services

Or any other employee of the Shire through instrument(s) of delegation.

### Approved Organisations for Investment

Surplus funds may be invested in the following institutions:

- a) The Council's account holding bank
- b) authorized deposit taking institutions and the Western Australian Treasury Corporation.

All investments must be in Australian currency.

Funds must be invested in the following financial instruments:

authorized deposit taking institutions and the Western Australian Treasury Corporation for a term not exceeding 12 months

bonds that are guaranteed by the Commonwealth Government or a State or Territory for a term not exceeding three years

Where investments of greater duration than 12 months are desired, Council officers are to obtain independent financial advice from a Certified Financial Planner with regard to specific investment selection.

The maximum amount that may be invested with any one institution is \$4 million for deposits requiring less than 24 hours notice of withdrawal and \$2 million for all other deposits.

The Chief Executive Officer can authorise a transaction which exceeds the maximum investment limit with any one institution and must record the reason for any departure from the policy and report this to Council. In such cases the appropriate authorising signature should be recorded in a central register.

Related Policies:	Nil
Related Procedures/Documents:	Nil
Delegated Level:	Manager Corporate Services
Adopted:	OM 26 April 2012
Reviewed:	OM 27 July 2023

Policy Number:	FNC8
Policy Type:	Finance
Policy Name:	<b>Use of Council Credit Card/s</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **PURPOSE**

Corporate credit cards can deliver significant administrative benefits to the organisation and are regarded as a normal business operation and preferable to using cash for purchasing where Council orders are not accepted or for one off supplies.

The role of the CEO is to ensure that Council has in place proper accounting and reporting mechanisms for the use of Council issued credit cards.

## **POLICY**

A credit card shall only be issued by Council where there is a clear business case to support the use of the credit card in specified circumstances.

A business case to support the issue of a Council credit card shall be made in writing to the Chief Executive Officer who may approve or not approve this at his or her discretion.

The limit to be assigned shall be determined by the Chief Executive Officer at the time of the approval being given and will vary dependent upon business needs in each case.

Upon approval by the Chief Executive Officer an application form issued by the relevant financial institution shall be completed and forwarded to the Manager Corporate Services for advice to the Bank.

Council issued credit cards shall not be used to obtain cash advances.

Council issued credit cards may only be used for Council purposes. These purposes relate to business related transactions only. Council issued credit cards shall not be used for personal purchases. A tax invoice must be obtained for all business related transactions.

The Accounts division shall undertake monthly reconciliations and reviews of credit card purchases.

## RESPONSIBILITIES

These responsibilities should be read in conjunction with the policy provisions detailed above.

1. Holders of Council issued credit cards shall ensure a tax invoice is obtained for all transactions. This tax invoice must clearly state the goods and services obtained.
2. Council's Corporate Services Officer shall provide a copy of credit card statements to the relevant cardholder on a monthly basis.
3. Holders of Council issued credit cards shall retain relevant tax invoices to be matched and reconciled against the monthly statement and returned to the Administration/ Finance Officer, for authorisation within five working days of being issued with the credit card statement.
4. Council's Administration/Finance Officer shall undertake a monthly review and reconciliation of all credit card accounts. Any anomaly in these shall be notified to the Chief Executive Officer in writing immediately upon he becoming aware of such anomaly.
5. In the event of a Council issued credit card being lost or stolen the cardholder shall immediately notify the bank and the Chief Executive Officer.
6. The Chief Executive Officer shall maintain a list of credit card holders and credit card limits, which shall be reviewed on an annual basis.
7. Credit card holders shall return the Council issued credit card and relevant tax invoices to the Chief Executive Officer immediately upon cessation of employment or relevant position with Council.
8. Credit Card Holders shall not use for personal gain the benefits of any reward scheme (i.e Fly Buys) that is attached to the Council issued credit card.
9. If a credit card holder fails to comply with the requirements of this policy then the credit card may be withdrawn and further disciplinary action may follow.

Employees issued with a Council credit card shall sign a copy of this policy as acknowledgement of their agreement with this policy.

## PROCEDURE FOR AUTHORISATION OF PURCHASES:

The holder of a Council credit card shall reconcile the charges raised to the tax invoices held, provide an brief explanation as to the nature of the charges incurred and the appropriate cost allocation for such charge and then sign a statement to confirm that the charges raised were for business purposes.



The completed and reconciled statement and tax invoices are to be returned to Corporate Services within five working days.

The Corporate Services Officer shall, in the case of staff other than the CEO, submit the completed and reconciled statement to the CEO for review and authorisation.

The amount charged to credit cards is to be listed on the monthly list of accounts for submission to the Council and the original statement together with the tax invoices and signed copy of statements is to be filed and available for inspection by any Councillor and retained in Council's accounting records for audit purposes.

#### FORM FOR ACCEPTANCE OF CREDIT CARD CONDITIONS OF USE

I declare that I have read and have accepted the Council policy and procedures concerning the use of a Council credit card.

.....

Credit Card Holders Name

.....

Credit Card Holders Signature

Date.....

Related Policies	HAB 3 (Adopted 22/2/1993 Revoked 22/4/2010) HAB 3 (Adopted 22/3/2012 Revoked 25/6/2015)
Related Procedures/Documents	Nil
Delegated Level	Chief Executive Officer
Adopted	OM 28 January 2016
Reviewed	OM 27 July 2023

Policy Number:	FNC9
Policy Type:	Finance
Policy Name:	<b>Exemption from Waste Management Fee</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To clarify the application of the exemption from paying the Waste Avoidance and Resources Recovery Act 2007 (WARR) Waste Management fee (WMF).

## POLICY

A Waste Management fee, as adopted by Council annually, will be imposed on all rateable property assessments in accordance with Section 66 of the Waste Avoidance and Recovery Act 2007 to provide Council with the necessary resources to effectively deliver its waste services and strategically plan for the Shire's future waste management requirements.

The following variations will apply after application is made to Council in writing by land owners:

Town Site areas and other properties rated on a Gross Rental Value basis:

Where a land owner has multiple land holdings in the Shire of Nannup and those land holdings can be rated contiguously as per the Valuations of Land Act 1978, only one WMF will apply;

Where a land owner has multiple vacant land holdings in the Shire of Nannup, only one WMF will apply;

Where a land owner has multiple land holdings in the Shire of Nannup, inclusive of properties with improvements (approved structures) and vacant properties, the WMF will only apply to those properties with improvements and one vacant property inclusive.

Non Town Site areas rated on an Unimproved Value basis:

Where a land owner has multiple land holdings in the Shire of Nannup and those land holdings can be rated contiguously as per the Valuations of Land Act 1978, only one WMF will apply;

Where a land owner has multiple land holdings in the Shire of Nannup and the land holdings cannot be rated contiguously, the WMF will apply reflective on the number of habitable dwellings. The land owner upon application will be requested to complete a statutory declaration confirming this fact prior to the exemption being granted.

Note:

Exemptions will not be applied retrospectively;

Town Site areas are defined as per Section 26 of the Land Administration Act 1997.

The WMF exemption will only apply to land holdings with identical ownership as verified by a title search. It is the responsibility of the applicant to provide evidence of ownership at the time of application.

This Policy does not affect land owners/holdings with current exemptions until the subject property changes ownership.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 26 May 2016
Reviewed	OM 27 July 2023

Policy Number:	FNC 10
Policy Type:	Finance Policy
Policy Name:	<b>Fraud Management Policy</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## BACKGROUND

Fraud is defined as any intentional act committed to secure unlawful or unfair gain, whether in cash or in kind. Fraud has potential to occur within or outside of the organisation by Councillors, employees or third parties individually or in collusion with others.

Anti-fraud controls already exist in the organisation in many forms and the intent of the Fraud Management Policy is to capture organisation expectation in a consolidated policy.

Fraud may involve:

Misappropriation (theft) of wilful destruction (property, records etc.);  
 Loss of assets;  
 Unauthorised use of organisation assets;  
 Bribery and corruption;  
 Inappropriate relationships with third parties creating conflicts of interest;  
 Manipulation, falsification or alteration of records;  
 Suppression or omission of the effects or interactions from records;  
 Recording interactions without substance;  
 Deliberate misapplication of statutory requirements, policies and legitimate direction;  
 and  
 Disclosing confidential information to third parties without authority.

## Guidelines

The objectives of the organisation in relation fraud / misconduct area:

Assignment of a zero tolerance to fraud / misconduct;  
 Promotion of an open and transparent culture of communication;  
 Encouragement to report of suspected cases of fraud / misconduct; and  
 Spread awareness and educate on the risks faced by the organisation.

The Chief Executive Officer (CEO) and Manager Corporate Services shall be responsible for reviewing cases of suspected fraud / misconduct and where proven appropriate, criminal, statutory or other action as deemed appropriate ensuring the following:

- Recording all complaints received on suspected incidents of fraud / misconduct;
- Conduct reviews, inspections and investigations to identify details about the reported incident and clearly identify the perpetrator if possible;

- Make a determination on how to deal with the reported incident taking into account statutory requirements, organisation considerations and any other relevant matter;
- Refer the matter to relevant authorities if required and/or take appropriate disciplinary action;
- Take necessary steps to recover losses and/or misappropriated assets; and
- Report to Council as appropriate.

Related Policies	Nil
Related Procedures/Document	Nil
Delegated Level	Nil
Adopted	OM 25 January 2017
Reviewed	OM 27 July 2023

## **ENVIRONMENTAL HEALTH**

Policy Number:	HLT 1
Policy Type:	Health
Policy Name:	<b>Temporary Accommodation</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Government Act 1995 Health (Miscellaneous Provisions) Act 1911 Australia New Zealand Food Standards

### **POLICY**

For those people desiring to build in the Shire of Nannup the following conditions apply for the local government to approve temporary occupation of sheds or other dwellings while a permanent residence is being constructed.

Please note any violation of the following conditions may lead to the withdrawal of approval to occupy the temporary accommodation.

#### **Conditions Applicable To Temporary Accommodation**

The residence must be constructed to top plate height within 6 months of the issuing of the building permit.

The residence must be completed within 12 months of the issuing of the building permit.

Minimum health amenities to be provided for the Temporary Accommodation shall be:

A toilet, kitchen sink, laundry trough, bath and/or shower all supplied with hot and cold water.

All fixtures to be trapped and plumbing installed to flow into a 9 metre leach drain or a system approved by the local government Environmental Health Officer.

An inspection by the local government Environmental Health Officer must be made prior to occupancy of the Temporary Accommodation.

No approval for Temporary Accommodation will be granted for lots in the Nannup townsite.

Related Policies	HAB 3 (Adopted 22/2/1993 Revoked 22/4/2010) HAB 3 (Adopted 22/3/2012 Revoked 25/6/2015)
Related Procedures/Documents	Nil
Delegated Level	Environmental Health Officer

Adopted	OM 25 June 2015 #9218
Reviewed	OM 27 July 2023

Policy Number:	HLT 2
Policy Type:	Health
Policy Name:	<b>Mobile Shop/Temporary Premises/Street Stall</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Government Act 1995 Health (Miscellaneous Provisions) Act 1911 Australia New Zealand Food Standards

## OBJECTIVES

To regulate the operation of Mobile Shop/ Temporary Premises and Street Stalls to ensure that there is no disruption to local businesses and/or to pedestrian traffic.

To ensure a consistent approach to the operation of retail and wholesale premises.

## DEFINITIONS

Mobile Shop/Temporary  
Premises:

Retail or wholesale premises that is movable and operates from the road reserve or local government reserve and stops sufficient time only to affect a sale. It cannot remain stationary at any time to anticipate sales.

Stall:

Includes a mobile shop/temporary premises or stall that has been given local government approval to remain stationary in the Road Reserve, Reserve or private land for a period on not exceeding three days.

Market Day:

The fortnightly market in Warren and Brockman Street excluding special events (i.e Nannup's Music Festival, Garden Festival)

## POLICY

All persons intending to establish or operate any Mobile Shop/Temporary Premises, Street Stalls, either in conjunction with or independent of any Market Day, are required to make application to the local government for approval. This is additional to any other local government approvals for events and relates to the operation of the stalls and temporary premises.

Application is to be made on the application form “Conditions for approval for operating street stalls/temporary premises”. The person making the application is responsible and accountable for the operation of the stall/ temporary premises.

The local government has approved “Market Days” and on the Road Reserve in Warren Road and Brockman Street under the following conditions:

A nominated person is to be responsible for the “Market Day”.

The area is to be left free of litter, stalls, signs and equipment at the end of the trading day.

Recipients of donations from the stalls shall be bonafide charities, sporting associations or community groups.

Stall holders shall not locate outside business premises unless consent of that business has been received.

No stall shall obstruct the passage of pedestrian traffic, which may lead to pedestrians being forced to use the road instead of the footpath.

All stall holders are liable for the health and safety of the public and shall ensure that there are no “hazards” caused and are liable should their stall contribute to any incident.

Markets are permitted fortnightly and to operate only between the hours of 8am and 2pm.

Should the sale of food be considered, the document “Food Regulations 2009” is to be provided and standard conditions are to apply:

General Conditions: Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises.

General Conditions: Temporary Food Premises.

A copy of a current of their “Certificate of Registration” is to be provided from the local government that they have notified that they are selling food in accordance with the Food Act 2008 and Food Regulations 2009.

Before any approval is given the applicant is to:

Sight and sign the Shire of Nannup’s Standard Occupational Health and Safety Rules.  
Provide a copy of their public liability insurance.

Related Policies:	LPP 14 (Adopted 22/4/2010 Revoked 25/6/2015)
Related Procedures/ Documents	Application for a Mobile Shop/Temporary Premises/Street Stall



	<a href="#">HLT 2 Attachment 1.docx</a> Food Regulations 2009 <a href="#">HLT 2 Attachment 2.docx</a> Nannup's Standard Occupational Health and Safety Rules. <a href="#">HLT 2 Attachment 3.docx</a> General Conditions: Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises. <a href="#">HLT 2 Attachment 4.docx</a> General Conditions: Mobile Shops/Temporary Premises/Street Stalls. <a href="#">HLT 2 Attachment 5.docx</a>
Delegation Level:	Environmental Health Officer, Development Services Officer
Adopted:	OM 25 June 2015 #9218
Reviewed:	OM 27 July 2023

POLICY NO.	HLT 3
POLICY TYPE	Health
POLICY NAME	<b>Temporary Caravan Parks and Camping Grounds</b>
POLICY OWNER	Chief Executive Officer

### **Objective**

To clarify the requirements of the Caravan Parks and Camping Grounds Act 1995 and Regulations 1997, where a local government is empowered to approve a Temporary Facility (i.e. Caravan Park and/or Camping Ground).

### **Statement**

Clause 6 of the Caravan Parks and Camping Grounds Act 1995 requires that any person who operates a caravan park or camping ground (including a Temporary Facility) must be licensed. The Caravan Parks and Camping Grounds Regulations 1997 provide that a Local Government may issue a license for a Temporary Facility for a stipulated period under 12 months. Prior to giving this written approval the local government must be satisfied that the land is a suitable place for camping especially with respect to:-  
safety and health; and  
access to services

#### **Application for Temporary License**

Application for approval shall be made in the form prescribed in the Regulations, together with a site plan and prescribed application fee (minimum \$100.00). Full details of the toilet/ablution facilities for caravans/camps, vehicle roadways, provision of potable water, refuse collection and disposal, supervisory arrangements and any other information required by the local government, must be provided.

A licence for a Temporary Facility will stipulate the period/s of license and shall be issued for no more than one year prior to a license period.

#### **Minimum Standards/Conditions**

##### **Limit to Number of People on a Site**

No more than ten people are to camp on a site at any one time.

##### **Distances between Caravans, Camps, Buildings etc**

There is to be a least 3 metres between a caravan, annex or camp on a site and;  
a caravan, annexe or camp or any other site;  
any building on the facility; or  
an access road.

##### **Tent/Camping Sites**

A tent or camping site must have a minimum area of 25 square metres.

#### Access

Access to all caravan or camping sites shall be at least 6 metres wide.

#### Fire Prevention and Protection

The lot shall comply with the local government's Fire Break Order (or variations thereof).

There shall be an adequate volume of water on-site with appropriate appliances, or alternative arrangements for fire fighting purposes.

#### Ablution and Toilet Facilities

The number of showers, toilets and hand basins shall be as per the following table.

This table relates to a Nature-Based Park, which may be occupied for up to 3 consecutive nights. For occupation beyond 3 consecutive nights, the number of toilet/ablution fixtures will be derived from Schedule 7 of the Regulations.

No. of Sites	Toilets			No. of Showers (each sex)	No. of Hand Basins (each sex)
	Male		Female		
	No. of pedestals	mm of urinal trough	No. of pedestals		
1-10	1	0	1	1	1
11-17	1	600	1	1	1
18-20	2	600	2	1	1
21-25	2	600	2	2	2
26-34	2	1200	2	2	2
35-50	2	1200	3	2	2
51-75	3	1800	4	3	3
76-100	4	2400	5	4	4

In calculating the number of sites above, two camping sites are equal to one caravan site and for each 600mm or urinal trough, a toilet may be provided instead.

Caravans or Recreational Vehicles containing independent toilet and ablution fixtures, with sufficient fresh water and waste-water storage capability can be excluded from calculations based on the above table. However, such vehicles shall be generally accommodated in a dedicated area and the supervisor must record the vehicle type and registration number.

At least one hand basin must be provided in a toilet block for the use of each gender. Where the lot is used for no more than two consecutive nights per license period, the requirements for showers will not apply.

An adequate supply of running water must be provided for all ablution facilities.

### Rubbish

There is to be at least one rubbish bin with a capacity of not less than 80 litres for every five sites. Bins will be emptied as necessary to prevent overflow of refuse or a nuisance being created.

### Waste Water Disposal

Having regard for the temporary nature of the Facility, there shall be an adequate number of septic tank and leach drains servicing the ablution and toilet facilities as per the Health Department of Western Australia regulations.

### Supervision

The Temporary Caravan Park or Camping Ground will be provided with suitable on-site supervision. As a minimum, supervision must be provided when clients are booking-in and a phone help/contact number, which is accessible throughout the license period, must be posted for the notice of all patrons.

The supervisor must record the number of caravan and camping sites allocated and the number of vehicles with independent sanitary fixtures (see item 6 above).

### Exemptions

A rural lot may be used as a Caravan Park and Camping Ground without seeking the approval from the local government if the lot is used for no more than three consecutive nights and not more than ten nights per year.

A local government owned lot or land vested with the local government which is formally controlled by a community organisation may be used as a Caravan Park and Camping Ground without seeking the approval from the local government if the lot is used for no more than three consecutive nights and not more than ten nights per year.

.

These exemptions only apply on condition that the use of that land for a Caravan Park and Camping Ground is in compliance with the above minimum standards.

### Licence

Upon planning approval being given, a planning consent will be issued requiring the standards outlined in this policy and any other condition that the local government sees fit to impose shall be complied with prior to the grounds being occupied. The planning consent shall be regarded as the licence.

A licence for a Temporary Caravan Park and Camping Ground shall be applied for on an annual basis.

Related Policies:	LPP016 (Adopted 23/2/2012 Revoked 25/6/2015)
Related Procedures/	

Documents	
Delegation Level:	Environmental Health Officer, Development Services Coordinator
Adopted:	OM 25 June 2015 #9218
Reviewed:	OM 27 July 2023
Policy Number:	HLT 4
Policy Type:	Health
Policy Name:	<b>Bed &amp; Breakfast</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Government Act 1995 Health (Miscellaneous Provisions) Act 1911 Australia New Zealand Food Standards

## OBJECTIVES

This policy aims to facilitate the provision of high standards of Short Stay/Home Style accommodation in various locations to encourage tourism whilst maintaining the amenity of those locations for permanent residents.

## DEFINITIONS

Bed and Breakfast accommodation:

Means a dwelling, used by a resident of the dwelling, to provide accommodation for a maximum of six (6) persons away from their normal place of residence on a short-term basis and includes the provision of breakfast.

Note:

Where a premise accommodates more than six (6) persons exclusive of the family of the keeper, it shall be defined as a “lodging house” and is required to comply with the provisions of LPS No3, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws 2003.

## POLICY

Minimum Standards /conditions for Bed & Breakfast Accommodation:

Bedrooms

Maximum 3 guest bedrooms for guest purposes (maximum 6 adults).

No guest bedroom shall have openings to any other bedroom or facilities not for use of guests.

Rooms to be suitably furnished for number of guests approved by Council.

Rooms to be kept clean at all times and supplied with clean linen.

Rooms to be provided with lockable door.

### Bathrooms / WC

Bathrooms to be either shared facility for guest's only or private en-suite facility off bedrooms, or a combination of both.

Bathroom / WC to have impervious surfaces and shall be kept clean at all times.

Hot water shall be capable of being provided at all times.

Minimum facilities to include bath and /or shower, hand basin and WC.

Any shared bathroom and WC to be provided with lockable doors.

#### Note:

Upgrading of plumbing, including septic disposal system, may be required if existing domestic system is inadequate as determined by the local government's Environmental Health Officer.

### Kitchen

Kitchen to be kept clean and tidy at all times.

Floor areas to be smooth and impervious.

Suitable facilities for the hygienic preparation, storage and cooking of food shall be provided.

Preparation of breakfast to be the responsibility of domestic residents and self-service cooking by guests is not permitted. The preparation of tea and coffee and like by guests is permitted.

### General Issues and Requirements:

Bed and Breakfast accommodation shall not consist of self-contained rooms, however ensuite and bathroom facilities may be provided within each room. Access to communal laundry, bathrooms and breakfast eating areas should also be catered for within the building.

### Annual Inspection:

The local government's Environmental Health Officer shall conduct inspections of Bed & Breakfast premises at least on an Annual Basis.

Related Policies:	LPP 4 Bed & Breakfast
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Officer
Adopted:	OM 25 June 2015 #9218
Reviewed:	OM 27 July 2023

Policy Number:	HLT5
Policy Type:	Health Policy
Policy Name:	<b>Events</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

### Introduction

This Policy will be used to manage the application and approval process of all types of events conducted in the Shire of Nannup.

The Shire of Nannup will assess applications for the conduct of events in accordance with legislative requirements.

### **Objectives**

The objectives of the Policy are:

To set standards for the conduct of events within the Shire of Nannup.

To require the organisers to submit details for events and demonstrate compliance with all regulatory requirements and standards to ensure an enjoyable and safe environment is available for patrons.

To ensure events are sited and conducted to minimise any adverse impacts on the amenity of the area and nearby land or roads.

### **Definitions**

For the purpose of this policy the following definitions apply:

“Event(s)” are any organised gathering of more than 200 people within the Shire of Nannup on private or public land, either indoor or outdoor by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes.

“Event Application Form” (Attachment 1) is required to be completed for any proposed event. Form requests details of size, nature, date, time, purpose, activities and facilities in relation to the event.

“Event Applicant” means the person, company or organisation, excluding Shire of Nannup managed events, who is responsible for organising an event and who makes application to the Shire of Nannup for approval to stage an event.

“Public Place” means any street, way or place including but not limited to community reserves, facilities, halls or public open space.

“Shire of Nannup Facility or Reserve” means any property owned by the Shire of Nannup and includes buildings, recreation centres, community centres, halls and reserves (passive and active).

“Reserve Area” means a designated reserve area within the shire utilised for recreational or community purposes/groups, sporting bodies etc.

#### Assessment Criteria

If one or more approvals are required from the following list then the event requires formal Shire of Nannup approval:

##### Environmental Health Services:

- Preparation or sale of food to the public;
- Erection of tents, marquees, stages and other structures for public use;
- If the event proposed exceeds any established accommodation numbers or differs in nature to any approvals already in place in accordance with the Health Act and associated Regulations and the current Shire of Nannup Local Planning Scheme 3;
- Any noise being created including music, use of amplified equipment, extraordinary vehicle noise;
- Supply or installation of electrical equipment including generators, cabling, extension cords switches, fuses;
- Risk management process for events attracting more than 5000 people;
- Signage for the event is proposed to be erected;
- Sale or consumption of alcohol;
- Additional parking areas will be required;
- Additional toilet facilities will be required;
- Crowd control or security may be an issue;
- First aid may need to be considered; and
- Amusement structures will be used.
- Patrons will pay an entry fee.

##### Community Infrastructure:

- Event involves use of a road for any purpose including temporary road closure or suspension of Road Traffic Act / Regulations;
- Event affects the flow of traffic on any road for any reason;
- Hire of the Shire of Nannup refuse receptacles; and
- Fireworks are proposed.

Formal event approval is not required if the application is only a request for:

Hire of Shire of Nannup reserve area or equipment. This however would require the completion of a Facility Hire Form for each occasion.



This policy does not cover:

Events to be held at:

Educational premises including primary, secondary and tertiary centres,  
Religious centres including churches and worship centres;  
A birthday party, anniversary, funeral, private picnic, weddings and ANZAC Day ceremonies.

An event approval is not required providing there is no variation from the following existing approvals:

Conditions associated with a Planning Consent under the Shire of Nannup Local Planning Scheme 3.

Approvals as required in accordance with the Health (Miscellaneous Provisions) Act 2016 and associated Regulations. However if the event proposed exceeds any established accommodation numbers or differs in nature to any approvals already in place then an event approval is required and the requirements of this Policy apply.

#### Event Application Process

Applicants are required to complete the Event Package (attachment 1) which consists of the following:

Event Application Form;

Event Checklist which is to be read in conjunction with the Event Information to Applicants to identify approvals and forms as required for the event;

Event Site Plan; and

Complete all relevant Forms included in the Event Application Package and obtain any other approvals as required.

The completed Event Application Form, Event Checklist, Site plan and any additional Forms or details of other approvals must be submitted to the Shire of Nannup a minimum of six (6) weeks prior to the proposed date of the event. The form must be signed by the Authorised Officer.

All sections of the Event Application Form and Event Checklist must be completed in order for the application to be eligible for assessment.

The applicant must submit a risk management plan that complies with the requirements of AS4360 if the event participation is for greater than 5000 people. The Shire may request a Risk Management plan for any event if the risks are deemed to be significant.

The Shire of Nannup may request any additional information to be supplied by applicants in order to ensure comprehensive assessment of the application.

The applicant must ensure any appropriate forms are completed and submitted with the event application.

#### Assessment of Applications

The following issues will be considered by the Shire of Nannup in the assessment and approval process of event applications:

The nature, size and suitability of the event in relation to the venue requested (including the presence of alcohol) and the likely impact of the event on the facility;  
The amenity of the event;  
The ability of the facility to accommodate the event at the proposed time (taking into account open space);  
The likely impact on residents as a result of the event (including noise, dust, excessive light, or other adverse effects perceptible outside the venue);  
The availability of the venue at the required time(s) and on the required day(s);  
The period of time for which the event will operate and the proposed times of operation;  
Conflict or potential conflict with other events in that location or a surrounding location;  
The estimated number of participants associated with the special event in relation to the carrying capacity of the facility;  
The benefits to the Nannup community;  
Reputation of the operator; and  
Any other factors that may be considered necessary in relation to a particular event.

#### Fees for Event Approval

All events will attract an application fee in accordance with the Shire of Nannup Schedule of Fees and Charges.  
The applicant will be advised of any additional fees and charges upon event approval. These must be paid at least 7 days prior to the event.  
Refund of fees will only be considered in the event of a cancellation notice being received at least 7 days prior to the event date and may attract an administration fee.

#### Bonds for Events

Additional Bonds may be requested for events in accordance with Council direction and/or the Shire of Nannup Schedule of Fees and Charges.

Related Policies	Nil
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Related Procedures/Documents	Attachment 1: Event Application form
Delegated Level	Economic and Community Development Coordinator
Adopted	OM 25 January 2017
Reviewed	OM 27 July 2023

## **PERSONNEL**

Policy Number:	PSN 1
Policy Type:	Personnel
Policy Name:	<b>Superannuation</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## **POLICY**

Council will pay the following rates of superannuation to eligible employees:

NATIONAL SUPERANNUATION SCHEME	EMPLOYEE CONTRIBUTION	COUNCIL CONTRIBUTION
Per Legislation	2.5%	2.5%
Per Legislation	3%	3%
Per Legislation	4%	4%
Per Legislation	5%	5%

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 9 September 1993
Reviewed	OM 27 July 2023

Policy Number:	PSN 2
Policy Type:	Personnel
Policy Name:	<b>Service Pay</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## **POLICY**

That Council will grant service pay to wages employees (outside staff) at the following rates:

After three years service, \$10.00/week.

After five years service, \$15.00/week.

After seven years service, \$20.00/week.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 27 July 1995
Reviewed	OM 27 July 2023

Policy Number:	PSN 3
Policy Type:	Personnel
Policy Name:	<b>Study Leave</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## POLICY

Council has allowed up to 50% of tuition time as paid study leave.  
A maximum of 2 days paid study leave per course subject is permitted.  
A maximum of 8 days paid study leave is permitted during any calendar year.

### Intensive Study Course

Leave may be granted for up to 4 days per course for staff to attend an approved intensive course of study. Any leave so granted shall be split into equal portions of paid study leave, and accrued staff leave (ie Annual Recreation Leave, Rostered Days Off, etc.)

### Correspondence

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved correspondence course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the officer's own time.

Approval for paid study leave will only be granted if the time away from the workplace does not adversely affect the normal operations of Council.

The authority to approve the granting of study leave shall be delegated to the Chief Executive Officer.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 28 September 1995
Reviewed	OM 27 July 2023

Policy Number:	PSN 4
Policy Type:	Personnel
Policy Name:	<b>Inside Staff Uniforms</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## OBJECTIVE

The purpose of the Policy is to assist Council in projecting a professional image and promote a feeling of team membership amongst staff.

## POLICY

1. The official uniform for Council's office staff can be sourced from any Local Government preferred supplier.
2. The official uniform shall include suitable name badges which will be supplied by Council.
3. The wardrobe may be worn in conjunction with personal clothing provided that the personal clothing is deemed suitable and appropriate dress for an office situation. Any dispute on this matter is to be referred to the Chief Executive Officer who will make a determination on suitability.
4. The wardrobe must only be worn whilst on official duty, including travel to and from work.
5. Council will contribute to existing and new office staff a once only amount to a maximum of \$500 or 50% (whichever is the lesser) towards the initial purchase cost of the official uniform;
6. Council will make a further annual contribution to a maximum of \$250 or 50% (whichever is the lesser) for the purchase cost of additional uniform items. This contribution will be made on an annual basis and will not become available until the anniversary of Council's previous contribution towards uniform items for individual office staff members;
7. Council will contribute towards the cost of part-time office employees in proportion to the average hours worked by that employee.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services

Adopted	OM 23 June 1994
Reviewed	OM 27 July 2023



Policy Number:	PSN 6
Policy Type:	Personnel
Policy Name:	<b>Employee Gratuity Payments</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

## OBJECTIVE

To reward and acknowledge valued employees following their retirement, resignation or death.

To meet the statutory requirements of Section 5.50 of the Local Government Act 1995.

## POLICY

Council will consider the payment of gratuity to any employee leaving the service of the Council and who is regarded by Council to have been a loyal and productive servant. In considering this matter, Council will give particular regard to:

- the employee's history and length of employment with the Council.
- the employee's sick leave record, and
- the employee's personal contribution to the progress of Council's objectives and community well-being.

Council, after taking into account the above criteria, may agree to the awarding of the following gratuity:

- a maximum payment to the employee not exceeding 1 year's salary, or
- a payment based on unused sick leave entitlements.

Council may make a payment to a retiring employee that exceeds this policy amount however, before such payment is made, local public notice is to be given in relation to the payment to be made in accordance with Section 5.50 (2) of the Local Government Act 1995.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Nil
Adopted	OM 22 April 1999
Reviewed	OM 27 July 2023

## **PLANNING**

Policy Number:	LPP 001
Policy Type:	Local Planning Policy
Policy Name:	<b>Cut &amp; Fill and Retaining Wall</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3

### **INTRODUCTION**

The natural topography of the Shire of Nannup provides a number of challenges to land owners and developers, in particular finding level building sites in some areas. To create these level sites, cut and fill techniques are often used along with the development of retaining walls.

This is more easily addressed at the subdivision stage where the systematic development of retaining walls can be addressed for the whole of the land. More problematic is where individual landowners seek to establish retaining walls and the impacts unregulated designs and finishes will have on immediate neighbours and the locality as a whole.

It is becoming increasingly apparent that the management of these forms of development has not been sufficient.

This policy has been formulated to provide a set of guiding principles for landowners, developers and the local government in respect to where 'cut and fill' of residential land in the local government is sought and specifically, where retaining walls and the like are sought.

### **OBJECTIVES**

The principal objectives of this Policy are:

- To preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes which may be more suitable to other construction techniques (i.e. pole homes, stump system, retaining walls.)
- To ensure that at subdivision stage, an assessment is undertaken as to the likely need for cut and fill and/or the development of retaining walls based on the slope of the land, lot size and vegetation cover prior to clearance of Western Australian Planning Commission (WAPC) subdivision conditions.
- To ensure that where individual landowners seek to undertake cut and fill and/or the development of retaining walls on boundaries, the assessment provided in this Local Planning Policy is undertaken.

## DEFINITIONS

“Terrace” – for the purpose of this policy a “terrace” is a series of flat platforms (or steps) on the side of a hill, rising one above the other. The base of the terrace is taken to be the bottom of the lowest step with the top being the highest point of the highest step.

“Topsoil” - for the purpose of this policy “topsoil” is taken to be the soil zone containing decomposed organic matter and seed source, generally not to exceed 150mm in depth.

“Unprotected Embankment” – for the purpose of this policy an “unprotected embankment” is taken to be the face area of a section of fill that is not subject to retaining or other forms of stabilisation.

Other definitions as set out in the Scheme or in the R Codes.

### Application of this Policy

The Policy applies throughout the district. The Policy has a particular focus on residential areas where cut and fill are proposed and which will result in the construction of retaining walls. The Policy also provides guidance to the local government’s decision-making where development requires the local government’s discretion under the ‘design principles’ of the Residential Design Codes of Western Australia (R Codes).

### Links to Local Planning Scheme and other documents

This Policy should be read in conjunction with all Shire of Nannup policies and the Shire of Nannup Local Planning Scheme No.3 (as amended).

The R Codes outline ‘deemed-to-comply’ provisions. Where there is an inconsistency between this Policy and the ‘deemed-to-comply’ provisions of the R Codes, then the R Codes prevail to the extent of such inconsistency.

For land subject to the R Codes, the development is exempt from the need to obtain development approval where:

- development complies with ‘deemed-to-comply’ provisions of the R Codes or any variations to the R Codes permitted by the Scheme; and
- the site is not on the Heritage List; and
- the site is outside of the Heritage Area, Flood Risk Land Special Control Area and Landscape Values Area as shown on the Scheme maps.

## **POLICY**

In assessing a proposal the local government shall consider the following:

Where the local government suspects that unstable soil and site conditions occur, or the slope is greater than 1:5, the local government will require a geotechnical report and a structural engineer's report to determine building construction requirements.

No land over 1:4 slope prior to grading shall be developed using cut & fill construction techniques, except at the specific discretion of the local government and where it can be shown that a minimum amount of development is in the spirit and not incompatible with the objectives of this policy.

The specific policy requirements that apply to all land within Local Planning Scheme No. 3 as set out below:

- Access tracks are to be located in such a manner as to minimise the required earthworks.
- All exposed earthworks will be required to be landscaped in accordance with an approved landscaping plan.
- Topsoil is to be stripped separately and stockpiled on site, to be respread during landscaping.
- Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.
- Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. Consolidated in even lifts, not exceeding 600mm, to produce a density which will resist seven blows per 300mm of standard 16mm diameter penetrometer. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.
- Fill is not to exceed 1.5m at any given point on the site and the top level of the fill is not to exceed 2.4m from the base of the fill.
- Subject to site conditions and context, the local government will have regard to this Policy in providing its comments and recommendations to the WAPC on subdivision applications. It is highlighted that the WAPC is the final decision maker in relation to subdivision.

### **Retaining wall requirements**

Unless otherwise provided for within this policy, retaining walls will be required where cut or fill is equal to, or in excess, of 0.9 metre.

A retaining wall is not to exceed 2.4m in height (measured from the base of the wall).

Where it is proposed to terrace a portion of a lot the policy provisions set out above apply in so far that where a step is in excess of 1m retaining will be required and the top level of the terrace is not to exceed 3.0m from the base of the terrace.

Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks (note Attachment 1). Such embankments are to be landscaped in accordance with an approved landscaping plan.

Land owners and developers should note their 'Health and Safety' responsibilities with regards to retaining walls during construction and on completion. Provision for safety fencing in accordance with the BCA P2.5.2 – Barriers.

## Application Details

### Subdivision and Development

Where as part of the overall subdivision and development of land, any permanent excavation with a slope steeper than the angle of repose or natural slope of the soil shall have retaining walls of masonry or other materials approved by the local government of sufficient strength and stability to retain the embankment together with any surcharged loads.

Design of the retaining structure is to be by a practising Civil or Structural Engineer with certified engineering drawings to be submitted to the local government for approval.

Information to be supplied with the engineering assessment will include but not be limited to the following:

- a site plan showing the main topographical features of the site including slope;
- contours, sub-catchments, flow paths and drainage lines;
- flood risk;
- surface water and groundwater;
- vegetation;
- dams and water courses;
- rock outcrops;
- soil type,
- fences
- buildings;
- level of top of sand pad/fill;
- finish floor level;
- cut and fill section showing sub soil drainage and cut off drains;
- cut and fill section (of greatest cut and fill) showing method of retention;
- landscaping plan (if required);
- design and construction details of any retaining walls (if required) which shall be prepared by a suitably qualified structural engineer; and
- other details required elsewhere within this Local Planning Policy.

The local government will determine the type and colour of materials to be used forming the retaining wall. In considering the type and colour of materials, the local government may require the subdivider to undertake a visual assessment to the requirements of the local government. In addition, any brick or block work undertaken will be required to have a 'clean' finish to the adjoining lot.

#### Individual Lots

Where any permanent excavation with a slope steeper than the angle of repose or natural slope of the soil shall have retaining walls of masonry or other materials approved by the local government of sufficient strength and stability to retain the embankment together with any surcharged loads.

Design of the retaining structure by a practising Civil or Structural Engineer will be required and shall be submitted to the local government for approval prior approval of a Building Permit.

Information to be supplied with the engineering assessment will include but not be limited to the following:

contours of site;

- level of top of sand pad/fill;
- finish floor level;
- cut and fill section showing sub soil drainage and cut off drains;
- cut and fill section (of greatest cut and fill) showing method of retention;
- drainage, site run-off (minor and major events);
- flood risk;
- surface water and groundwater;
- landscaping plan (if required);
- design and construction details of any retaining walls (if required) which shall be prepared by a suitably qualified structural engineer;
- provisions of the Residential Design Codes; and
- other details required elsewhere within this Local Planning Policy

Where a retaining wall in the Residential zone is proposed on a boundary, a Licensed Surveyor must be employed by the landowner to set out the boundaries prior to the commencement of any works. In this regard, the requirement for a Licensed Surveyor will be included as a condition of Building Permit.

The local government will determine the type and colour of materials to be used forming the retaining wall. Generally, the type of retaining wall structure will be of 'earth' tones. The local government will consider oxide-tinted concrete blocks in areas that are not visible from the street.

In relation to the development of land forming the 'Askino' subdivision, retaining walls will be in accordance with the endorsed Development Guide Plan as included in

Attachment 2 and ensure that the buildings are in 'earthy tones' and not limestone in colour. Examples of colours that are acceptable include Dulux®:

Latte;  
Ground Coriander;  
Stucco Tan; and  
Nubuck;

as per the colour chart included as Attachment 3.

Other colours may be also be acceptable and in this regard, it is recommended to liaise with the local government.

\* Dulux® is a Registered Trademark

In addition, any brick or block work undertaken will be required to have a 'clean' finish to the adjoining lot.

As part of the assessment process, consultation is usually required. The local government may require applicants to supply written support from adjoining landowners specifically implicated by the proposed retaining wall. Where written comments are not able to be obtained by the applicant, staff will provide written advice to adjoining landowners and community groups (at the applicants cost) of the proposed construction and invite them to submit comments to the local government.

If an adjoining landowner or community group does not respond within the time provided (generally 14 days), the local government will consider the application on the basis that the landowner has not exercised their opportunity to comment.

Where objections are received the submission(s) will be reviewed and considered in light of the applications relevance against the Local Planning Scheme No. 3, the R Codes and the provisions of this Policy.

Related Policies	Nil
Related Procedures/Documents	Building Codes of Australia Table 3.1.1.1 <a href="#">LPP001 Attachment1.docx</a> Subdivision Guide Plan Lot 23 Brockman Highway – P0486-01(SGP) dated July 2006. <a href="#">LPP001 Attachment 2.docx</a> Dulux® colour chart <a href="#">LPP001 Attachment 3.pdf</a> Decision process of stormwater management in Western Australia (DoW 2009) Stormwater management manual for Western Australia (DoW 2007-2009)
Delegated Level	Development Services Coordinator, Building Surveyor

Adopted	OM 22 April 2010 # 8157
Reviewed	OM 27 July 2023



Policy Number:	LPP 002
Policy Type:	Local Planning Policy
Policy Name:	<b>Private Stormwater Drainage Connections to Council's Stormwater Drains</b>
Policy Owner:	Chief Executive Officer
Authority:	Planning and Development Act 2005 Local Government Act 1995 Schedule 9.1.7 Shire of Nannup Local Planning Scheme No.3

## OBJECTIVE

To provide a control system for the installation of private drainage connections, within town sites, to the local government's drainage pipelines, at a cost to the applicant.

To minimise maintenance issues with townsite drainage systems caused by private connections, to ensure that kerbs and pipelines are not damaged by unqualified and inexperienced installers and to provide a uniformed standard.

## DEFINITIONS

Townsite:

Includes the subdivision of the "Askino Estate" along with other urban, residential and associated subdivision/development near the Nannup townsite.

## POLICY

All land owners can apply to the local government to connect their private stormwater drainage into any available local government drainage system on a street/road reserve or a drainage reserve or easement, but must make application and copy with the local government's specifications.

All applications are to be accompanied with a refundable bond as set out in the Council's adopted Fees and Charges to ensure the approved work is in accordance with the approved plans and specifications. With new houses this will form part of the building permit process.

Drainage connections may be to an inlet pit/well liner or pipeline in the street verge. They may also be made to an open 'Vee' drain or to a properly shaped gap in the kerb line. Connections can also be made to a drainage reserve or easement through private property provided the requisite approvals are acquired.

Any drainage pipe connecting from private property into a public local government controlled piped drainage system will require the installation of a manhole/silt trap to be situated and built within the private property prior to connection into the local government's system, to stop any silt or debris from entering the pipeline system.

All maintenance of the silt trap is the landowner's responsibility and the local government will not accept any liability for any damage or failure of the silt trap.

There are various other services on the road reserve, e.g. power, water supply, sewer, telephone cables etc. Whoever installs the private drainage connection is totally responsible for checking the location of these services and for any liability if damage is done to them.

The local government is not responsible for damage done to private drainage pipes on street verges by other groups, individuals or service authorities.

If the drainage plumber or builder declines to make good any lack in meeting the local government's requirements, then the local government shall retain the bond and use its own staff to complete the works.

The local government shall allow a private drain pipe connection to be cut into the existing kerbing of a street to allow the water to drain down the kerb face if the pipe is of a small diameter (approximately 90mm) and the connection makes use of a standard commercial shaped drainage fitting to match the kerb profile.

The local government will generally require that new drainage pipes, proposed to be created through new lots, are protected by an easement.

Related Policies	LPP 013 Car Parking and Vehicular Access
Related Procedures/Documents	Shire of Nannup Stormwater Management Procedure <a href="#">LPP002 Attachment 1.docx</a> Decision process of stormwater management in Western Australia (DoW 2009) Stormwater management manual for Western Australia (DoW 2007-2009)
Delegation Level	Manager Infrastructure, Development Services Coordinator
Adopted	OM 22 April 2010
Reviewed	OM 27 July 2023

Policy Number:	LPP 3
Policy Type:	Local Planning Policy
Policy Name:	<b>Sea Containers</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 3

## POLICY BASIS

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the *Shire of Nannup Local Planning Scheme No. 3* (LPS3).

## OBJECTIVES

The objectives of this Policy are to:

1. Regulate the use of sea containers within the Shire of Nannup so as to ensure that they do not detract from the amenity of the area.
2. Allow for temporary controlled use of sea containers for storage and during building construction.
3. Outline Council's development standards in regard to the location and use of sea containers within the municipality.
4. Provide increased certainty for landowners, the community and others and to assist in providing greater consistency in decision making by the local government.

## DEFINITIONS

In this Policy, the following definitions apply:

**Dwelling** - as defined in the *Residential Design Codes of Western Australia*, is a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

**R Codes** - the *Residential Design Codes of Western Australia*, adopted by the Western Australian Planning Commission including any updates.

**Sea Container** - is a metal transportable structure designed for the storage and transport of goods from one location to another by road and sea, but can be used generally in five different ways:

- a) Road and sea transport: Used by transport and shipping companies to transport and store goods or are temporary used for storage on private or public property.
- b) Temporary storage of materials on a building site.
- c) Conversion to a building for commercial uses, for example as a kiosk.

- d) Conversion to a building for personal or commercial storage on a property.
- e) Conversion to a habitable building complying with LPS3, *Building Code of Australia*, *Public Health Act 2016* and *Health (Miscellaneous Provisions) Act 1911* requirements.

**Temporary storage** - is outlined in sections 2 and 3. The sea container used for temporary storage is not connected to power or 'powered up'.

**Vacant lot** - is a lot or property upon which no dwelling is constructed and includes a lot created pursuant to the *Strata Titles Act 1985* (as amended).

All other terms within this Policy shall have the same meaning given under the provisions of LPS3 or the 'deemed provisions' in the Regulations.

### Application of the Policy

This Policy applies throughout the municipality.

### Links to Local Planning Scheme and Other Documents

This Policy relates to various requirements set out in LPS3, the R Codes and is also guided by the *Building Act 2011*, *Building Regulations 2012* and the *Building Code of Australia*. Where there is an inconsistency between this Policy and the R Codes, then this Policy prevails to the extent of such inconsistency. Where there is an inconsistency between this Policy and LPS3, then LPS3 prevails to the extent of such inconsistency.

## **POLICY PROVISIONS**

### 1. General

The Policy does not address the placement of transportable dwellings, relocated dwellings, railway carriages, or transportable offices, or the type of building commonly referred to as 'dongas'.

A sea container is not deemed to be an outbuilding or minor structure exempted from Development Approval of the local government under the Regulations or LPS3.

Other than proposals set out in sections 2 and 3 of this Policy, a Development Application is required to be submitted to the local government with associated development approval and a Building Permit gained prior to siting a sea container on a property.

### 2. Road and sea transport - temporary storage

No development approval or Building Permit is required for temporary storage of one (1) sea container on a lot in all zones for up to three (3) months. This is subject to the sea container not being located within the front boundary setback area, in areas

designated for car parking or landscaping and is not connected to power or powered up.

Multiple sea containers can be located on lots zoned Industry, Agriculture, Agriculture Priority 1 and Agriculture Priority 2 zones for up to 3 months, without a requirement for development approval or a Building Permit, provided the sea containers are not located within the front boundary setback area, or in areas designated for car parking or landscaping. Subject to the intended use, such as a transport depot, the overall development may however require development approval.

Sea containers must be stored in neat rows (not stacked) and shall be screened by landscaping, fencing or other means acceptable to the local government, to ensure that storage areas are not exposed to view from nearby roads or other public places.

Should the sea container be connected to power or be powered up, the local government will require a Development Application for the temporary sea container.

### 3. Temporary storage of materials on a building site

In all zones, a sea container may be placed temporarily on a property to store building materials while construction of an approved dwelling, approved commercial building, or other approved building is being carried out on the property, without requiring development approval or a Building Permit.

A sea container must not, however, be placed on the property prior to the issue of a Building Permit for the dwelling, approved commercial building or other approved building. The sea container must be removed immediately upon completion of construction of the approved building or the expiry of the Building Permit.

Should the sea container be connected to power or be powered up, the local government will require a Development Application for the temporary sea container.

### 4. Conversion to a building for personal or commercial storage

Proposals to permanently place a sea container on a property zoned Residential or Special Residential are generally discouraged as they can impact local amenity. Where a Development Application is received, to permanently place a sea container on a property zoned Residential or Special Residential, the local government may invite comments from neighbours, prior to determining the Development Application.

The local government does not favour permanent sea containers within a Heritage Area or within a Landscape Values Area unless it is effectively screened from main roads or key tourist routes.

The local government will consider Development Applications on their merits in other zones.

A Development Application proposing conversion to a building for personal or commercial storage on a property is required to address the following:

- a) The sea container not being used for habitable purposes.
- b) The sea container is screened from public view including from nearby roads, other public places, and adjoining properties.
- c) If the sea container will be easily seen from nearby roads, other public places, or adjoining properties, then the exterior of the sea container shall be in a state of good repair or shall be upgraded (i.e. painted to blend in with the surrounding development or landscape) within three (3) months of being placed on site.
- d) The sea container is not located within the front setback. The sea container is to be appropriately sited to address side and rear boundary setbacks as per LPS3, be within an approved building envelope, or located outside of building exclusion areas.
- e) The number of sea container/s per property is at the discretion of the local government.

5. Conversion to a building for habitation

Sea containers shall not be used for habitable purposes, unless they gain local government approval and comply with LPS3, the *Building Code of Australia, Public Health Act 2016* and *Health (Miscellaneous Provisions) Act 1911* as a habitable unit. The local government will have regard to other Local Planning Policies as relevant.

An application to permanently or temporarily place a sea container on a property for habitation purposes shall not be supported, unless the following criteria are met:

- a) The exterior of the sea container shall be in a state of good repair. Unless screened from nearby roads, other public places and adjoining properties, or suitably justified by the applicant, the local government may require the sea container/s to be reclad or treated in such a way to make them visually more compatible with the surrounding environment, and the dwelling/habitable building to incorporate measures such as verandahs to improve the visible appearance of the structure.
- b) Set back from boundaries as required by LPS3, within an approved building envelope, or located outside of building exclusion areas.
- c) Comply with requirements of the *Building Code of Australia, Public Health Act 2016*, and *Health (Miscellaneous Provisions) Act 1911* requirements.

6. Setbacks/Location

For zones subject to the R Codes, permanent sea containers are to be setback in accordance with the R Codes. For other zones, setbacks are outlined in LPS3 or sea containers are to be located within the approved building envelope for the site or outside of building exclusion areas.

The local government may approve sea containers that are setback less than 1.0 metre from side and rear boundaries on residential lots, subject to compliance with the fire separation requirements of the *Building Code of Australia* and consultation with adjoining landowners.

#### 7. Sea containers on Vacant Lots

The local government will consider sea containers on vacant lots in most zones.

In general, the local government does not support sea containers on a vacant lot in the Residential zone, Special Residential zone and in Special Use zones (where it is subject to the R Codes) except where the construction of a dwelling is imminent on the lot. The local government may consider approving a sea container on a vacant lot in these zones subject to the applicant gaining necessary approvals for the dwelling, or the applicant providing appropriate written assurances that a dwelling will be shortly applied for and substantially completed within two years of the sea container receiving conditional development approval.

#### 8. Land Uses

Sea containers are not to be used for commercial, industrial, habitable or other non-domestic purposes other than as approved by the local government. Sea containers are to be used for low-key 'domestic' uses, to the satisfaction of the local government, that do not create undesirable impacts on adjoining or nearby properties.

### **ADMINISTRATION**

#### Matters to be Addressed Prior to Formally Lodging the Application

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early on in the planning process and prior to the formal lodgement of any Development Application.

#### Application Requests

The following details are to be submitted with the Development Application:

- a) A completed Application for Development Approval and payment of the required fee.
- b) A neatly drawn and scaled site plan showing the proposed location of the sea container and detailing setbacks to boundaries. The site plan should also include other buildings, access ways, vegetation and other key features on the property.
- c) Photographs of the container(s) prior to uplift if available.
- d) The proposed size and use of the sea container and if approval is being sought for a temporary period (state time period) or on a permanent basis.

- e) Evidence by photos that the sea container will be adequately screened from view and is not easily seen from nearby roads, other public places, or adjoining properties.
- f) If a sea container can be easily seen from nearby roads, other public places, or adjoining properties, then details of any upgrading and/or colour to be painted are to be provided.

#### Consultation with Landowners and Stakeholders

The local government may consult with adjoining/nearby landowners where an application for a sea container is made that does not comply with the requirements of this Policy.

#### Assessing the Development Application

The local government may refuse a Development Application where it is inconsistent with this Policy, LPS3, the R Codes, based on the information provided by the applicant, or based on information set out in any submission.

Each application is considered on its merits based on matters such as the context and location. When considering applications for development approval, the local government will have regard to various matters including:

- the zoning of the lot;
- lot size, shape and features, including the extent of existing screening;
- the existing level of development, including sea containers, on the site;
- setbacks and location of the proposed sea container/s;
- the effect on the streetscape and visibility from nearby public places;
- the intended use and demonstrated need for the sea container/s;
- provisions and requirements set out in LPS3, the R Codes and the *Building Code of Australia*;
- relevant State Planning Policies and Local Planning Policies;
- other planning considerations including Structure Plans and Local Development Plans;
- written comments from affected landowners and stakeholders; and
- any other circumstance and factor affecting the application in the opinion of the local government.

The 'onus of proof' rests with the applicant to justify their application based on the requirements of this Policy.

#### Approval Conditions

Conditions of approval shall be applicable, as deemed necessary by the local government. The conditions may include:



- a) The exterior of the sea container shall be upgraded to blend with the surrounding development or landscape in terms of colour and finish within three (3) months of being placed on site to the satisfaction of the local government.
- b) The sea container is permitted to be used for (insert use) only and shall not be used for habitable purposes, unless approved by the local government.
- c) This approval shall expire (insert date or insert "if the development hereby permitted is not completed within 3 months"). The sea container shall be removed from the subject site at the expiry of the approval or after the expiry of any extension of that time which may be provided by the local government.
- d) If the sea container falls into disrepair, or becomes unsightly, the local government will require its removal, with the cost to be met or reimbursed by the landowner.

#### Additional Approvals Required

A Building Permit is required, prior to the placement of the sea container on site, where proposed to be permanent or located long term (refer to sections 4 and 5 of this Policy). The Building Permit may, at the discretion of the Building Surveyor, need to include certification from a professional engineer, as to the method of providing structural tie down.

No Building Permit is required for a temporary sea container as set out in sections 2 and 3 of this Policy. Proponents should however adopt a risk-based approach regarding securing tie down. A Building Permit is required for the associated dwelling, commercial building, or other building.

Related Policies:	<i>LPP 1 Cut &amp; Fill and Retaining Wall</i> <i>LPP 2 Private Stormwater Drainage Connections to Council's Stormwater Drains</i> <i>LPP 11 Development in Flood Prone Areas</i> <i>LPP22 Outbuildings</i>
Related Procedures/Documents:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Building Code of Australia</i>
Delegation Level:	Development Services Coordinator, Building Surveyor
Adopted:	OM 23 April 2020
Reviewed:	27 July 2023

Policy Number:	LPP 004
Policy Type:	Local Planning Policy
Policy Name:	<b>Bed &amp; Breakfast</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3

## OBJECTIVE

This policy aims to facilitate the provision of high standards of Short Stay/Home Style accommodation in various locations to encourage tourism whilst maintaining the amenity of those locations for permanent residents.

## DEFINITION

The Shire of Nannup Local Planning Scheme No. 3 (LPS No. 3) defines Bed and Breakfast accommodation as follows:

“Bed and Breakfast accommodation means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term basis and includes the provision of meals.”

Note:

Where a premise accommodates more than six (6) persons exclusive of the family of the keeper, it shall be defined as a “lodging house” and is required to comply with the provisions of LPS No. 3, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws 2003.

## POLICY

The establishment of Bed and Breakfast accommodation within the Shire of Nannup is to note the following:

### Locations/Zones

A Bed & Breakfast may only be established in areas designated within the Zoning Table that forms part of LPS No.3, which requires approval by the local government as a “D” use. A Bed & Breakfast use is not permitted in the Industry Zone or where specifically excluded in a structure plan.

### Appearance of Dwelling

The use of Bed & Breakfast accommodation shall be incidental to the predominant use and nature of the dwelling. The appearance of the dwelling shall remain residential and shall not impact adversely on surrounding properties.

Minimum Standards /conditions for Bed & Breakfast Accommodation:

- Maximum rooms
- Maximum 3 guest bedrooms for guest purposes (maximum 6 adults), with a separate bedroom for the owner/manager.
- Water
- Adequate water supply is to be provided for ablutions, cooking and drinking that meets the Australia Drinking Water Guidelines. Additionally, adequate water for fire-fighting purposes is to be provided.

#### General Issues and Requirements

In determining the suitability of a Bed and Breakfast proposal, the local government shall take into consideration the following issues and requirements:

Potential impact on the adjoining properties and surrounding residential area.  
Appropriateness of accessibility by vehicle or as required by walking and cycling.

Car parking to be provided on site is one (1) car bay for every two guest rooms and two (2) spaces for the dwelling itself. Where an uneven number of guest rooms exist, the number of car bays provided for guest rooms is to be rounded up to the nearest whole number.

The provision of adequate emergency management response.

#### Approval Conditions

The following conditions (not limited) will apply to all Bed and Breakfast Accommodation applications on approval:

- An approval shall not be transferred or assigned to any other property.
- Bed and Breakfast Accommodation shall not be used as a lodging house or for permanent accommodation.
- A sign, subject to the provisions of the local government's Sign Policy, may be erected on-site subject to the approval being granted by the local government.
- Smoke alarms to be installed in accordance with the Building Code of Australia.
- Car parking is to be provided on-site.
- No facility for cooking or laundry facilities will be permitted within the rooms.

#### Change of Ownership

Local government planning approval will not be forfeited in the event of change of ownership of the premises. However notification to the local government of the intentions of any new owners of these establishments is required to enable the local government's records to be updated.

Related Policies	LPP 020 Developer and Subdivider Contributions LPP 021 Bush Fire Management
Related Procedures/ Documents	Nil
Delegation Level	Development Services Coordinator
Adopted:	OM 22 April 2010.

Reviewed:	OM 27 July 2023
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Policy Number:	LPP 005
Policy Type:	Local Planning Policy
Policy Name:	<b>Consultation</b>
Policy Owner:	Chief Executive Officer
Authority:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 State Planning Policy 3.1 Residential Design Codes Shire of Nannup Local Planning Scheme No.3 (LPS No. 3)

## OBJECTIVES

The objectives are to:

Clearly define the level of consultation relevant to planning issues.

Detail the requirements for consultation based on the level of impact.

Outline the process the local government will use when undertaking consultation and considering submissions.

## DEFINITIONS

The following definitions are relative to this policy:

**Adjoining:**

Refers to any land or owner of land which abuts an application site or is separate from it only by a pathway, driveway or similar thoroughfare.

**Affected Person:**

Means a person who owns land:

that adjoins an application site; or

the enjoyment of which may be detrimentally affected by the use of an application site or the erection of a building on an application site.

**Development:**

As set out in the Planning and Development Act 2005 or associated Regulations.

**Land:**

Includes any building or part of a building created on the land.

**Neighbouring Land:**

Any land, other than adjoining land which may be detrimentally affected by the use of an application site for the creation of a building on an application site (and includes properties in a neighbouring local government area).

**Notification:**

Written advice provided by the local government in accordance with the requirements of the policy, however does not provide persons notified with an opportunity to formally respond to, and comment on, the information conveyed.

**Submitters:**

Those affected persons who have provided written comment on a proposal within the formal comment period or shortly thereafter at the discretion of the local government.

**Works:**

Any physical alterations made to land or property within the municipality, either by the local government or a government agency, or third party authorised by the relevant agency.

**Approval Types:**

In relation to Schedule 1, any reference to the following letters has the following definition:

“P” means that the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.

“D” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

“A” means that the use is not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with clause 9.4.

“X” means a use that is not permitted by the Scheme.

**POLICY**

The minimum level of consultation used by the local government shall relate to the extent of community impact or interest associated with the proposed development, project or local government works, and shall be selected according to the following categories:

Level 1 - NO CONSULTATION (approval type ‘P’ or ‘X’)

- i) No predicable detrimental impact on the character or amenity of the immediate or general locality likely;
- ii) Consultation is not required or is precluded under relevant legislation;
- iii) Consultation has previously occurred, and only minor modifications or modifications that address previous concerns raised are proposed.

Level 2 – ADJOINING LANDOWNER COMMENT (approval type ‘D’ or ‘A’)

- i) Development, use or works involve additions or alterations that are visible or have an apparent impact on the owner or occupier of land immediately adjacent to the side of the property affected.
- ii) Statutory requirements for notification exist (SPP 3.1 Residential Design Codes).

#### Method of Consultation

The owners/occupiers of properties determined as being potentially affected by a development proposal will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.

Where the land owner/occupier is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal shall be provided by way of a signed letter of no-objection and endorsement by way of no objection comment, signature, printed name and full address on a copy of the plan(s) submitted for approval.

### Level 3 – SURROUNDING (NEARBY) PROPERTIES COMMENTS (approval type 'D' or 'A')

- i) Development, use or works involve potential detrimental impacts on the land adjoining the application site or other neighbouring land, the use or enjoyment of which may be affected by the proposal.

#### Method of Consultation

The owners/occupiers of properties determined as being potentially affected by a development proposal will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.

Dependent upon the level of impact in the area, the local government may also publish a notice of the development proposal in a paper, published weekly, that provides coverage of the Shire of Nannup inviting comment/submissions within a specified period.

The local government may also seek comment through advertising on its website and having information available at the Shire office.

### Level 4 – LOCALITY/SHIRE WIDE & STATE WIDE (approval type 'D' or 'A')

Development, use or activities that are likely to affect the amenity, character or function of an area greater than surrounding properties including the whole Shire, proposals, projects or local government functions that are of Shire-wide, Regional or State significance.

#### Method of Consultation

The local government may give notice or require the applicant to give notice in the following manner:

Publish a notice of the development proposal in a paper, published weekly, that provides coverage of the Shire of Nannup or where State-wide notification is required, the West Australian newspaper;

Arrange for a sign or signs to be placed in a prominent position(s) on the development proposal site;

Consult with the owners/occupiers of properties determined as being potentially affected by a development proposal (in writing) providing a minimum of 21 days for the lodgement of any submissions;

- Consult with the owners/occupiers of land beyond the foregoing areas where, in the opinion of the local government, there will be an impact; and
- Consult as necessary with other affected government agencies or statutory authorities as the case requires, drawing attention to the form of the development proposal and inviting comment within a period not being less than 21 days or, where appropriate, such longer period as may be necessary.
- The local government will seek comment through advertising on its website and having information available at the Shire office.

#### Functions and Proposals Subject To Consultation

Schedule I outline the matrix upon which the appropriate level of consultation with affected persons and the community may be determined, for key local government activities and types of development. Where proposals occur that do not clearly fall within the matrix, or where circumstances indicate that the standard level would not be appropriate, the criteria outlined above shall be used to establish the consultation process required.

#### Consultation Procedure

Where there is an inconsistency between this Policy and the Planning and Development (Local Planning Schemes) Regulations 2015, then the Regulations prevail to the extent of any such inconsistency.

#### Consideration of Submissions

Upon closure of the comment period the following actions are to be undertaken by the responsible officer:

Write to all submitters acknowledging receipt of the submission, and advise of the process of determining the issue or action. Where appropriate, this requirement may be replaced by an advert in the local weekly newspaper with written notification to those outside the circulation area, in which case written notification to submitters after the decision is made should be undertaken by the responsible officer.

All submissions will be taken into account in the determination of the issue or action, and recommendations/decisions made in accordance with the level of officer delegation relevant to the proposal.

When a decision is to be made by Council (as distinct from a delegated officer), a summary of submissions or the actual submission(s) where provided will be taken into account by the Council in determining the application/proposal or action to be taken.



The local government has a responsibility to consider the economic, social and environmental impacts of any proposal. Specifically matters to be taken into account in the consideration of proposals and submissions are outlined in LPS No. 3 clause 10.2.

#### Cost of Consultation

The costs of the consultation requirements specified within this policy are generally reflected in the Planning Application or other fee, however in some cases the costs are to be met by the applicant/proponent.

Related Policies:	ADM 19 Community Consultation
Related Procedures/ Documents	Schedule 1- Consultation Levels <a href="#">LPP005 Attachment 1.docx</a>
Delegation Level:	Development Services Coordinator
Adopted:	OM 22 April 2010
Reviewed:	OM 27 July 2023

Policy Number:	LPP6
Policy Type:	Local Planning Policy
Policy Name:	<b>Nannup Townsite Character Area Design Guidelines</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 4

## POLICY BASIS

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the *Shire of Nannup Local Planning Scheme No. 4* (LPS4).

## OBJECTIVES

The objectives of this Policy are to:

1. Retain Nannup's unique character and sense of place.
2. Provide a high level of amenity.
3. Create an attractive and desirable environment.
4. Require development to address the garden village and non-metropolitan context, topography, landscape values and the area's character and heritage.
5. Avoid replication of standard metropolitan building designs and promote sustainability principles in dwelling design.
6. Provide the basis for consistent assessment and decision making.

## DEFINITIONS

Definitions in this Policy are as per LPS4 or *State Planning Policy 7.3 Residential Design Codes* (R-Codes). The following additional terms are defined as follows:

**"Barn-Style Dwellings"** means dwellings that have design features that resemble outbuildings or barns which normally consist of external metal cladding of walls and roof.

**"Building Materials"** means the materials which constitute the structure, dwelling or building.

**"Eaves"** refers to the projecting overhang at the lower edge of the roof.

**"Transportable building"** means any building or structure which:

- is designed and constructed to be transported in one or more parts from its place of construction to its intended location; or

- has previously been located on another site other than on the lot upon which it is to be placed, and includes a skid mounted transportable unit (sea container), donga and light weight pre- fabricated building.

In this Policy, “**dwelling**” also includes a single house, grouped dwelling, multiple dwelling, ancillary dwelling, short-term accommodation and other form of habitable structure.

## **APPLICATION OF THE POLICY**

This Policy applies to new dwellings and other forms of habitable structures (for permanent or short-term accommodation purposes), extensions to dwellings, front fencing, retaining walls, incidental structures and non-residential development within the Nannup Townsite Character Area (see Attachment 1). This relates to Special Control Area 2 (SCA2) in LPS4.

The Policy includes dwellings and structures that are built on site, newly-constructed prefabricated buildings i.e. has been built off-site but not used as a dwelling elsewhere, and second-hand buildings and dwellings.

The provisions of this Local Planning Policy apply to all development and/or use of premises in the Local Planning Policy Area where indicated as permitted or discretionary land uses under the Zoning Table of LPS4.

Subject to LPS4, development and use of land shall be in accordance with the standards and requirements of this Policy.

There are separate guidelines for the Nannup Heritage Area (largely applying to the Nannup town centre).

## **LINKS TO LOCAL PLANNING SCHEME AND OTHER DOCUMENTS**

This Policy relates to various requirements set out in LPS4, *State Planning Policy 3.7 Planning in Bushfire Prone Areas*, *State Planning Policy 7: Design of the Built Environment*, *State Planning Policy 7.3 Residential Design Codes – Volume 1 (R-Codes)*, *State Planning Policy 7.3 Residential Design Codes – Volume 2 – Apartments*, the *Building Code of Australia* and various Local Planning Policies. Where there is an inconsistency between this Policy and LPS4, then LPS4 prevails to the extent of such inconsistency.

## **EXEMPTIONS FROM DEVELOPMENT APPROVAL**

Except where provided for within the provisions of the Residential Design Codes and subject to compliance with the relevant development requirements and standards of LPS4 and this Policy, there are no other exemptions or exclusions permitted under LPS4. Where incidental structures, proposed or an extended single house, or a proposed ancillary dwelling complies with this Policy, LPS4, the R-Codes and other

local planning policies, then there is no requirement for gaining development approval from the Shire.

## **POLICY PROVISIONS**

### **1. General**

The building vernacular within the Nannup townsite, outside of the heritage area (town centre), represents predominantly timber framed and clad dwellings. The majority of dwellings in the townsite are single-storey on generous size blocks (especially compared to the metropolitan region). There are currently no three storey buildings in SCA2.

Materials vary between traditional timber and fibre cement weatherboards, through to brick and Colourbond. Roofing material does vary but corrugated iron dominates, mainly silver or pale in colour, and rooflines are generally traditional hipped/pitched although various newer buildings use skillion roofs. Most buildings include a verandah or contain generous eaves.

The colour of buildings varies although the use of cream or pale walls is commonly found.

Foundations vary from stumps to concrete slabs, although the latter is more common in newer buildings. The use of visually intrusive “cut and fill” and dominating retaining walls are relatively uncommon within SCA2.

In recent years, dwelling design has changed due to affordability considerations, changing demographics, architectural preferences, a greater range of building materials, a need to address energy rating and bushfire risks, and an increased value given to sustainable living. While such changes have enhanced parts of the townsite and have created greater residential comfort, there are also some instances of visually unappealing and undesirable residential character. Particular examples include dwellings that mimic outbuildings and barns, and designs which provide minimal windows or no verandahs.

The local government recognises that new dwellings within SCA2 should retain or enhance the amenity of the townsite. Preferably, residential designs should assist to retain or enhance the area’s amenity through taking account of the area’s values and its sense of place.

This Policy supports attractive and sustainable dwellings and development that strengthens local identity other than a few design options or where the design introduces ‘metropolitan’ building materials that are not sympathetic with the local context and character. The Policy does not prescribe particular architectural styles, nor inhibit creative design, but provides a framework to retain or enhance the character

of the Nannup townsite. The local government seeks to ensure that dwellings and development do not detract from the amenity of the locality while achieving the aims and objectives of LPS4.

Where required, the local government will require the applicant to submit a site analysis plan.

## **2. Development and Design**

### **A) Supported Building Designs and Building Materials**

Various building designs are supported in SCA2 in the spirit of allowing architectural choice. To account for climatic conditions, energy efficiency, enhanced sustainability and local character, the local government has a preference for the following design elements to be incorporated into any dwelling:

- Orientated to promote passive solar design;
- Dwellings with a verandah or a generous eave on the northern side;
- Dwellings having a verandah on the front/primary setback which faces the street with eaves for most other sides of the dwelling;
- Roof pitch, for most of the dwelling, being 20 degrees or more (unless it is skillion design where the roof pitch can be less than 20 degrees);
- The use of weatherboard or similar products;
- Metal roofs;
- Are sympathetic to the existing landform, including split level designs and which minimise high retaining walls;
- Retain mature trees where possible;
- Landscaping provided it does not increase bushfire risks/BAL ratings;
- Built form should reflect a village like character consistent with the character of SCA2;
- Nil or low-key front fencing;
- Outbuildings appropriately located and scaled;
- The appearance of proposed built form when viewed from public streets and places shall be attractive and visually compatible with the values of SCA2;
- Building facades and walls that front a street, or are visible from the street or other public spaces, shall be detailed and articulated with design indentations/reliefs, architectural features, colour schemes and active frontages, such as door and window openings, that reduce the visual impact of large blank wall spaces;
- The building design, detailing and finishing shall provide an appropriate scale to the street, add visual interest and enable differentiation between buildings when viewed from public streets; and
- Details set out in Attachment 2.

### **B) Non-supported Building Designs and Building Materials**

The following dwelling designs are considered inconsistent to the character of SCA2:

- Tudor;
- Georgian;
- “A Frame”;
- Mediterranean;
- Barn-style shed/houses and shed-like structures being constructed for the purpose of human habitation;
- Flat roofs (less than 5%) – for the entire building;
- Zinalume walls (if more than 20% of the surface area on the front external wall); and
- Repurposed dwellings, including those constructed from sea containers and dongas unless re-clad and utilising other external design enhancements.

A Development Application for a single house or any dwelling, or for an extension, is required where the above designs are proposed. Accordingly, unless appropriately justified by the applicant (e.g. the proposed dwelling is screened from public view), the local government will recommend to Council that an application for the above designs be refused.

#### C) Dwelling Wall Materials and Colours

The local government supports materials and colours that do not detract from the amenity and the character of SCA2.

Generally, external building materials and finishes should be sympathetic to the existing landscape in design, colour and material.

Dwellings in SCA2 should not be constructed of materials or colours which, in the opinion of the local government, create a negative visual impact on the area’s amenity.

The use of metallic, or corrugated sheet cladding on the walls of dwellings will not be supported by local government unless they are incidental to the overall design or screened from public view.

The local government will consider small feature components, of metallic, or corrugated sheet cladding on the walls of residential dwellings, which are generally limited to 20% of the total external surface wall area.

Steel wall cladding should generally be pre-painted Colourbond custom orb type. The use of unpainted Zinalume wall sheeting is not supported unless used as an architectural feature on no more than 20% of the surface area of the front external wall. A Development Application is required where a dwelling proposes more than 20% of the surface area on the front external wall with unpainted Zinalume.

#### D) Roof Pitch and Design

Dwelling roofs should generally be consistent with the character of SCA2. Unless justified by the applicant and agreed to by the local government, roof pitch within the area should be at least 20 degrees (see Figure 1). Roofs to garages, carports and outbuildings should generally be consistent in roof pitch. Variations to this are required to be justified by the applicant.

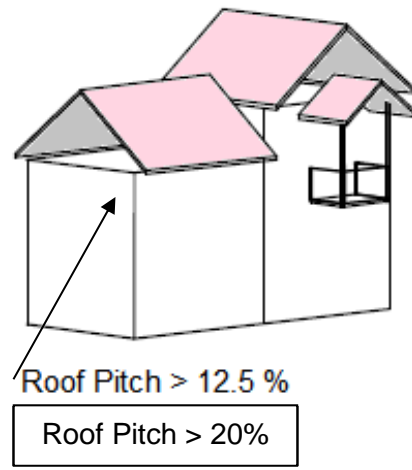


Figure 1: Recommended roof pitch

A shallower pitch may be acceptable for verandahs, canopies and small skillions unless agreed by the local government. Roofing should generally incorporate overhangs, eaves and where appropriate verandahs.

To achieve a consistency of roofs and to moderate the impact of direct solar load on external walls and windows, dwellings shall require a minimum:

- 480mm eaves on the northern orientation or the provision of verandahs. This does not apply where there are patios, minor roof nibs and entry porticos (or similar);
- Roof pitch of 20 degrees, other than for smaller components of the design or where a skillion design is proposed.

The entire skillion roof pitch can be less than 20 degrees.

A roof with a pitch of less than 5% will require the submission of a Development Application, unless it is for a skillion roof or is for an incidental component of the roof.

The roof design can utilise gable, hipped, skillion or butterfly design.

In keeping with the character of SCA2, metal roofs are preferred over tiled roofs. The metal roofs for dwellings and outbuildings can be Colourbond or Zinalume.

Other than extensions to existing dwellings, other habitable structures or outbuildings, a Development Application is required where a non-metal roof is proposed (including tiles and “green” roofs).

#### E) Garages and Carports

In the interest of enhancing streetscapes, garages and carports which face the street are to be consistent to the requirements set out in the R-Codes. The local government requires that garages do not occupy more than 50% of the total property frontage (see Figure 2). Where applicable, the applicant is encouraged to review design options including the orientation of garages or using a carport instead of a garage.

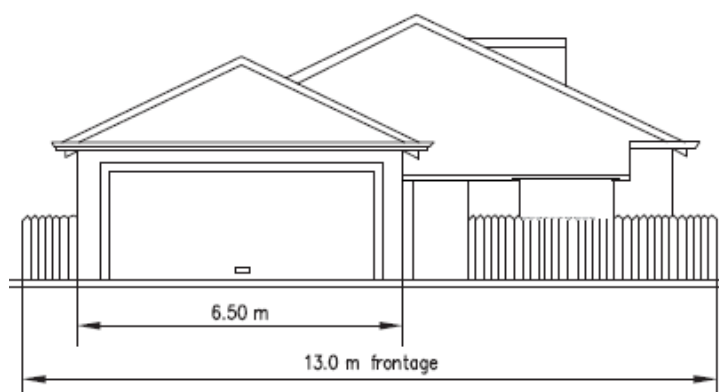


Figure 2: Proportion of garage frontage to width of property

#### F) Walls and Fences

To retain character, the local government prefers that properties in SCA2 do not have front fences. Where front fencing is provided, the local government supports the delineation of private front yards by hedging, plantings and other visually permeable landscaping provided a clear view of the dwelling from the street and vice versa is maintained.

All fencing shall complement/improve the amenity of SCA2 and contribute positively to the streetscape.

Only masonry, timber or decorative metal fencing of an open style shall be permitted for front fencing or for a side boundary where it is a corner lot.

Solid fencing forward of the building line shall have a maximum height of 1.2m and shall be constructed of masonry/brick or wrought iron finish.

The maximum height of fencing on the front boundary shall be 1.8m with the solid portion of fencing being restricted to a maximum height of 1.2m and the remainder of the fence being visually permeable.



A Development Application is required for front fences in SCA2 where the fence is above 1.2 metres. If the fence is above 1.2 metres, unless justified by the applicant, the fence should be visually permeable.

No Development Application is required for side or rear fences/walls in SCA2 provided they are below 1.8 metres and are located outside of flood prone land (Special Control Area 3).

To balance privacy and neighbourhood character, no Development Application is required for a fence/wall above 1.2 metres on the side boundary of corner lots provided it meets the R-Codes including unobstructed sight lines.

Additional fencing and wall provisions are subject to the R-Codes, the *Shire of Nannup Fencing Local Laws* and the *Dividing Fences Act 1961*.

#### G) Incidental Structures

No Development Application is required for incidental structures, generally associated with dwellings, as set out in the Supplemental Provisions of LPS4 and also within Part 7 Clause 61 of the Regulations provided it is consistent with this Policy, the R-Codes, LPS4 and other local planning policies.

No application for development approval is required for an outbuilding, rainwater tank or fencing where consistent with this Policy, the R-Codes and the property is outside of flood prone land.

#### H) Conversion of Outbuildings to Dwellings

The local government considers that the conversion of an outbuilding to a dwelling within SCA2 can result in substandard housing being produced and this form of housing is potentially detrimental to the amenity of SCA2.

Unless appropriately justified, the local government does not support an outbuilding being converted to a dwelling within SCA2.

A Development Application is required for the conversion from an outbuilding to a dwelling.

The local government will, amongst matters, consider:

- Whether the proposed dwelling is visibly intrusive from public roads and public places including whether adequate screening (vegetation etc.) exists;
- The impact of the proposed development in relation to adjoining or nearby properties; and
- Whether the external appearance of the proposed dwelling is adequate or what mitigating design improvements are proposed.

#### I) Barn-Style Dwellings

A Development Application is required for “barn-style” dwellings.

The local government will have regard to the proposed siting of the building, particularly its visibility from surrounding properties and roads, as well as the form of external cladding proposed to be used on the building.

Unless appropriately justified, the local government does not support dwellings which resemble sheds or “barn-style” dwellings in SCA2.

#### J) Transportable Buildings

No Development Application is required for new purpose built transportable dwellings, if not constructed of sea containers or dongas (or repurposed dwellings), if other planning considerations set out in this Policy (including roof pitch) and in LPS4 are met.

#### K) Repurposed Dwelling

A Development Application is required for a single house, extension to a single house or extension to other dwelling where the building, dwelling or structure consists of a skid mounted transportable unit (sea container) or a donga. Such a use is best described as a ‘repurposed dwelling’.

The local government considers that a repurposed dwelling can be detrimental to the amenity of SCA2.

The local government generally does not support a repurposed dwelling unless, amongst other matters:

- The exterior of the repurposed dwelling is in a state of good repair; and
- Unless screened from nearby roads, other public places and adjoining properties the local government will require the repurposed dwelling to be re-clad or treated in such a way to make it visually more compatible with the amenity of the area, and the dwelling/habitable building to incorporate measures such as verandahs or other architectural/design features to improve the visible appearance of the structure.

Should development approval for a repurposed dwelling be granted, the following conditions may apply:

- A specific time period to which development approval applies and the requirements for removal of structures which are intended to be temporary;
- External repainting and/or re-cladding of the building;
- The construction and/or replacement of verandahs;

- Modification of roof design if considered necessary to ensure the structure is consistent with surrounding dwellings;
- Require landscaping to be established within a specified time and thereafter maintained; and
- Require the applicant or owner to provide a bond or unconditional bank guarantee to the local government as surety for the completion of the transportable building to a standard or presentation acceptable to the local government within a specified time frame, usually within 6 months. A bond will only be returned upon the completion of the necessary works to the local government's satisfaction.

#### L) Second-hand Dwelling

A Development Application is required for a second-hand dwelling.

The local government will consider second-hand dwellings provided they are comprised of high-quality design features suitable to SCA2, as determined by the local government.

The local government will not approve the use of a second-hand dwelling or other building containing asbestos.

Should development approval for a second-hand dwelling be granted, it may include the following conditions:

- Certification from a practicing structural engineer that the design and condition of the building is suitable for relocation and re-use;
- All asbestos is removed prior to relocation;
- Require landscaping and to be established within a specified time and thereafter maintained; and
- Require the applicant or owner to provide a bond or unconditional bank guarantee to the local government as assurance for the completion of the relocated dwelling to a standard or presentation acceptable to the local government within a specified time frame, usually within 6 months. A bond will only be returned upon the completion of the necessary works to the local government's satisfaction.

Where a relocated dwelling is not completed to an acceptable standard within the specified time, the local government may either:

- Require the building to be removed, pulled down, altered or otherwise made to comply with the development approval and Building Permit; or
- Undertake the works necessary to complete or rectify any outstanding condition/s and/or items listed on the Schedule of Works. If this occurs, a portion or the entire bond may be forfeited.

#### M) Outbuildings

The local government will have regard to matters including the R-Codes, LPS4 and this Policy.

N) Retaining Walls

The local government seeks to encourage designs that work with the topography rather than creating large retaining walls and associated filling.

The local government will require a Development Application for retaining walls that are over 0.9 metres in height.

O) Solar Collectors

The local government will require a Development Application for solar collectors which are inconsistent with the R-Codes or where the structure is on the Heritage List and the solar collectors are visible from public places.

### **3. PROCEDURAL CONSIDERATIONS**

A) No development approval required in certain circumstances

No development approval is required for the erection or extension of a single house, outbuilding or retaining wall that complies with the deemed-to-comply requirements of the R-Codes, in accordance with clause 61(4)(c) of the Deemed Provisions from the Regulations, where consistent with this Policy and where consistent with LPS4.

Attachment 3 summarises when a Development Application is required and not required. Further details are outlined in this Policy, in LPS4 and in the Regulations.

*Note - a Building Permit is generally required to be submitted and approved as per the Building Regulations 2012.*

B) Where the deemed-to-comply requirements are not met

As per the R-Codes, where applications do not meet the Deemed-to-Comply requirements, development approval is required. The Development Application will be assessed by the local government having regard to the relevant design principles of the R-Codes.

C) Applications Requiring Variation of Policy

Where an Application for Development Approval requires a variation to the deemed-to-comply requirements, the application will be assessed against the performance criteria of the R-Codes plus against this Policy. The onus is on the applicant to demonstrate to the satisfaction of the local government that the proposal complies

with the design principles of the R-Codes and/or the objections and provisions of this Policy.

The provisions of this Policy may be varied where at least one of the following applies:

- Specific requirements have been determined for a particular lot through a Local Development Plan or Structure Plan pursuant to LPS4;
- The physical dimension of the lot, that is its depth or width, prevents reasonable compliance with this policy in respect of rear setbacks; or
- The topography of the land or of the surrounding land does not make the required provisions practicable.

Where an application for development approval is inconsistent with the R-Codes and/or this Policy, the applicant is to justify how it addresses the objectives of SCA2.

D) Variation of Residential Design Code, LPS4 and this Policy

A Development Application for a dwelling, extension to a dwelling or other incidental structure is required where it necessitates the exercise of discretion by the local government to vary the R-Codes, to vary LPS4 or to vary this Policy.

E) Development Impact Statement and Other Supporting Information

Where an application proposes a variation to one or more deemed-to-comply requirements and/or the application is considered to have a significant impact on the existing conditions of a locality, the local government may require the applicant to prepare or arrange a Development Impact Statement to be submitted with the application for development approval.

Where required, the Development Impact Statement is to be undertaken to the satisfaction of the local government.

The local government may require supporting information to make a proper development assessment of any proposed variation as part of a development application. This could include the provision of matters including:

- Site analysis plan showing the natural and finished ground levels, the location of existing and proposed buildings on the premises, relationship to adjoining and surrounding uses, and the nature of existing and likely development in the vicinity of the subject lot/development site;
- Materials and colour palette (if required);
- Overshadowing diagram; and
- Any other relevant information requested by the local government.

F) Applications Consistent with Policy

Where an Application for Development Approval is required and where the application is consistent with this Policy and any other requirement of LPS4 or relevant Local Planning Policy, the development approval will be granted under delegated authority to the Chief Executive Officer where no substantive objections have been received during advertising.

Where a substantive objection has been lodged, the application is to be determined at an Ordinary Meeting of Council.

#### **4. ADMINISTRATION**

##### **A) Matters to be Addressed Prior to Formally Lodging the Application**

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early in the planning process and prior to the formal lodgement of any Development Application.

##### **B) Application Requirements**

Development Applications are to include the following:

- A completed Form of Application for Development Approval;
- A site plan showing the location of all existing and proposed structures, and the location of any easements;
- A floor plan/s and elevations;
- A schedule or details of external materials and colours to be used; and
- Payment of the local government Development Application fee.

Subject to the proposed location and the scale of the proposed dwelling, the local government may also require the applicant to provide:

- Site analysis plan;
- Development impact statement;
- Detailed contour information from a licenced surveyor;
- Cross sections showing the extent of cut and fill;
- Written information relating to the reasons why any standard requirements of this Policy should be varied; and
- Any other plan or information that the local government may reasonably require to enable the application to be determined.

Should a Development Approval be issued, it will also be necessary for the proponent to submit a Building Permit Application (which gains necessary approval) prior to undertaking construction.

##### **C) Consultation with Landowners and Stakeholders**

The local government will consult with adjoining/nearby landowners and other stakeholders as required by LPS4, the Regulations and as determined by the local government. The local government may also consult where an application does not comply with this Policy and/or it does not comply with the deemed-to-comply requirements of the R-Codes.

#### D ) Assessing the Development Application

The local government will have due regard to matters including the following in assessing Development Applications:

- Clause 67 in Schedule 2 of the Regulations;
- The character, values and amenity of SCA2;
- Building form;
- Roof form;
- Standard of construction;
- Materials and details;
- Alterations and additions;
- Retaining walls, excavation and fill;
- Fencing;
- Open space, landscaping and tree retention;
- Bushfire risk;
- Incidental structures;
- Written comments from affected stakeholders; and
- Any other circumstance and factor affecting the application in the opinion of the local government.

Should a Development Application for a dwelling or other structure not comply with requirements of this Policy and matters are not able to be addressed through conditions of approval, the application will be considered by Council.

Where objections are received and the objections are not able to be adequately dealt with through conditions of approval, the application will be referred to Council for determination.

The Council may grant its consent with or without conditions or refuse its consent. The Council may refuse a Development Application where the application is inconsistent with this Policy, LPS4, other Local Planning Policies, the R-Codes and other State Planning Policies, or be based on information provided by the applicant, or be based on information set out in any submission received.

## **Attachment 2 – Encouraged Residential Development and Design Guidelines**

### **Overview**

Unless separately covered in the main part of *Local Planning Policy No. 6 Nannup Townsite Character Area Design Guidelines*, the following does not form part of *Local Planning Policy No. 6 Nannup Townsite Character Area Design Guidelines*. Instead, the following are guidelines that are supported by the local government to further enhance the character of the Nannup Townsite Character Area and to deliver increased sustainability.

### **Site Analysis Plan**

Before positioning a dwelling or undertaking proposals for other habitable structures, a site analysis plan is recommended to address climatic considerations, to reduce the potential for risk and damage of fire and flood, minimise visual impacts from major roads/key tourist routes and address stormwater. The siting and design of a dwelling or other habitable structures should amongst other matters:

- Maximise northerly light into living areas and provide for solar access and warmth;
- Provide adequate cross ventilation from summer breezes (particularly from the south-westerly direction);
- Protect from summer afternoon sun;
- Consider the lot's topography and views;
- Be compatible with front setbacks of adjoining properties;
- Address the primary street and have a positive civic presence to complement or enhance existing street aesthetics;
- Have clearly defined main entrances (using paths, lighting and porticos);
- Minimise overlooking and overshadowing of adjoining properties (where possible and practical);
- Account for fire risk and low fuel areas; and
- Address flooding risk.

Other details are set out in the R-Codes.

### **Orientation and Major Openings**

Dwellings should front the street and have at least one major opening from a habitable room to overlook the public street or as relevant a common access driveway.

### **Verandahs and Eaves**

The use of verandahs and wide eave overhangs to shade walls and provide sheltered outdoor living areas are encouraged. Verandahs are an attractive design feature that provide protection from the weather especially rain and summer sun. The local government supports verandahs on dwellings throughout the area to provide comfort and enhance streetscapes. In keeping with the country town and rural nature of the area, dwellings should generally



provide verandahs, porches, porticos or other architectural relief on the elevations that are viewed from the street.

A verandah, portico or covered entry in keeping with the overall house design, should generally be a minimum length of 25% of the front facade of the house.

Dwelling roofs within the area should have eaves that are a minimum of 550mm in width to assist in enhancing the visual amenity as set out in Figure A.

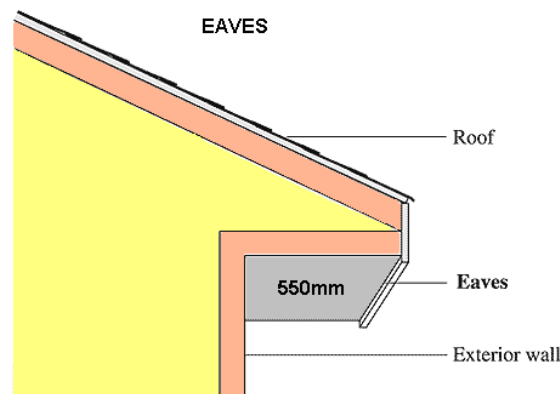


Figure A: Required width of eaves

### **Preferred External Building Materials**

Preferred materials should generally be made of:

- Brick;
- Rendered cement;
- Stone;
- A lightweight material with rendered effect;
- Painted weatherboards;
- Stucco (plaster or cement either fine or coarse); and
- Tilt-up (construction technique using pre-cast concrete to build walls) which is painted or rendered.

The local government will also consider materials including:

- Reverse cladding with internal brickwork;
- Fibre cement;
- Cedar or timber weatherboard;
- Fibre cement, mini orb, Colourbond;
- Rammed earth; and
- Combination of colour rendered brickwork, limestone, stone and cladding products.

The use of Zincalume or light coloured Colourbond roof sheeting is generally supported. However, care must be taken to ensure the location of the house

and the roof pitch used does not produce a glare nuisance to surrounding properties or passing traffic.

### **Energy Efficiency**

The local government encourages new dwellings and major additions to dwellings that maximise energy efficiency and reduce the demand on energy sources for heating and cooling. Various strategies to maximise energy efficiency in a dwelling include:

- Location of living areas on the north elevation;
- Location of non-habitable rooms on the eastern and western elevations, such as bathrooms, laundries and carports/garages;
- Adequate insulation in walls, floor and roof cavities;
- Ventilation control;
- Appropriate room zoning;
- Use of eaves, verandahs and shading devices;
- Use of solar hot water systems;
- Use of energy efficient appliances and lighting; and
- Location of refrigerators and freezers away from external walls and hot areas.

### **Water Conservation**

The local government encourages water conservation. Various strategies to minimise water use include:

- Rainwater tanks which are of an appropriate size, given this has a range of benefits including with stormwater management. Water from rainwater tanks should be fit for purpose;
- AAA rating of all shower heads and tap ware;
- Use of a grey water reuse system approved by the Western Australian Department of Health;
- Lawn areas to be minimal;
- Use of lawn varieties that require lower water usage;
- Use of low-flow trickle irrigation, such as drippers, mulching and soil conditioners; and
- Use of indigenous plant species and other drought-resistant trees and shrubs.

### **Attachment 3 - Summary of when a Development Application is required**

<b>Building Type</b>	<b>Development Application Required?</b>
Aged or Dependent Persons Dwelling	Yes
Ancillary Dwelling	Yes

Grouped Dwelling	Yes
Multiple Dwelling	Yes
Residential Building	Yes
<p>Single House, Extension to a Single House, or Extension of Other Dwellings which are:</p> <ol style="list-style-type: none"> <li>1. Proposing a variation to the Residential Design Codes or Local Planning Scheme No. 4 (LPS4)</li> <li>2. Outside of a designated building envelope or within a designated building exclusion area</li> <li>3. Within a flood prone area</li> <li>4. A transportable building which is: <ol style="list-style-type: none"> <li>a) A new purpose built dwelling (not constructed from sea containers / dongas) if other planning considerations are met.</li> <li>b) Any building or structure which is not a new purpose built</li> </ol> </li> <li>5. A second-hand relocated dwelling or building</li> <li>6. Within a Heritage Area</li> <li>7. On the State Heritage Register or Heritage List of LPS4</li> <li>8. Inconsistent with Local Planning Policies relating to development and design: <ol style="list-style-type: none"> <li>a) Tudor/Georgian/"A" Frame/Mediterranean</li> <li>b) Barn-style dwelling</li> <li>c) Flat Roofs (less than 5%)</li> <li>d) Zinalume Walls (if more than 20% of surface area on front external wall)</li> <li>e) Zinalume Roofs</li> <li>f) Conversation of an outbuilding to a dwelling</li> </ol> </li> </ol>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p>
Garages and Carports	No, subject to consistency with the R-Codes and LPS4 and not within flood prone land.
<p>Walls &amp; Fencing:</p> <ol style="list-style-type: none"> <li>1. Front fencing</li> <li>2. Side and rear fencing</li> </ol>	<p>No, subject to consistency with the R-Codes and LPS4</p> <p>No</p>

Incidental Structures	No, subject to consistency with the R-Codes and LPS4 and not within flood prone land.
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Related Policies:	<i>LPP 1 Cut &amp; Fill and Retaining Walls LPP 3 Sea Containers LPP 11 Development in Flood Risk Areas LPP 13 Car Parking and Vehicular Access LPP 19 Heritage Conservation LPP 22 Outbuildings</i>
Related Procedures/ Documents:	<i>Planning and Development (Local Planning Schemes) Regulations 2015 State Planning Policy 3.7 Planning in Bushfire Prone Areas State Planning Policy 7.0 Design of the Built Environment State Planning Policy 7.3 Residential Design Codes – Volume 1 and</i>
Delegation	Development Services Coordinator, Building Surveyor
Adopted:	OM 24 <sup>th</sup> March 2022
Reviewed:	27 July 2023

Policy Number:	LPP 007
Policy Type:	Local Planning Policy
Policy Name:	<b>Special Rural and Special Residential Fencing Standards</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3

## OBJECTIVES

This policy aims to direct persons who wish to erect fencing in the areas zoned Special Rural and Special Residential under the Shire of Nannup Local Planning Scheme No.3 with a view to retaining a rural fencing theme.

## DEFINITIONS

Fence:

An enclosure or barrier abutting a roadway, street or boundary line of adjacent property.

Location:

This policy has effect on boundary fencing on Special Rural and Special Residential zoned properties only.

## POLICY

The minimum standard of boundary fencing permitted is as below:

All fencing of Special Rural lots are to comply with sub-clause 4.13.10.7 of the Scheme along with any relevant conditions set out in Schedule 12 of the Scheme.

All fencing of Special Residential lots are to comply with sub-clause 4.13.9.3 of the Scheme along with any relevant conditions set out in Schedule 13 of the Scheme.

Fences in are to be post and minimum of four (4) strand plain wire construction or post and ring lock or similar approved by the local government, at least 1 metre high, unless written approval from the local government has been received for a fence of a lesser standard.

Solid fencing such as super six or pickets is not permitted on boundaries.

When clearing fence lines abutting the local government's road reserve, persons undertaking the clearing are not to clear more than 2 metres into the road reserve from the surveyed property boundary. Road reserves are to be left free of all cleared material, which shall be contained, on the owner's property.

The use of electric fencing systems is permitted but not as a substitute for item 2 and suitable warning signs are to be placed in prominent positions on the fence at regular intervals on all boundary fences that are electrified. All electric fencing systems must be of a type approved by Western Power.

The electrification of barb wire fences is not generally permitted unless appropriately justified by the proponent and agreed to by the local government.

Owners of special rural properties shall ensure that the fence they construct is sufficient to contain the animals/stock on the property, and where the type of stock kept is varied through changing circumstances, the fence should be maintained to a standard suitable for the stock kept at that time.

Fencing should be designed to not impede the free flow of floodwaters for land identified as Flood Risk Land in the Scheme.

#### Fencing Around Dwelling Buildings

Solid fencing such as Netascreen<sup>®</sup>, Super Six<sup>®</sup>, timber pickets, stone or brick may be permitted in proximity to buildings where it will not affect the amenity of the area.

Related Policies:	Nil
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Coordinator, Building Surveyor
Adopted:	OM 22 April 2010.
Reviewed:	OM 27 July 2023

Policy Number:	LPP 008
Policy Type:	Local Planning Policy
Policy Name:	<b>Nannup Main Street Heritage Precinct</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 3

## OBJECTIVE

To guide the development within the defined heritage district to ensure that the existing character of the precinct is not diminished by development applications that does not reflect the Shire of Nannup's aspirations.

## DEFINITIONS

As contained within the attached guidelines.

## POLICY

The Nannup Main Street Heritage Precinct is defined within the attached document titled "Nannup Mainstreet Heritage Precinct Guidelines – Amended August 2008".

The objectives as outlined in the guidelines are to ensure all new developments and redevelopment within the Mainstreet Heritage Precinct should contribute positively to the heritage values and townscape quality of Nannup.

The guidelines outline the requirements to achieve the objectives and are an integral part of this policy.

The local government will also have regard to other Scheme requirements relating to the Heritage Area.

Related Policies:	LPP 019 Heritage Conservation
Related Procedures/ Documents	Nannup Mainstreet Heritage Precinct Guidelines – Amended August 2008 <a href="#">LPP008 Nannup Main Street Heritage Area LPP No. 8 Nov 2010.pdf</a>
Delegation Level:	Development Services Coordinator, Building Surveyor
Adopted:	OM 22 April 2010.
Reviewed:	OM 27 July 2023

Policy Number:	LPP 011
Policy Type:	Local Planning Policy
Policy Name:	<b>Development in Flood Risk Areas</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3

## OBJECTIVES

To restrict the subdivision of land within flood risk areas.

To limit more intensive development within flood risk areas.

## DEFINITIONS

Flood Risk Areas:

Relates to that land as identified by the Department of Water as being within the '1 in 25 Average Recurrence Interval (ARI) Floodplain' and the '1 in 100 ARI Floodplain' as set out in the Blackwood River Flood Study or other flood risk land as advised by the Department of Water.

## POLICY

This policy applies to individual flood risk land within the district.

The local government will take a precautionary approach to flood risk.

The local government recognises there is a significant difference in allowing a house and an outbuilding (shed) on a historically created lot, which is completely in flood risk areas, compared to now creating additional new lots in the flood risk areas.

The local government does not support subdivision that will create further flood risk lots unless a suitable sized building envelope/suitable building area are located outside of the 1 in 100 ARI floodplain.

The local government seeks to ensure that new lots are both suitable and capable for the intended purpose.

The local government requires that applicants suitably demonstrate a site's suitability and capability for subdivision and associated development which includes addressing flood risk. This includes addressing matters set out in clause 6.2.1 of the Scheme.



The local government will have regard to the Scheme, relevant State Planning Policies, the Blackwood River Flood Study, information provided by the applicant and as appropriate advice from the Department of Water to determine applications.

Related Policies:	Nil
Related Procedures/ Documents:	Nil
Delegation Level:	Development Services Coordinator, Building Surveyor
Adopted:	OM 09 June 1994
Reviewed:	OM 27 July 2023

Policy Number:	LPP 012
Policy Type:	Local Planning Policy
Policy Name:	<b>Tourist Accommodation in Rural Areas</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3

## **OBJECTIVE**

To approve high quality tourist accommodation in the non-urban areas whilst conserving the rural character and primary production values of the District.

## **DEFINITIONS**

Nil

## **POLICY**

### Introduction

With regard to the broad objectives of this Policy the following specific objectives for the approval of tourist accommodation are:

- To minimise conflict between rural and non-rural landowners.
- To establish suitable guidelines and controls for tourist accommodation to ensure that development approval does not become a basis for future unplanned urban development with consequent demands on the local government for additional services.
- To establish suitable guidelines and controls for tourist accommodation outlining minimal infrastructure standards required by the local government for development approval to be granted.
- To encourage links between tourist accommodation and established rural pursuits so as to diversify economic base and retain development at a low key nature.

As set out in Local Planning Scheme No.3, in particular in the Zoning Table or in the Schedules for certain land, various types of tourist accommodation can be considered in most zones.

### Guidelines for the Assessment and Approval of Tourist Accommodation

In determining an application, the local government will consider matters set out in clause 10.2 of the Scheme along with Scheme provisions relating to the zone. Depending on the site, key matters include:

- traffic safety and impact;
- access from a suitably dedicated and constructed public road;
- servicing;
- environmental impacts;
- fire management and impacts;
- visual impacts;
- appropriate setbacks and buffers to other uses;
- capability of the land for agriculture and rural pursuits;
- capability of the land to accept the use, by reason of soil type and stability; and
- density and scale of the proposed development.

#### Standard conditions

Standard conditions which will be imposed on Development Approvals for tourist accommodation are generally:

- The preparation of plans to comply with the Building Code of Australia and the issuing of a Building Permit. Demonstration that satisfactory arrangement can be made for effluent disposal.
- The design and materials of the tourist accommodation is to generally blend into the landscape of the area.
- The position of access to the development on to the public road to be located in a position and of a standard satisfactory to the local government. This may require the dedication and upgrading of the public road to the satisfaction of the local government at the cost of the applicant.
- Provision being made for fire protection to the satisfaction of the local government.
- Tourist accommodation must be provided with a source of potable water for drinking and cooking purposes. Development applications should include preliminary details regarding the water source, storage and distribution conditions or treatment methods proposed.

#### Notes

Prior to occupation of the tourist accommodation, evidence of water supply suitability must be provided. In most cases supporting evidence of chemical and microbiological sample analysis, conducted by a NATA (National Association of Testing Authorities) approved laboratory will be required to show compliance with current Australian drinking water guidelines. Further routine sampling may be required by the local government to ensure compliance with the Health (Miscellaneous Provisions) Act 1911.

These are standard conditions and it is to be noted that additional conditions may be imposed on a development approval if there is a need to address a particular circumstance.

#### Rating

If the development of tourist accommodation changes the predominant use of a lot from a rural agricultural base to a non-agricultural base the local government may change the rating of such a lot from Un-Improved Value to Gross Rental Value.

Related Policies:	LPP 004 Bed and Breakfast HLT 5 Bed & Breakfast LPP 020 Developer and Subdivider Contributions LPP 021 Bush Fire Management
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Coordinator, Manager Corporate Services
Adopted:	OM 24 September 1992
Reviewed:	OM 27 July 2023

Policy Number:	LPP 013
Policy Type:	Local Planning Policy
Policy Name:	<b>Car Parking and Vehicular Access</b>
Policy Owner:	Chief Executive Officer

## OBJECTIVES

The objectives of this Policy are to:

- complement the car parking and vehicular access provisions of the Shire of Nannup Local Planning Scheme No. 3 (LPS3);
- establish guidelines that will achieve the construction of well-designed car parking areas including providing appropriate access, circulation and manoeuvrability conditions, providing an appropriate number and adequate size of car parking bays to meet the needs of new development, and ensuring vehicular and pedestrian safety;
- set out the requirements and standards for the development of vehicle parking areas associated with developments and land uses;
- set out design and general construction standards for car parking spaces and manoeuvring aisles appropriate to differing situations;
- provide for the management and convenience of vehicle parking for all developments and land uses at a scale and to a standard consistent with the amenity of a progressive town and district;
- clarify when sealed crossovers are required for new subdivision and development;
- improve the level of amenity and visual appearance of residential, commercial, industrial and other areas of the municipality through site development requirements;
- outline the opportunities and limitations for variations to car parking and access requirements; and
- set out the circumstances where landscaping for parking areas will be a requirement of planning approval.

## DEFINITIONS

In this Policy, the following definitions apply:

“Agriculture zone” – includes the Agriculture, Agricultural Priority 1 – Scott Coastal Plain, Agriculture Priority 2, Cluster Farming and Coastal Landscape zones.

“AS 2890 - Australian Standard AS/NZS 2890.1.2004 – Parking Facilities – Part 1 – Off Street Car Parking published by Standards Australia in 2004 and reissued incorporating Amendment No 1 in August 2005 (and any associated updates).

“Car Parking” - the provision of off-street parking spaces for cars in accordance with LPS3 and this Policy.

“Crossover” - a constructed traffic way connecting a public road to the private property boundary that connects with the internal site circulation driveway, parking manoeuvring aisle or domestic driveway and which may carry one or two-way traffic.

“Gross Floor Area” – in relation to a building means the aggregate of the total floor area of each level of the building including the thickness of external walls but excluding the space set aside for car parking or access thereto.

“Kerbed” - parking areas or spaces around which a barrier kerb is constructed to provide support for the surface of the car park and/or to separate parking areas from footpaths, landscaped areas or other spaces not designed to carry vehicles.

“Lined Out” - the marking out of each car parking space by painted lines and/or contrasting paving inserts or other means to identify each bay or the corners thereof to guide users as to manner in which the car park is intended to be used and to show the limits of each bay. The term also applies to the provision of directional arrows on the sealed surface denoting the direction of traffic movement within the car park.

“Manoeuvring Aisle” - the area at the rear of each car parking space used to manoeuvre vehicles into and out of such spaces all of which combined comprise an access driveway providing access to the individual bays.

“Off-Site Parking” - the provision of car parking accommodation on a different lot to that on which the new development that gives rise to the need for the parking accommodation is to occur.

“R Codes” - the Residential Design Codes adopted by the Western Australian Planning Commission including any updates.

"Reciprocal parking" - where parking facilities serve separate uses or a mixed use development and the parking demand generated by the various uses do not coincide.

“Sealed” - the use of impenetrable surfaces such as sprayed bitumen (two coat seal), bituminous concrete (hot-mix or asphalt), in-situ concrete, paving bricks or blocks, or pea gravel seal on a compacted gravel base.

### Application of the Policy

This Policy applies throughout the municipality and will be applied to Planning Applications and Subdivision Applications.

This Policy applies to all developments including new development, alterations or extensions to existing development, new site uses, additional uses, extension of uses or change of uses as considered appropriate by the local government.

## Links to Local Planning Scheme and other documents

This Policy relates to various requirements set out in LPS3, the Shire of Nannup Local Planning Strategy, the R Codes and relevant Australian Standards.

The provision of onsite parking is a requirement of LPS3 for new development and for various changes in land use (especially if the proposed use is expected to increase the demand for car parking spaces and/or lead to increased traffic impacts). The number of car parking spaces to be provided in relation to a range of different land use types is set out in Schedule 11 of LPS3.

## **POLICY**

### General

No development shall be occupied or a use commenced on a lot unless and until the on-site vehicle parking areas, associated access driveways and the crossover/s, as set out in the Planning Approval, have been constructed and completed, and the parking bays clearly defined or marked out to the specification and satisfaction of the local government. The local government will support performance bonds to assist in enabling earlier occupation for the development and/or use.

There is a presumption in this Policy in favour of parking areas and crossovers being sealed and suitably drained. Unless otherwise set out in this Policy or approved by the local government, car parking spaces, vehicular manoeuvring areas and access ways are to be sealed for new development within the Nannup townsite and in urban zones e.g. the Town Centre, Mixed Use, Industry, Residential and Future Development zones and for the Special Use Zone (within and adjoining the Nannup townsite).

There is a presumption in this Policy for crossovers to be sealed onto sealed roads in the Nannup townsite and for land zoned Residential and Special Residential outside the Nannup townsite.

Except for a single house and certain group dwelling proposals, all car parking spaces should be designed so vehicles can enter and leave the site in a forward direction. Additionally, car parking should be designed so that both ingress and egress from each space can be achieved in one movement.

Tandem car parking is not supported for commercial or industrial development. Although generally discouraged, the local government may permit tandem parking in some forms of residential development.

An existing building extended, with or without a change of land use, may be required to comply, wholly or partly, with the provisions of this Policy. The local government shall determine the extent of car parking required in each case, having regard to the degree of extensions and the nature of the altered land use.

Where redevelopment of an existing approved building is proposed, then the gross floor area of the existing building will be deleted from the gross floor area of the new building for determining additional car parking requirements (i.e. provided that existing parking bay numbers are retained, additional parking is only required for new floor space established). This provision is therefore not intended as a control or means to achieve retrospective provision of car parking to service an existing development, provided the land use remains the same (there is no intensification of car parking and traffic).

An applicant shall have regard, as appropriate, for the on-site provision of parking for owners/operators, staff, customers, people with disabilities, in addition to loading spaces and special purpose bays.

The local government may through issuing planning approvals or making recommendations on subdivision applications, require applicants to provide reciprocal rights of access to facilitate parking and access arrangements with adjoining owners.

Where a Planning Application proposes access to a road under the control of Main Roads Western Australia (which means the State Government's lead agency that is responsible for managing highways and the primary road network should it be renamed), the location and standard of access are to be to the satisfaction of the local government and Main Roads Western Australia.

Stormwater from impervious surfaces is to be designed and managed in accordance with the Decision process of stormwater management in Western Australia (DoW 2009) using systems as outlined in the Stormwater management manual for Western Australia (DoW 2007-2009).

#### Location and Availability

In most situations, car parking will be provided on-site. On-site car parking should be situated in locations readily accessible to staff, clients, residents and visitors, as the case may be to the satisfaction of the local government.

The number of on-site car parking spaces required to be provided for a particular development/use is set out in Schedule 11 of LPS3 or in the R Codes. The local government reserves the right to define a car parking requirement for uses not detailed according to the merits of the particular development proposed.

Unless otherwise set out in LPS3, premises and/or proposals with more than one use will be determined on the basis of the floor area for the use.

Unless otherwise set out in LPS3, the car parking standard to be applied by the local government is gross floor area.

#### Residential Development



The R Codes, adopted into LPS3, specify parking and access requirements for residential development together with the requirement to provide landscaping for parking areas where the number of parking bays is 6 or more. The local government will require compliance with the 'deemed-to-comply' provisions or will provide a discretionary decision based on the 'design principles' of the R Codes.

The R Codes stipulate that provision be made on-site for vehicles to be able to leave a residential site without reversing onto the street where the driveway serves five or more dwellings.

For land subject to the R Codes, garages and carports are to be sited in accordance with the 'deemed-to-comply' provisions or the local government will provide a discretionary decision based on the 'design principles' of the R Codes.

All parking for residential development, whether free-standing or as a component of retail/commercial development, shall be provided on-site.

#### Non-Residential Development

LPS3 sets out the provision to be made for parking for various non-residential land uses. Except as otherwise provided in LPS3 and this Policy, the local government will expect compliance with these standards.

In the Town Centre and Mixed Use Zones, except for resident car spaces and staff car spaces expressly agreed to by the local government, all car parking areas must be freely available to the general public. Closure of car parks, at certain times, for reasons of security or other agreed reasons may be approved by the local government.

In the Nannup town centre, preference is given to creating a continuous commercial facade fronting the street (usually with a nil/zero setback from the front property boundary) making the use of the rear part of the site, behind the building, suitable for parking. Where rear service lanes are available, this arrangement is particularly convenient. Unless constrained by existing development, the local government expects that car parking will be located at the rear of commercial lots where a lot adjoins a service lane.

In the Town Centre and Mixed Use Zones, the local government will require the loading and unloading areas for new development to be designed to ensure that loading/unloading occurs on-site (not on the street) and vehicles are able to exit and re-enter the street both in a forward gear.

In the Industry Zone, where front setbacks are normally applied, parking areas combined with site landscaping can be provided close to the street for the convenience of visitors, customers and employees.

In the cases of uses not included in Schedule 11 of LPS3 or where requested by the applicant, the local government will determine the number of parking spaces to be provided in each case having regard to:

- the nature of the proposed use;
- the number of employers and employees likely to be employed or engaged with the proposed use of the land;
- the likely demand for visitor parking;
- the orderly, proper and sustainable planning of the area in which the development is to occur;
- the times of peak usage and opportunities to share parking; and
- any other matter considered relevant by the local government.

### Loading and Unloading Spaces

In addition to the provision of car parking spaces, the local government may also require loading and unloading to be provided on the subject land, where goods need to be despatched from or delivered to the premises by truck. The local government may require the provision of these spaces to be marked exclusively for the use of delivery and services vehicles.

Loading bays should be situated such that commercial vehicles can be positioned wholly within the bay when loading and that loading activities can occur without undue disruption to, or access to, other car parking spaces.

Parking dimensions for trucks and buses should be determined by using the swept path templates as appropriate.

The minimum dimensions to be provided for a sealed loading and unloading area should be at least 7 metres long and 3.5 metres wide with a minimum height clearance of 3.5 metres. Depending on the anticipated length of heavy haulage vehicles, the dimensions may need to be greater to ensure usability.

### Special Purpose Bays

In addition to the provision of car parking spaces, the local government may where relevant require the provision of:

areas for parking of vehicles for people with disabilities;  
parking bays marked exclusively for the use of motor cycles, delivery and services vehicles, taxis, buses, coaches, courier services and for other relevant forms of motorised transport; and  
bicycle racks to promote sustainable transport.

All disabled parking bays are to be designed and constructed in accordance with AS2890.1 – 1993 Carparking – Appendix C – Guidelines for the Provision of Parking Spaces for People with Disabilities (or any updates).

The local government will determine the number of special purpose bays to be allocated for vehicles listed above and bicycles racks depending on the nature of the development.

#### Off-Site Parking

Where parking cannot be provided on the lot the subject of the Planning Application, but where an opportunity exists to provide the required parking on adjoining or nearby land, the local government will consider whether or not to approve such an arrangement.

The prerequisite to any such arrangement is that the proponent of the development that gives rise to the need to provide parking:

has control over the land (which is not the subject of the Planning Application); can set in place legally binding provisions that will ensure that the land will continue to be available for parking while the development operates and/or in perpetuity; and will enter into a legal agreement with the Shire to maintain the land for parking purposes and not to sell, lease or otherwise dispose of the land unless other equivalent provision is made elsewhere to the satisfaction of the local government.

The local government may be prepared to accept car parking on adjoining or nearby land in the same ownership, provided that the adjoining or nearby land is:

appropriately zoned; and  
amalgamated with lands the subject of the proposed development; or  
subject of appropriate title restrictions to ensure its continued availability for the car parking use.

Specific local government approval is required for any such arrangement. Applicants are required to provide relevant information for planning approval under LPS3 setting out the full details of the way in which the above requirements will be met. The costs of preparing and adopting legal agreements under this provision will be borne by the applicant.

#### Cash-in-lieu of Car Parking

Clause 5.5 of LPS3 sets out the method of calculation of cash-in-lieu payments for car parking and vehicular manoeuvring. In summary, the payments relate to what it would have cost in terms of the land value along with sealing and draining the car parking spaces and vehicular manoeuvring areas.

The local government may accept a cash-in-lieu payment, in lieu of the provision of that required number of parking spaces and vehicular manoeuvring within any zone. Realistically, it is only expected that a cash-in-lieu payment would apply in the Town Centre Zone or the Mixed Use Zone. The local government will consider cash-in-lieu of

parking spaces on the lot as set in clause 5.5 of LPS3. Additionally, the applicant should demonstrate to the satisfaction of the local government that:

the minimum vehicle parking requirements cannot reasonably be provided on the site, or  
in the interests of the town centre development, it would be better served by providing a portion or all of the vehicle parking requirement off site; and  
the surrounding parking facilities can accommodate the parking demand generated by the development to the satisfaction of the local government. This may require the preparation of a traffic/car parking management study by a suitably qualified professional.

Should the local government accept a cash-in-lieu payment, the following applies:

the payment is not less than the estimated cost of constructing (sealing) and draining the car parking spaces and vehicle manoeuvring areas required by LPS3, R Codes or as determined by the local government, plus the value of the land which would have been occupied by the area required for parking and vehicular manoeuvring areas. Land values are determined through valuations provided by Landgate or by a licensed valuer at the developer's cost;  
the local government having purchased land for a car park, or having provided a public car park in close proximity, or have a firm commitment to do so; and  
payments made under this clause being paid into a special fund to be used for the provision of public car parking facilities and the local government using these funds to provide public car parks, including on-street and off-street, in the vicinity of the land in respect of which the parking requirement arose (typically in the Nannup town centre).

The local government can set cost per car parking bay is set out in the local government's annual review of land value in its adopted Fees & Charges Manual (although this generally will not include vehicular manoeuvring areas).

Where desirable to facilitate the conservation of a heritage place, or to enhance or preserve heritage values of a place included on the Municipal List or within a Heritage Precinct, a cash-in-lieu payment may be provided up to a maximum of 100% of the car parking and vehicular manoeuvring costs.

The local government will consider options from the proponent to offset costs and partially meet off site car parking requirements, such as the proponent constructing the bays itself on local government land and/or reserves subject to the location and the detailed design being approved by the local government.

#### Reciprocal Parking

The local government may consider reciprocal parking arrangements where it is convinced that the demand for parking by the uses proposed will not coincide. This is where the applicant can suitably demonstrate that various uses, within a single property, or where justified in adjoining or nearby properties, operate at different

times of the day/evening or different days of the week, such that the same parking areas can be used by more than one land use. Any such relaxation will be dependent upon the local government being satisfied that the arrangement will prevail for the duration of the uses concerned.

Where reciprocal parking is proposed, the local government must be satisfied that:

the parking facilities serving the proposed uses will be located on the one lot, or that parking arrangements are permanent (e.g. legal agreement, easement, registering appropriate caveats on title or any other formal arrangement that the local government may require); and  
parking demand in the immediate and long term can be satisfied; and  
no conflict will occur in the operation of the land uses for which the joint use of parking facilities is proposed; and  
the uses being served by the parking arrangements are compatible (i.e. no overlap demand for parking facilities).

If land uses change, such that the parking area is in demand at the same time, then the local government may require revised parking arrangements to meet the changed circumstances to the satisfaction of the local government.

#### Modifying Development Standards and Requirements for Parking

Where, in the opinion of the local government, conditions are such as to render full compliance with the provisions of this Policy impractical, the local government may permit such departures as are considered to be warranted in the circumstances of the case.

Clause 5.6 of LPS3 allows the local government to modify the requirements of LPS3, including car parking standards, but may only do so where it is fully satisfied that:

approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and  
the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

In order for the local government to consider whether to modify a car parking requirement, it must determine that the above matters are met. It is also incumbent upon the local government to ensure that it acts in fairness and equity between land owners and does not set an unreasonable precedent for similar applications from others.

Given the above, the local government will require the proponent to appropriately justify modifications to development standards and requirements for car parking provision.

The local government considers that the availability of adjoining and/or nearby on-street parking does not in itself constitute a reason to vary the Policy given circumstances and demands will change over time.

#### Dimensions for Parking Spaces, Manoeuvring Aisles and Access Driveways

The dimensions for parking bays and manoeuvring aisles in differing locations are set out in AS 2890 and Austroads Part 11 (February 2008) and any associated updates. To provide general guidance to prospective developers and applicants, a table and diagram of parking spaces and manoeuvring areas are found in Attachments 1 and 2 to this Policy.

For more specific information, proponents of new development proposing a small number of car parking bays (usually less than 10) should contact the Shire to determine the dimensions that should be used for the parking and access in their particular instances to ensure compliance. For larger car parking areas, proponents are encouraged to seek professional design services.

The dimensions detailed in this Policy are generally minimum requirements. Individual circumstances may require the use of dimensions different from those specified in order to provide satisfactory access, manoeuvrability conditions e.g. topography or the provision of special purpose bays.

#### Construction Standards for Parking Areas

There is a presumption in this Policy in favour of all parking areas being sealed, drained and line-marked to the satisfaction of the local government. With the exceptions set out below, all car parking areas, access driveways and crossovers will be required to be sealed, drained and as appropriate lined-marked or suitably defined to the satisfaction of the local government. The exceptions are parking for:

development in Agricultural zones, the Special Residential Zone, the Special Rural Zone and other non-urban zones (although there is a requirement to seal crossovers that access sealed public roads);  
areas used for parking, circulation and manoeuvring of vehicles on Industry zoned land other than those areas required for customer parking, associated access ways and crossovers; and  
a single dwelling in the Residential Zone or areas classified as “Residential” in the Special Use Zone.

Car parking situated in yard areas or generally behind the front building line within the Industry Zone may be constructed to a suitable non-sealed standard e.g. gravel, subject to dust and drainage being effectively controlled. All car parking bays within front setbacks and/or associated with public use and/or showroom/front office use should be sealed and drained to the local government’s satisfaction.

All car parking, vehicle access ways, loading and unloading bays and turning and manoeuvring areas in the Town Centre Zone and the Mixed Use Zone shall be sealed and drained to the specification and satisfaction of the local government.

Sealed car parking and vehicular access are required for home businesses and commercial uses in the Residential Zone or areas classified as “Residential” in the Special Use Zone.

Draining car parks may involve the provision of a sump connected to the local government’s main drainage system or other arrangements to the satisfaction of the local government. The drainage design should seek to treat and detain water on-site so that as much water as possible will soak into the ground, with any surplus water being piped or directed off-site. The drainage shall not be connected to the local government’s main drainage without the written authorisation of the local government and shall be constructed to the local government’s satisfaction and standards.

Staff, resident and visitor car parking should be appropriately marked and/or signposted to the satisfaction of the local government.

For more detailed requirements on the construction of parking areas and width and construction of crossovers, these are set out in the adopted Guidelines for Subdivisional Development prepared by the Institute of Public Works Engineering Australia.

#### Pedestrian Movement between Parking Areas and Buildings

The local government will seek to ensure there are safe and convenient routes for pedestrians, including disabled persons, between car parks and buildings on each development site.

#### Vehicular Access/Crossovers

The local government requires that points of entry to and exit from properties/car parking areas onto the street suitably address the safety of all road users, road geometry, sight lines and visibility. The respective positions of street furniture such as poles, street lamps and street trees will also be taken into account.

The width of any such access ways/crossovers will be determined by matters including the numbers of vehicles proposed within the car park and the frequency of movements into and from the land in accordance with AS2890. Generally, crossovers will be required to accommodate simultaneous traffic movements into and out of the land.

Unless appropriately justified by the applicant and agreed to by the local government, parking areas should generally be designed to enable a vehicle to manoeuvre within

the site. An exception is where no more than two vehicles bays are provided and where there are safe sight distances in both directions.

The local government will require crossovers to be suitably located (to maximise sight distances and safety), constructed and drained. Any gates and fencing are to be suitably located and designed to ensure there are sufficient areas to enable vehicles to park in the crossover and/or on the property without impeding traffic or compromising safety onto the adjoining road.

Where new development is proposed, the local government will require sealed crossovers onto existing sealed roads:

within the Nannup townsite;  
for land zoned Residential and Special Residential outside the Nannup townsite; or  
for major development, in the opinion of the local government, and for commercial development outside of the Nannup townsite.

The above applies unless the proponent demonstrates exceptional circumstances to the satisfaction of the local government.

The local government will not require crossovers to be sealed for minor development from sealed roads in the Special Rural Zone and for areas outside the Nannup townsite, although there is a requirement for the crossover to be suitably located, constructed, drained and maintained.

If the road is gravel, the local government will allow an unsealed crossover which will need to be constructed and drained to the local government's satisfaction.

A vehicular driveway (ingress and/or egress) should:

be located such that any vehicle turning from the street into the driveway or into the street from the driveway can be readily seen by the driver of an approaching vehicle and be clear of all obstructions which may prevent drivers from having a timely view of pedestrians/cyclists;  
have separate entry/exit if it is likely that it will be used simultaneously by vehicles both entering and leaving the site and obstruction to traffic in the street could occur;  
be located to the street with the lowest traffic volume; and  
be at least 6 metres from an intersection.

Road safety and turning radii will be taken into account in deciding the position of a crossover.

Dual crossovers should be provided, wherever possible and practical.

Crossovers/access to main roads are required to be located, designed and constructed to the specifications and satisfaction of Main Roads Western Australia.



The access way should be not less than 4 metres in width, but if the size or shape of the lot makes the provision of any access way of that width impractical or unreasonable, the local government may permit a narrower access way but in no case less than 3 metres in width.

Where laneway access is provided to the rear of a site in the Town Centre or Mixed Use Zones which is not sealed, this is to be generally upgraded through new development and subdivision to provide an effective servicing function. This should be read in conjunction with Local Planning Policy No. 20 Developer and Subdivider Contributions.

Where there is conflict between a proposed crossover and public utilities services, such as drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees, the local government may set the position of the crossover access onto the road, require its construction and/or repair and maintain the crossover as provided for under Schedule 9.1 (7.2) of the Local Government Act 1995.

Any alterations for the removal/relocation of the conflicting public utilities will be at the owner's cost and subject to the approval of the service authority concerned.

Owners/designers are advised to take into account local government services, public utility services and street trees.

The Council will contribute (or subsidise) half the cost of a standard crossover up to a maximum of \$800 (one crossover to a property) or as set by the Council's adopted Fees and Charges. This is subject to the crossover being deemed by the local government to conform to the local government specifications. This is subject to the following:

- the subsidy applies to only one crossover per lot;
- proponents must make application for their crossover in writing to the local government and gain necessary approval/s for the location and design prior to any works being undertaken;
- the subsidy is claimed within 6 months of completion of the crossover;
- the local government will not meet the cost of culverts, alteration to services or tree removal;
- reconstruction of an existing crossover to a property will not attract a subsidy;
- applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy; and
- subdividers are not eligible for a subsidy for freehold (green title) or strata title lots.

As required, the crossover subsidy rates will be set annually by the local government through its adopted fees and charges.

The landowner is responsible for the maintenance of crossovers to the satisfaction of the local government.

The local government will request, where considered appropriate, that the Western Australian Planning Commission impose a condition requiring the subdivider to construct crossovers prior to the clearance of titles. In particular, the local government will require that crossovers are sealed where the crossover accesses a sealed road, and/or suitably constructs/upgrades a crossover where access is from an unsealed road. The local government will seek to ensure crossovers are appropriately located and constructed by subdividers.

#### New public roads created through subdivisions

Where a subdivider proposes to create a new public road, the local government will require the road to be suitably designed by a professional engineer and then suitably constructed and drained to the satisfaction of the local government. The road is to be consistent with the Guidelines for Subdivisional Development prepared by the Institute of Public Works Engineering Australia and/or Liveable Neighbourhoods.

Where the proposed lots are 3.99 hectares or less, the road/s need to be suitably sealed and drained by the subdivider to the satisfaction of the local government.

For lots that are between 4 and 9.99 hectares, the local government will require that a sealed road is provided where more than 5 lots are created. For lots that are between 4 and 9.99 hectares, where 4 or less lots are created or have the potential to be created from the road, the local government will consider unsealed roads unless there is steeper topography or other ground conditions that create safety issues and/or higher levels of on-going maintenance.

For lots that are 10 hectares or more, the local government will accept unsealed roads.

#### Battleaxe access legs

The local government will require sealed battleaxe access legs for lots in the Town Centre and Mixed Use zones and generally in the Industry, Residential, Future Development zones and for the Special Use Zone (within and adjoining the Nannup townsite) unless suitably justified by the applicant to the satisfaction of the local government.

The local government supports unsealed battleaxe access legs in other zones provided they are designed and constructed to enable year round access by two-wheel drive vehicles.

#### Landscaping Parking Areas

Car parking areas, particularly large parking lots, can be unattractive. The provision of landscaping can assist to reduce visual impacts. The use of shade trees and landscaping strips can assist provide visual relief from extensive areas of bitumen, or other forms of sealing or construction agreed to by the local government.

The local government will require that car park design and construction include adequate provision for suitable landscaping. This could include screen, feature and shade trees and shrubs as appropriate to the satisfaction of the local government.

In residential areas, the R Codes require landscaping proposals to be implemented where parking areas accommodate six or more vehicles.

For commercial and industrial developments in the Industry Zone, the local government will require at least 5% of the site area to be landscaped. The purposes of this landscaping are to:

soften the impact of development;  
screen parking and other visually unattractive areas from view from the street; and  
improve the streetscape.

The local government will normally require the landscaping to be provided along the street frontage (as a minimum) to act as a screen for parking areas where they are located within the front setback.

Where an individual open car park contains 10 or more parking bays for a non-residential use, one parking bay in 10 shall be set aside and planted with trees and/or shrubs to provide shade and visual relief.

#### Implementation

The local government may require the lodgement of performance guarantees/bonds against the satisfactory construction, completion and establishment of car parking areas, vehicular access, crossovers and associated landscaping. To achieve effective implementation of planning conditions, the performance guarantee/bonds are to be paid prior to the issue of a Building Permit for new/expanded buildings or prior to occupation for a change of use.

The amount of the bond will be determined by the local government and can be set in its annual fees charges.

Crossover construction or reconstruction may be required as a condition of subdivision, development and/or as a condition of issue of Building Permit where it is deemed by the local government that the work is necessary.

The local government may construct the crossover, if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, for which payment of a crossover bond has been made. Where the local government carries out the construction, the owner may not claim a subsidy.

#### **ADMINISTRATION**

## Application Requirements

Applications for Planning Approval for new development should provide, in addition to the details of the proposed development, a plan/s at a suitable scale with dimensions shown, which sets out for the entire lot the subject of the application, the following:

- the area to be or already covered by buildings or other structures;
- details of land to be allocated to car parking and other parking;
- details of the position of all access driveways and access crossovers;
- details of pedestrian movement systems between the car park and the building/s; and
- areas to be provided for landscaping and shade trees.

In giving consideration to a Planning Application, the local government will require the applicant to:

clearly indicate on the application form the type of land use that will operate from the land;

the number of persons to be employed / involved in the operation of the land use; and other matters set out in this Policy.

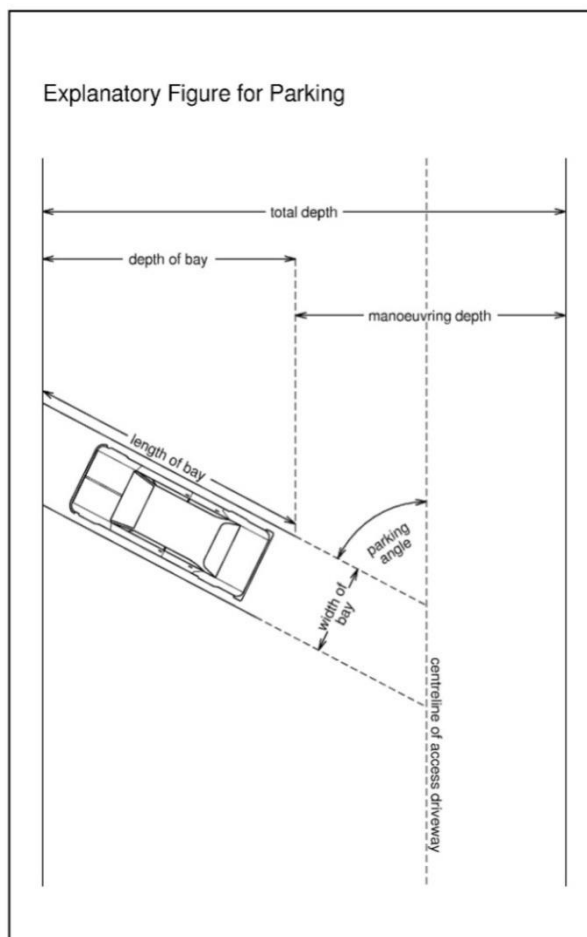
Based on the above information, the local government as part of its development assessment will set out or estimate the expected parking needs of the proposed land use/development.

### Attachment 1 - Parking dimensions

Parking Angle	Width of Bay (m)	Length of Bay (m)	Depth of Bay (m)	Minimum Manoeuvring Depth (m)	Minimum Total Depth (m)
		(a) One-Way Access			
90o	2.6	5.5	5.5	5.9	11.4
75o	2.6	5.5	6.0	5.3	11.3
60o	2.6	5.5	6.1	5.0	11.1
45o	2.6	5.5	6.1	3.6	9.7
30o	2.6	5.5	4.8	3.3	8.1
00o (parallel parking)	3.0	6.7	3.0	3.0	6.0
		(b) Two-Way Access			
90o	2.6	5.5	5.5	6.0	11.5
75o	2.6	5.5	6.0	6.0	12.0
60o	2.6	5.5	6.1	6.0	12.1
45o	2.6	5.5	6.1	6.0	12.1

30o	2.6	5.5	4.4	6.0	10.4
00o (parallel parking)	3.0	6.7	3.0	6.0	9.0

Attachment 2 - Explanatory figure for parking



Related Policies:	LPP 020 Developer and Subdivider Contributions WRK 7 Crossovers
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Officer, Manager Infrastructure
Adopted:	Unknown
Reviewed:	OM 27 July 2023

Policy Number:	LPP 015
Policy Type:	Local Planning Policy
Policy Name:	<b>Dedication of Road Access</b>
Policy Owner:	Chief Executive Officer
Authority:	Local Government Act 1995 Land Administration Act 1997 Shire of Nannup Local Planning Scheme No. 3

### **Objectives:**

To outline the criteria to guide the local government when considering applications from members of the public, government agencies or elected members to dedicate road access to privately owned land;

To determine the road safety standard required for any proposed dedicated road to be constructed or upgraded to achieve;

- To clearly define the local government's responsibility and obligations in regard to any proposed road dedication in respect to future road construction/upgrade timeframes and subsequent maintenance frequency; and
- To determine whether any costs associated with future construction/upgrading are to be met by the landowner/s, other bodies or by the local government (or a combination of some or all), and the extent of any such contribution.

### **Background:**

The Shire of Nannup has numerous un-dedicated tracks that have been used to gain access to private property through areas of State Forest or other Crown reserves. These tracks are little more than narrow tracks that have not been properly designed or constructed to contemporary road construction standards and often have been used as firebreaks or fire access tracks by the Department of Parks and Wildlife (DPaW) in the past.

There are also situations within the Shire of Nannup where road access has been provided to privately owned land by way of a "right of carriageway" easement through crown land negotiated between the private landowner and (usually) the Executive Director DPaW (previously the Conservator of Forests, Forests Department or the Executive Director Department of Conservation and Land Management).

These "rights of carriageway" or "private roads" entitled landholders access through areas of State Forest or Crown land under the control of DPaW. A "right of carriageway" does not always constitute a public road therefore access is technically restricted to the landowner named in the easement.

There are also instances within the Shire of Nannup where historically created lots are “land locked” and do not have direct access to a public gazetted road and other historically created lots do not have access to a constructed public road.

### **Policy Statement**

Local Government Involvement in the Dedication Process:

The local government will not generally become involved with any request for the dedication of an access track other than when associated with realignment, closure or extension to an existing dedicated road reserve.

The local government will only give consideration to an application for the dedication of a track/access as a “road” when the following conditions have been met:

The proponent/s provides written agreement to the proposal from all affected landowners/land managers (including DPaW). DPaW generally will not consider supporting a proposal which results in the loss of land it manages, so there is usually the requirement for a land swap.

All landowners that the proposed dedicated road will benefit, have agreed to pay all costs incurred during the dedication process including:

- costs incurred to have prepared a Risk Assessment Report of the proposed road dedication to determine the required design required to ensure that the road will be safe for the public to use if dedicated;
- costs associated with the subdivision/amalgamation of private land ceded to create the road reserve;
- costs associated with compensation for land ceded; and
- costs associated with undertaking the survey and lodgement of survey documents with the Department of Lands for registering the new dedicated road.

All landowners provide the local government with a written agreement that all upgrading/construction costs required to meet the safety requirements identified as a result of the Risk Assessment Report will be met by the landowners in full.

Landholder Responsibility: Where a property is not serviced by a dedicated road access, all costs incurred to maintain access remains the responsibility of the respective landowner and the local government will not provide any assistance for maintenance or upgrading unless the landowner engages the services of the local government under a “Private Works” contractor basis and pays the full cost of any such work. Where the access track traverses DPaW lands any maintenance works undertaken by the local government will be in accordance with the local government Policy WRK.8 Maintenance of DPaW Access Tracks.

“Public Good” Road Dedications: the local government will only progress an application for dedicated road access when the local government is of the opinion that is a “public good” in the following circumstances:

When the proposal is in accordance with Shire of Nannup Local Planning Scheme No. 3 and the Local Planning Strategy; and

The proposal will result in the improvement of the local government’s road infrastructure; and

The proposal will be of benefit to the wider community and meet community requirements under the Scheme or Strategy.

Related Policies:	WRK 8 Maintenance of DPaW Access Tracks LPP 020 Developer and Subdivider Contributions
Related Procedures/ Documents	Nil
Delegation Level:	Development Services Coordinator
Adopted:	OM 28 October 2010 # 8483
Reviewed:	OM 27 July 2023



Policy Number:	LPP 018
Policy Type:	Local Planning Policy
Policy Name:	<b>Signs and Advertisements</b>
Policy Owner:	Chief Executive Officer

Authority: Shire of Nannup Local Planning Scheme No. 3

## OBJECTIVES

The objectives of this Policy are to:

- ensure that existing and future signage is maintained at a level which produces a positive image of the Shire of Nannup;
- encourage advertising which complements the natural and urban environment whilst minimising any negative impacts;
- promote a high standard of design and presentation;
- minimise clutter of advertising signs;
- control the erection of signs (size, type, location and quality) so as to minimise the proliferation of signs, prevent visual pollution and not detract from the amenity of an area;
- prohibit advertising which is superfluous or unnecessary by virtue of their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content;
- ensure that the visual quality and character of localities and transport corridors are not eroded;
- minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
- provide further interpretation of LPS3 in the assessment of applications for signs;
- set out guidelines that will assist in the regulation and control of signage;
- provide increased certainty for advertisers, landowners, the community and others and to assist in providing greater consistency in decision making by the Council; and
- facilitate the effective and timely processing of sign applications where in accordance with this Policy.

## DEFINITIONS

In this Policy, the following definitions apply:

“Advertisement” means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display or

advertisements. The term includes any airborne device anchored to any land or building any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.

“Advertiser” means any person or any group comprised of the landowner, occupier, licensee or other person having an interest in, or drawing benefit from, the display of an advertisement concerned. In this Policy, “advertiser”, “applicant” and “proponent” have the same meaning.

“Third party properties” means properties which are not owned by the advertiser and/or from sites where the business or service is not operating.

In this Policy, “main roads” and “key tourist routes” means the Vasse Highway, Brockman Highway and Nannup-Balingup Road.

In this Policy, “signs”, “advertisements” and “advertising signs” have the same meaning. “Sign” can also mean “signs”.

In this Policy, “Agriculture Zone” also means “Agriculture Priority 1 – Scott Coastal Plain”, “Agriculture Priority 2”, “Cluster Farming” and “Coastal Landscape” zones.

## **POLICY**

This Policy sets out Council's position relating to signs and advertisements.

It is Council's policy to achieve a balance between the provision of legitimate and appropriate signage and to minimise the adverse impacts that signs may have on the amenity, appearance and character of an area and/or on the municipality.

### Background and Issues

It is a requirement of the Shire of Nannup Local Planning Scheme No. 3 (LPS3) for various signs to gain planning approval prior to erection, placement or display.

### Application of the Policy

This Policy applies to any advertising device proposed to be erected within the municipality unless it is an “exempted advertisement” as set out in Attachment 1 of this Policy (Schedule 5 of LPS3).

### Links to Local Planning Scheme and Other Documents

This Policy relates to various requirements set out in LPS3 including Clause 5.8.14.2 requiring advertisers to submit a Planning Application to the Shire.

## Policy Provisions

### Exemptions from the Requirement to Obtain Planning Approval

Planning approval is not required from the Council in respect of those advertisements listed in Attachment 1 which are referred to as “exempted advertisements”. The exemptions listed in Attachment 1 do not apply to land, buildings, objects, structures and places included on the:

- Council’s Heritage List;
- National Trust list;
- National Estate register;
- within a Heritage Area; or
- within a Landscape Values Area.

For all other signs not set out in Attachment 1, the advertiser is required to submit a Planning Application and gain approval from the Council prior to the sign/s being erected.

## **General**

In assessing a Planning Application for a sign, the Council will have regard to matters including the following:

- size, shape, materials, colours, finish, wording, general appearance, quality and location of the sign;
- whether it is illuminated and the presence or rate of flashing lights;
- existing number of signs on the site and as relevant in the locality (especially adjoining main roads and key tourist routes);
- pedestrian, cyclist and motorist safety;
- the objectives of LPS3;
- provisions and requirements of LPS3;
- the character and amenity of the locality within which it is to be displayed, including its historic and/or landscape significance;
- whether the application will create or exacerbate a clutter of advertising signs;
- whether the sign will create a detrimental visual impact on the area and/or transport corridor;
- whether the advertising is superfluous or unnecessary by virtue of their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content;
- zoning of the lot;
- the amenity of adjacent areas which may be affected and the effect on the streetscape;
- whether the sign is proposed to be temporary or permanent;
- written comments from affected landowners and other stakeholders;
- adopted Nannup main street heritage area guidelines, other adopted design guidelines or adopted building and landscaping guidelines;

- for signs proposed in or near the Nannup townsite, taking account of the historic and garden village theme of Nannup; and
- any other circumstance and factor affecting the application in the opinion of the Council.

Generally, signs should be located on land or buildings on which is conducting a business or profession which the sign relates. The Council may, following appropriate justification from an applicant, consider signs on “third party” freehold properties. Generally, this will be:

for a temporary period (typically 6 – 12 months) following which the signs are to be removed;

for a recently established local business or a local business (based in the Shire of Nannup) which will shortly commence operating; and

limited to one sign for the business which is no greater than 4m<sup>2</sup> in area.

The Council will not support commercial advertising signs (including pylon, hoarding, tethered, and product display signs) for products and services of a multi-national, national or State wide business/entity which is located on third party land. The only exception is where the sign is located on a building, where it will be assessed on its merits against this Policy and LPS3.

The Council will consider signs, no greater than 4m<sup>2</sup> in area, which advertise community development or road safety on third party freehold land. Signs will generally be granted approval for a temporary period which is typically no greater than 12 months. After this, the sign is to be removed.

The Council will not support applications for advertisements that, in the opinion of Council, detract from the aesthetic qualities of an area by virtue of inappropriate size, colour, illumination and location. Additional to this, the Council will consider the existing number of signs placed in an area and/or on the building to ensure visual cluttering does not occur.

Generally, the Council does not support signs located on a light pole or power pole unless associated with a community event. Additionally, for roads managed by Main Roads Western Australia, the agency does not allow a sign or advertising device to be attached to existing signs, structures and roadside items including a light/power pole.

The use of vehicles, trailers, and trucks for display or exhibiting of signage will not be permitted except for special events as approved by Council.

The “onus of proof” rests with the advertiser to justify their Planning Application and variations to this Policy.

### Prohibited Signs

A person shall not erect, maintain or display a sign that:

will obstruct the view of traffic on a street or public place;  
 prevents the safe and effective use of a footpath and/or dual use path;  
 is located in a median strip or roundabout;  
 can obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods;  
 is likely to be confused with, or mistaken for, an official traffic sign;  
 emits a flashing, intermittent or sequential light;  
 is situated on a tower, mast, chimneystack, spire, dome or similar architectural feature or on a superstructure over the main roof of a building;  
 is situated on a building or structure where the stability of the building or structure is likely to be affected by the sign;  
 is free standing sign above a roof;  
 is on a tree that is living; and  
 that contains offensive language or content.

### Town Centre Zone and Heritage Area

In the Town Centre Zone and/or the Heritage Area (subject to the Nannup Main Street Heritage Guidelines set out in Local Planning Policy No. 8), the following will apply:

- consistency with the “garden village” character and “working timber town” identity;
- be compatible with existing development and the Heritage Area including being respectful of the scale, form and style;
- the use of under verandah signs and “shingles” is encouraged;
- signage is contained to the building walls and parapets. No additional structures will be permitted for roof mounted, signs over roofs or above parapets;
- signs are allowed on verandah fronts provided they are no higher than half of the parapet behind;
- stand-alone pylon signs, such as petrol station signs, may be acceptable where they are on, or close to, the front boundary and do not exceed the height or the proposed building;
- external illuminated signs are supported, however flashing illuminated or reflective signs are not supported; and
- advertising for franchises/corporate images are not supported where they affect the town’s established character or subdue its rural image.
- Home Business Signs

Permanent signs for home businesses in the Residential, Special Residential, Special Rural and Special Use Zones (for Special Use Zones within the Nannup townsite) are to be:

associated with the occupation of persons living on the property;  
 a maximum of 1m<sup>2</sup>;  
 constructed of materials and in colours which are complementary to area; and

restricted to the approved business name and not advertise any commercial product.

### Signs in Other Zones

Unless appropriately justified by the advertiser, the Council will not approve the erection of signs within the Industry Zone, Special Use Zone (outside the Nannup townsite) and in agriculture zones for an advertising device for a service or commodity which is not produced, offered or sold on the lot where the advertising device is erected.

Unless appropriately justified by the advertiser, the maximum size of a permanent sign is:

Industrial Zone: 15m<sup>2</sup>;

Special Use Zone (outside the Nannup townsite): 9m<sup>2</sup>; and

Agricultural Zones: 9m<sup>2</sup>.

### Signs within Road Reserves and on Shire Managed Land

Generally, the Council does not support signs being located in road reserves and on Shire managed land. Exceptions to this are moveable signs (section 11 of this Policy), real estate signs outside of townsites and adjacent to various zones (section 12) and directional signs (section 14).

Public open space and reserves within the municipality on land managed by the Shire, shall not be used for the erection of signage except for purposes as approved by Council.

The Council does not support the erection of signage on trees within the road reserve.

The Council will consider signs supporting the sale of locally produced rural produce, adjacent to agricultural zones, within a road reserve managed by the Shire. The Council will support the erection of a seasonal signage, to bona fide rural producers, who provide for the sale of produce on an incidental basis subject to meeting other requirements of this Policy including safety considerations.

### Siting Restrictions Near Main Roads and Key Tourist Routes

The Council will generally not permit the siting of advertising signs on or in the vicinity of main roads and key tourist routes (for this Policy these are Vasse Highway, Brockman Highway, and Nannup-Balingup Road) when they provide vistas for the surrounding landscape. The protection of these vistas is important from a tourism and amenity viewpoint.

The Council may consider the erection of suitable advertising signs near main roads and key tourist routes where the signs are:

- on freehold land; and
- located on land or buildings on which the business or profession relates; or
- for new business and limited to a temporary period (as outlined in section 2); or
- for community development or advertising road safety (as outlined in section 2).

The Council will require that signs are sited to minimise the impact upon surrounding vistas and to minimise impacts on the area's amenity.

If an advertising sign is deemed to be in conflict with its surrounding environment and will detrimentally reduce the amenity of the area, then the Council will not support the proposed sign.

#### Signs Within Places of Heritage Value

The Council will have regard to the placement of signage on or within places of heritage value and buildings set out in the Council's Heritage List, National Trust list, National Estate register or within a Heritage Area. Further, the Council will consider:

- the historic appropriateness of the materials;
- style design and lettering of the sign; and
- whether it is affixed in such a way that it causes no damage to the building and may be removed without leaving evidence of it having been affixed.

#### Temporary Signs for Events and Traffic Management

There is no requirement to submit a Planning Application for signs associated with traffic management for events. This is subject to signage and the event being undertaken in accordance with the Traffic Management for Events Code of Practice (or any updates).

There is no requirement to submit a Planning Application for signs to publicise a forthcoming event subject to the following:

temporary signs are not to be placed on the road reserve, unless it is a directional sign; the temporary sign must be removed after the forthcoming event has passed and must not be displayed longer than 8 weeks; located to promote the safety of motorists, pedestrians and cyclists; if the Council considers the temporary signs are inappropriate or unsuitable they will be removed.

While noting the above, Main Roads Western Australia requires approval for any signage in, or in the vicinity of the road reserve of a declared highway or main road. A written application is required.

There is no requirement to submit a Planning Application for signs associated with traffic management for works on roads. This is subject to signage and works being undertaken in accordance with the Traffic Management for Works on Roads Code of Practice (or any updates).

### Moveable Signs

Movable signs are not supported where, in the Council's opinion, the sign would obstruct pedestrian, cyclist or vehicle movements or sightlines or obstruct access or views from any other premises.

Moveable signs may be supported by the Council where relevant safety and other planning considerations are suitably met. This is subject to:

- any moveable sign should typically be located as close as possible to the premises to which it relates, unless the Council is satisfied that there are circumstances which make this difficult and that an alternative location has been identified, which is to the satisfaction of Council;
- the advertiser/operator is required to maintain an appropriate Public Liability Insurance covering the placement of the moveable sign on the footpath within the Nannup town centre that indemnifies Council to the satisfaction of Council;
- moveable signs shall only remain in public places while the shop or business is open for trading; and
- moveable signs within road reserves are to be removed at the close of trading each trading day.

### Real Estate Signs

No Planning Application is required for advertising signs for property transactions including sale and leasing where the sign complies with Attachment 1 and where the property is not on the Council's Heritage List, on the National Trust list or on National Estate register. This is subject to the sign being:

located to promote the safety of motorists, pedestrians and cyclists;  
located on freehold land which is subject to the property transaction; and  
removed within 4 weeks of the completion of the property transaction.

No real estate advertising signs will be permitted on road reserves or on Shire controlled land in the Nannup townsite and on land adjacent to sites zoned Residential, Special Use, Future Development and Special Rural outside the Nannup townsite. Real estate advertising signs are to be located on freehold land which is zoned Residential, Special Use, Future Development and Special Rural outside the Nannup townsite.

The Council will determine the merits of real estate signs in road reserves adjacent to agricultural zones where they cannot be located on freehold land and they are appropriately located which promote the safety of motorists. Real estate agents will



be responsible for “Dial before you dig” and avoiding services/infrastructure, with any costs payable to rectify services met by the real estate agency.

The Shire may remove real estate signs located within road reserves or on Shire controlled land throughout the municipality without necessary approvals and/or for signs which may create safety concerns.

#### Subdivision/Development Marketing Signs

Subject to other requirements of this Policy being suitably met, including safety considerations, the Council will support one sign per street frontage up to 3m<sup>2</sup> on the development site. For large development or redevelopment projects, in the opinion of the Council, the Council may consider approving one sign per street frontage up to 10m<sup>2</sup> on the development site.

Any subdivision/development marketing sign will be approved for a temporary period as determined by the Council.

#### Directional Signs

The Council will assess, on its merits, the use of standard directional signs on roads to direct traffic to emergency services, community groups, businesses or other entities. Main Roads Western Australia has authority over directional signs (service and tourist signs) on the State road network. Where the local government is asked to comment, the Council will recommend that a limit of one fingerboard sign for the entity is provided at the junction of a highway or main road indicating the most direct route to the facility.

Generally, the Council will limit the number of directional signs at any intersection or other location to three (3). Priority for directional signs is given to emergency services, then community groups and last to businesses.

Generally, the Council will issue approval for directional signs for a maximum of 5 years. Following this, a separate application (and approval) is required or the sign may be removed. The Shire may remove the directional sign where the entity is no longer operating or if the entity has relocated their premises.

The advertiser is responsible for meeting the costs of directional signage, with costs set out in the Council’s fees and charges.

The Council will generally support the use of composite/generic signs to remove the need for separate signs.

Where more than one direction sign is required for a particular street junction, then they may be required to be incorporated into a stack sign structure which will be funded by the various sign owners. Should there be a request for multiple signs, the

Council may require the installation of a “generic” sign e.g. directing to the industrial estate.

Directional signs should not resemble an official traffic sign.

All lettering shall be white on a blue background for services or white on brown for tourist attractions.

Tourist signs may be installed for tourist establishments endorsed by the Department of Planning or Tourism WA (or the agency responsible for tourism planning).

### Main Roads Western Australia

The erection of signs near a highway or main road under the control of Main Roads Western Australia (MRWA) requires the approval of both the Council and MRWA.

MRWA require approval for any signage in, or in the vicinity of the road reserve of a declared highway or main road. A written application is required.

The Council does not generally support signs within road reserves managed by MRWA for reasons including visual impact and detrimentally impacting the amenity of the area. The Council will consider, on its merits, signs within road reserves managed on MRWA as set out in this Policy. Additionally, the Council will consider, on its merits, signs on adjoining freehold land as set out in this Policy.

### Existing Signs

There is no presumption that any existing sign has an approval from the Council. All signs will be treated according to this Policy unless the owner of the sign is able to demonstrate that Council has previously issued approval for that sign.

#### Derelict or Poorly Maintained Signs

Where, in the opinion of the Council, an approved sign has been permitted to deteriorate to a point where it conflicts with the objectives of LPS3 or it ceases to be effective for the purpose for which it was erected or displayed, the Council may by notice (consistent with clauses 5.8.17.7 and 5.8.14.8 of LPS3) in writing require the advertiser to:

repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice; or  
remove the advertisement.

### Non-Compliance

Should any sign (other than exempt signs which are consistent with this Policy) be erected without gaining Planning Approval, the Council may, without incurring any liability, remove and dispose of the sign. The sign may be removed may incur a retrieval fee and may be detained for a period of 3 weeks where this occurs for the first “offence”. Any sign not claimed within 3 weeks may be disposed of for the first offence. For the second and possible multiple offences, any non-compliant sign may be disposed of immediately.

Should any sign that has gained Planning Approval not comply with the conditions of the Planning Approval, the Council may serve a notice on the advertiser (consistent with clauses 5.8.17.7 and 5.8.14.8 of LPS3).

Where an exempt sign seriously conflicts with the provisions of clause 5.8.14 of LPS3, the Council may serve a notice on the advertiser consistent with clauses 5.8.17.7 and 5.8.14.8 of LPS3.

In addition, the Council may require any sign to be removed if it is of the opinion that it is offensive or unsightly consistent with clauses 5.8.14.6 and 5.8.14.8 of LPS3.

## **ADMINISTRATION**

### **Matters to be Addressed Prior to Formally Lodging the Application**

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early on in the planning process and prior to the formal lodgement of any Planning Application.

### **Application Requirements**

Planning Applications are to include the following:

the requirements set out in clause 5.8.14.2 and Schedule 7 of LPS3 which includes a clear photograph/diagram of the sign (incorporating colours, dimensions, materials); and a clear site plan (including highlighting existing signs); filling in the Form of Application for Planning Approval and the Additional Information for Advertisement Form; and payment of the Shire Planning Application fee.

Preferably, the Planning Application is also accompanied by written correspondence which sets out reasons justifying the proposal.

Should a Planning Approval be issued, it may be necessary for the proponent to submit a Building Licence Application (which gains necessary approval) prior to erecting the sign.

### **Consultation with Landowners and Stakeholders**

The Shire administration may seek comments on any Planning Application as considered appropriate.

Where a proposed sign is considered to have the potential to adversely impact on adjoining and/or nearby landowners, in the opinion of the Shire administration, the Shire will write to affected landowners/stakeholders regarding the application and invite them to submit comments to the Shire.

Where a Planning Application for a sign is made that does not comply with the requirements set out in this Policy, a copy of the application may be referred to adjoining/nearby landowners, relevant government agencies and stakeholders for comment.

Where a sign adjoins a road managed by MRWA, unless on a building and in conformity with this Policy, it will be referred to MRWA for comment.

#### Assessing the Planning Application

Planning Applications will be assessed on a case by case basis subject to this Policy, LPS3, information provided by the applicant and any submissions received.

In granting planning approval for the erection or display of an advertising sign, the approval may include conditions concerning matters such as the location, position, size, shape, colour, number of existing signs, degree of illumination and length of approval.

Should an application for a sign not comply with requirements of this Policy, the application may be referred to Council for consideration.

Where objections are received and the objections are not able to be adequately dealt with through conditions of approval, the application will be referred to Council for determination.

The Council may refuse a Planning Application where the application is inconsistent with this Policy and/or LPS3, or based on information set out in any submission received.

Related Policies:	Nil
Related Procedures/Documents:	Attach 1: Schedule 5 of LPS3
Delegation Level:	Development Services Coordinator
Adopted:	26 July 2012
Reviewed:	OM 27 July 2023

Policy Number:	LPP 019
Policy Type:	Local Planning Policy
Policy Name:	<b>Heritage Conservation</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No.3 (LPS No. 3) Heritage of Western Australia Act 1990

## BACKGROUND

The Shire of Nannup Local Government Inventory, also commonly known as a “municipal heritage inventory”, identifies places within the district that have cultural heritage significance. The compilation of a Local Government Inventory is a requirement of Clause 45 of the Heritage of Western Australia Act 1990.

Heritage places on the Shire of Nannup Local Government Inventory have been classified with a Management Category either as ‘A’, ‘B’, ‘C’ or ‘D’. Those places with the greatest heritage significance have also been identified for inclusion on the Heritage List pursuant to the Shire of Nannup Local Planning Scheme No.3 (“the Scheme”). Heritage places with Management Categories ‘A’, ‘B’ and ‘C’ are included on the Heritage List, while places with a Management Category of ‘D’ are not included on the Heritage List.

Places that are considered to be of significant heritage value and worthy of conservation are identified on the Heritage List set out in Attachment 1 of this Policy. Modifications to the Heritage List are to address clauses 7.1.3 and 7.1.6 of the Scheme.

Aboriginal heritage is protected by the Aboriginal Heritage Act 1972. This Policy does not apply to the conservation of Aboriginal heritage except where Aboriginal heritage is included within the Heritage List or is within a designated Heritage Area.

The Scheme establishes a Heritage Area over a portion of the Nannup town centre. Clause 7.2 of the Scheme also enables additional Heritage Areas to be established.

## OBJECTIVES

The purpose of this Policy is to:

Set out development control principles for places on the Heritage List established pursuant to the Scheme, for other places on the Shire of Nannup Local Government Inventory and for development within a Heritage Area.

Provide further direction on the development control principles contained within State Planning Policy 3.5 Historic Heritage Conservation.

Provide increased certainty to landowners and the community about the development control principles for heritage conservation and protection.

The objectives of this Policy are:

To ensure that works, including conservation, restoration, alterations, additions, changes of use and new development, respect the cultural heritage significance associated with places listed on the Heritage List and for development within a Heritage Area.

To encourage opportunities for interpretation where it can enhance understanding and enjoyment of heritage places and strengthen the relationships between the community and its heritage.

To conserve and protect places and areas of heritage significance within the district.

To provide information that assists property owners and/or managers to understand and appreciate the cultural heritage significance of heritage properties and areas.

## **APPLICATION**

This Policy applies to places entered on the Heritage List, pursuant to the Scheme, which are outlined in Attachment 1 along with development within a Heritage Area. General guidance is also provided to heritage places with a Management Category D in Attachment 2. Attachment 2 sets out additional policy provisions for places with Management Categories 'A', 'B', 'C' and 'D' with a particular focus for places on the Heritage List.

## **DEFINITIONS**

Adaptation means the modification of a place to suit proposed compatible use or uses.

Archival Record means a document containing drawings, photographs and written information prepared in order to record the state of a place at a given time, usually prior to demolition or major change. The Heritage Council of Western Australia has prepared standards for archival recording.

Conservation means all the processes of looking after a place so as to retain its cultural heritage significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation. Conservation will commonly involve a combination of more than one of these.

Conservation Plan means a document that details how to identify and look after the significant cultural values of a place. Its preparation involves a systematic way of

considering, recording and monitoring actions and decisions relating to all aspects of managing a place. The Heritage Council of WA provides guidelines for the preparation of conservation plans to ensure that all important matters are considered.

Cultural Heritage Significance means the aesthetic, historic, social and scientific values of a place for past, present or future generations.

Heritage Area means an area of land that has identified cultural heritage significance and character which is desirable to conserve.

Heritage Agreement means a contract under section 29 of the Heritage of Western Australia Act 1990 which is undertaken on a voluntary basis by the owners of a heritage place. The agreement binds current and successive owners to a set of conservation conditions and may provide compensating benefits in some circumstances. The purpose of a Heritage Agreement is to secure the long-term conservation of a heritage place. A Heritage Agreement attaches to the land and is confirmed through a Memorial placed on the land title.

Heritage Impact Statement means a report that evaluates the likely impact of proposed development on the significance of a heritage place and its setting, or on the heritage area within which it is situated. The report may also outline measures as to how any detrimental impact may be minimised. The Heritage Impact Statement should address:

How will the proposed works affect the cultural heritage significance of the place?  
What alternatives have been considered to ameliorate any adverse impacts?  
Will the proposal result in any heritage conservation benefits that may offset any adverse impacts?

Note: The Heritage Council of WA has produced a guide and form for the preparation of Heritage Impact Statements. This information is available on the Heritage Council's website.

Heritage List means a list of places that has been adopted under the Local Planning Scheme (outlined in Attachment 1 of this Policy).

Heritage Place means a building, structure, site, area of land or other physical element valued for its cultural (or historic) heritage significance, together with associated contents and surrounds.

Interpretation means all the ways of presenting the significance of a heritage place. Interpretation can include the use of colour, lighting, furnishings, historic material or signage or a combination of these to tell the story of the building or place.

Interpretation Plan is a document that explains the ways in which a place could be interpreted. Interpretation Plans should aim to increase both our understanding and our enjoyment of heritage places.

Local Heritage Contract means a contract between the owners of a heritage place and the local government undertaken on a voluntary basis by the owners in return for planning concessions or a rate rebate agreed to by the local government. The agreement binds the current owner to a set of conservation conditions in return for identified and agreed compensating benefits.

Significant Fabric means all the physical material of the place including components, fixtures, contents, and objects that contribute to the heritage significance of the place.

Significant Trees means trees that have been identified in the Heritage List for their heritage significance, which includes characteristics such as outstanding aesthetic significance, horticultural value, historic value, and/or unique location and context.

Structural Condition Assessment means a report prepared by a qualified structural engineer that assesses the structural state of a building or element.

## **POLICY PROVISIONS**

### **1. Assessing Applications**

When considering applications for planning approval for places entered in the Heritage List and for development within a Heritage Area, the local government will have due regard to the following:

- the conservation and protection of any place or area;
- whether proposed development or demolition will adversely affect the heritage value of a place or area including adverse effects resulting from the location, bulk, form or appearance (including design, materials, construction) of the proposed development;
- the level of heritage significance as outlined in Attachment 2 and the cultural heritage significance of the place or area;
- measures proposed to conserve or enhance the heritage significance of the place and its setting;
- the structural condition of the place (including associated structural condition assessment) and associated safety issues in relation to conservation;
- possible adaptation to a new use which will allow for its retention and conservation;
- Scheme aims, objectives and relevant clauses;
- State Planning Policy 3.5 - Historic Heritage Conservation; and
- any Conservation Plan and associated provisions relating to the property.

### **2. Variations to Scheme provisions for a Heritage Place and Heritage Area**

Clause 7.5 of the Scheme provides the local government with the ability to vary any site or development requirement specified in the Scheme or the Residential Design Codes to facilitate the conservation of a place listed in the Heritage List, within a



Heritage Area or for places entered on the Heritage Council of WA's Register of Heritage Places.

The local government will consider the flexible application of the Scheme and the Residential Design Codes requirements in relation to places on the Heritage List, within a Heritage Area or for places entered on the Heritage Council of WA's Register of Heritage Places. The local government will consider variations to certain development standards including, but not limited to, the following:

- minimum lot sizes;
- average lot sizes;
- plot ratio;
- setbacks;
- variations to car parking and landscaping; and
- other development standards.

The local government will:

consider applications for variations of development standards on their merits;  
consider the effect of any variation of development standards on the amenity of adjoining lots;  
ensure that the proposed variation is consistent with the general and specific objectives of the Scheme and the objectives of the zone;  
only support variations where there is a beneficial conservation outcome for the heritage place or Heritage Area; and  
require applicants to provide sufficient justification to enable consideration of any variations.

### 3. Heritage Agreements

Clause 7.3 of the Scheme allows the local government to enter into a Heritage Agreement with an owner or occupier of land or building, pertaining to a heritage place. Heritage Agreements may be required in certain circumstances such as where:

- a Conservation Plan has been prepared or is required to be prepared as a condition of planning approval;
- there is a high degree of uncertainty or risk regarding the future care of the place; or
- an owner has been granted a significant bonus or benefit such as outlined in section 2 of this Policy.
- The State Heritage Office is able to assist in the preparation of a heritage agreement.

Where a Heritage Agreement is required, it is usually required to be supported by a caveat to be placed on the title to the satisfaction of the local government. Where a caveat is proposed, it shall be prepared by the local government's solicitors at no cost to the local government. The agreement is usually binding to successors in Title.

#### 4. Structural Condition Assessment in the Case of Demolition

If structural failure is cited as a justification for the demolition of a place on the Heritage List or within a Heritage Area, evidence is required 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 majority of its significant fabric and/or that there are prohibitive costs.

#### 5. Significant Trees

Planning approval is required prior to the removal, destruction of and/or interference with any tree included on the Heritage List and as such the following policy provisions apply:

Trees identified on the Heritage List may be pruned as part of routine maintenance in accordance with the International Society of Arboriculture standards, provided the pruning does not alter the trees general appearance, increase the tree's susceptibility to insects or disease, or otherwise increase its risk of mortality.

Proposals for substantial pruning to a significant tree may require the submission of an arborist report demonstrating that the pruning is acceptable.

The removal of significant trees will only be supported where it is necessary to protect public safety or private or public property from imminent danger. The onus is on the applicant to demonstrate that this is the case. This may require the submission of a report prepared by a suitably qualified arborist.

#### 6. Structure Plans and Subdivision Applications

Structure Plans and subdivision applications that relate to heritage places should be designed to retain an appropriate setting for the heritage place. This includes, for example, the retention of the original gardens, landscaping features or other features that are considered essential to the setting of the heritage place or its heritage significance.

Subdivision proposals that indicate the required demolition, partial demolition or modification to a place on the Heritage List or State Register of Heritage Places will generally not be supported without a Heritage Impact Statement accompanying the subdivision proposal. This is to be prepared in accordance with the Heritage Council of WA guidelines.

Where a structure plan is proposed for land that includes a heritage place(s) the structure plan should demonstrate how matters of heritage significance will be addressed.

The local government may require the preparation of an overall heritage strategy to be included with the structure plan report which demonstrates how heritage issues will be addressed, outlining principles to be addressed in later planning stages and including recommendations for interpretation.

Consideration should also be given as to how future development of the subdivided land is likely to affect the identified significance of the heritage place, particularly its setting.

## 7. Applications for Planning Approval for Places on the Heritage List and within Heritage Areas

In addition to the information required by the Scheme, the following provides a guide for accompanying material and information that may be required to be submitted with planning applications for places on the Heritage List and for development within a Heritage Area:

For larger and more complex development proposals, a Heritage Impact Statement should be submitted that identifies how the cultural heritage significance of the place will be affected by the proposed works or future use. The statement should be prepared by a heritage professional, and should be consistent with the Heritage Council of WA's guidelines.

If a proposal affects a place that is entered on the State Register of Heritage Places the local government will generally require the applicant to arrange for the preparation of a Conservation Plan, which is to be prepared by a qualified heritage professional in accordance with the Heritage Council of WA's guidelines.

Where proposed changes involve modifications to landscape elements of a place that form part of its heritage significance or are important to its setting a landscaping plan may be required which demonstrates how the impact will be managed and this should be included in the Heritage Impact Statement where relevant.

Where a Conservation Plan exists for a Heritage Place, the planning application should include information regarding how the conservation policies and any urgent works identified in the Conservation Plan will be addressed. Where a Conservation Plan does not exist, there is no requirement to prepare a Conservation Plan and submit with the Planning Application (unless the place is on the State Register of Heritage Places or the proposal is subject to a Heritage Agreement).

## 8. Interpretation and Interpretation Plans

Interpretation can enhance understanding and enjoyment of heritage places and it can strengthen and sustain the relationships between the community and its heritage. Interpretation can be an integral part of the experience of a heritage place, particularly where the cultural significance of the place is not readily apparent. Opportunities for the interpretation, commemoration and celebration of significant

associations between people and a place should be investigated and implemented wherever possible. In particular, the local government may require the preparation of interpretative material as a condition of planning approval for the following proposals:

- major redevelopment that involves substantial modifications to a heritage place, or modifications that will substantially impact on the heritage significance of the place;
- changes of use for a heritage place, particularly where the original use will no longer be readily apparent;
- proposals where there is the opportunity for the re-use of hardware or artefacts that are associated with the former use in interpretive material; or
- demolition (full or partial) of a heritage place.

## 9. Incentives for Heritage Conservation

Incentives for not-for-profit clubs, groups, organisations, individuals and businesses that have ownership/management of places included on the Heritage List may be eligible for various incentives from the Heritage Council of WA, National Trust of Australia (WA), other bodies or the local government.

The local government will waive or refund Planning Application fees charged by the local government for places on the Heritage List where the applicant/owner proposes development that will enhance or maintain the heritage aspects of the place in the opinion of the local government.

The local government may provide a rate's rebate for places on the Heritage List as determined through Council's adopted budget. Should a rate rebate be agreed by Council, it will usually require a Local Heritage Contract to be entered into.

Related Policies:	LPP008 Nannup Main Street Heritage Precinct LPP018 Signs and Advertisements
Related Procedures/ Documents	Local Planning Scheme No. 3 State Planning Policy No. 3.5 Shire of Nannup Municipal Heritage Inventory <a href="#">Attach 1: Heritage List</a> <a href="#">Attach 2: Development Control Principles</a>
Delegation Level:	Development Services Coordinator
Adopted:	26 March 2015
Reviewed:	OM 27 July 2023

Policy Number:	LPP 020
Policy Type:	Local Planning Policy
Policy Name:	<b>Developer and Subdivider Contributions</b>
Policy Owner:	Chief Executive Officer

## OBJECTIVES

The objectives of this Policy are to:

- enable Council to obtain contributions in the form of land, infrastructure works, monetary payment, or agreed in-kind contributions from developers/subdividers for the provision, extension or improvement of infrastructure, services or facilities. The contributions are required based on the expected impacts/demands of the development/subdivision, or are required in anticipation of the likely demands of the development/subdivision, or which will assist to facilitate such development/subdivision;
- assist, in part, to protect Council's assets and assist in achieving financial sustainability for the Council;
- assist, in part, the safety of drivers, pedestrians and cyclists to ensure they are not compromised as a result of proposals being implemented;
- assist, in part, the Council to maintain or where possible improve services, infrastructure and facilities as a consequence of the proposed development/subdivision and ensure that the local community and/or the Council are not burdened as a consequence of the development/subdivision;
- highlight the need for developers/subdividers to meet the costs of off-site impacts/demands that will be created as a result of their development/subdivision;
- consider the impacts and associated demands of the proposed development/subdivision on infrastructure, services and facilities (especially those managed by the Council) for all proposals;
- set out the criteria to be used in determining the amount a developer/subdivider must contribute to satisfy conditions of the development approval, subdivision approval or as a consequence of the scheme amendment or structure plan;
- seek an equitable outcome between proponents, other nearby/adjoining landowners, the community and the Council;
- provide increased certainty for developers/subdividers as to where contributions will be required, while recognising the need to provide an effective balance between certainty and flexibility, given the need for the policy to address a wide number of variables (including site location and features, scale and intensity of the proposal, intended use, existing standard of infrastructure, services and facilities etc);
- promote a transparent process; and
- outline how monies that are collected will be held and the approach to expenditure by Council.

## **DEFINITIONS**

Throughout this Policy, references to “developer/subdivider”, “development/subdivision” also relates to “scheme amendment, structure plan and development guide plan” requests where considered appropriate by Council, the term “developer” or “subdivider” can also imply “applicant”, “proposal” implies “development application”, “subdivision application” or “scheme amendment request”.

“Road” shall have the definition applied to it under the Road Traffic Act 1974 which includes any highway, road or street open to, or used by, the public and includes every carriageway, footway, reservation, median strip and traffic island thereon.

## **POLICY**

### **Application of the Policy**

This Policy applies to the whole of the municipality where Council considers the development application, subdivision application or scheme amendment or structure plan request will create impacts on or demands for infrastructure, services or facilities.

### **Links to Local Planning Scheme and Other Documents**

This Policy relates to various requirements set out in the Planning and Development Act 2005, the Shire of Nannup Local Planning Scheme No. 3, State Planning Policy 3.6 Development Contributions for Infrastructure, various WAPC policies and other Council policies.

## **Policy Provisions**

### **General**

Other than for minor proposals or as otherwise determined by the Council, the Council will require developers/subdividers to meet or contribute to off-site infrastructure, services and facilities as a result of impacts and/or demands arising from their proposal. The Council may include a condition/s of a development approval, request a condition/s for a subdivision approval or negotiate an agreement (or similar) through a scheme amendment or structure plan request, a requirement for the provision of:

land to be dedicated to the Council;  
infrastructure works;  
monetary payment (either a cash payment or other means acceptable to Council e.g. bank guarantee).

Unless otherwise stated, this Policy focuses on off-site contributions.

Unless otherwise agreed to by Council, all on-site works and costs associated with implementing the development/subdivision are to be met by the proponent including the provision and/or upgrading of infrastructure/services and where relevant facilities. This includes meeting the requirements of the Council, the WAPC and the relevant servicing authority to provide necessary infrastructure, services and facilities. Standard on-site works and requirements include, relevant to the proposal (such as intensity of development, proposed number of lots, intended use, site location, site features etc.), the following:

- internal roads, pathways, stormwater management etc;
- connection to reticulated water;
- connection to reticulated sewerage;
- connection to a suitable power supply;
- provision of public open space (for urban and rural living subdivisions) or associated cash-in-lieu payments;
- car parking (including cash-in-lieu arrangements) – this is addressed in the Council’s Local Planning Scheme, other Council policies, and the Residential Design Codes of Western Australia; and
- landscaping – this is addressed in the Council’s Local Planning Scheme, other Council Local Planning Policies, and the Residential Design Codes of Western Australia.

The responsibilities of a developer/subdivider to meet on-site requirements does not negate their obligations towards meeting off-site contributions as outlined in this policy, other Council policies, and/or in accordance with WAPC policies.

In assessing proposals and possible contributions (such as road upgrading), the Council will consider natural environmental assets and associated impacts.

#### Assessment Considerations

The Council will determine whether a contribution is required and if it is, the contribution type and amount by considering matters including:

- the provisions of the Planning and Development Act, Council’s Local Planning Scheme, other Local Planning Policies, and WAPC policies;
- the objectives of this Policy;
- the proposed use, size and intensity of the development/subdivision;
- the nature of the development/subdivision and the effect of the development/subdivision on the surroundings;
- the site’s location;
- the availability and standard of existing infrastructure, services and facilities in the area;
- the expected impact and/or demands created by the proposed development/subdivision including implications of the proposal on the local community and the Council;

- whether the existing infrastructure, services or facilities have appropriate capacity to handle the additional impacts created by the proposal and whether the proposal will create safety and/or maintenance concerns;
- the extent to which the contributions provide for infrastructure, services and facilities, which are reasonably required to meet the needs of the development/subdivision. This includes whether the contribution will address, in full or in part, the impacts/demands of the development/subdivision;
- the “nexus” between the proposed development/subdivision and the associated off-site impacts and demands;
- whether there is realistic scope for cost-sharing, in the opinion of Council, with adjoining/nearby landowners within a time period that relates to the need to address the impacts/demands of the proposal. To assess the potential for possible cost-sharing, the Council will consider development/subdivision potential outlined in its endorsed Local Planning Strategy and/or gazetted Local Planning Scheme. Should Council support a cost-sharing approach, the costs may be apportioned based on the anticipated impact (such as traffic generated from each site), lot yield, proportion of the catchment area, or other agreed approach;
- the likelihood that the Council will upgrade the existing infrastructure, services and facilities within the foreseeable future irrespective of the development/subdivision occurring;
- whether the contribution will benefit the broader local community and to what degree;
- estimating the proportional cost of the required works/meeting the necessary standard, compared to existing standards and levels of impacts/demands and, where relevant, determining the realistic potential for new development/subdivision in the area/catchment as determined by Council and its associated impacts/demands;
- the classification of the infrastructure, service or facility in the Council’s Strategic Plan, other adopted plans/strategies or asset hierarchy;
- the extent to which there are additional abnormal costs associated with the development/subdivision as determined by Council;
- the scale of the contributions, including where appropriate, economic viability of the development/subdivision in the opinion of Council;
- other relevant Council and WAPC policies; and
- written justification put forward by the proponent and/or the proponent’s consultant/s.

#### Proposals Typically Requiring Contributions

Contributions will be typically sought by Council for development applications, including those that propose:

- retail, commercial, office and industrial development;
- leisure and/or recreational development;
- educational/training establishments;



- tourist developments and/or holiday accommodation;
- home occupation, home business cottage industry;
- industry - extractive and/or mining;
- industry - rural;
- timber plantations;
- group dwellings, second dwellings and aged care developments; and
- other applications determined by Council to create off-site impacts and/or demands for infrastructure, services and facilities.

The Council will seek the support of the WAPC to impose appropriate contribution conditions on subdivision approvals that:

- create additional traffic generation onto unsealed roads managed by Council;
- create significant additional traffic generation onto sealed roads where safety and/or capacity issues are anticipated;
- propose access from an unconstructed road;
- propose or have the ability to access a constructed or unconstructed laneway/right-of-way which is managed by Council;
- create the need for footpaths/dual use paths based on considerations including safety and convenience;
- can not dispose/retain stormwater on the subdivision site;
- create the need for public open space; and
- create the need for community purpose sites and other public facilities.

The Council will typically require contributions for scheme amendment or structure plan requests that propose tourist development outside town sites, residential developments that involve “leapfrogging” development (in the opinion of Council), special rural/rural residential, rural small holding, and rural living proposals.

Proposals typically not requiring Contributions

Unless otherwise outlined in this Policy, the Council will not seek a contribution for development applications that propose:

- internal changes that do not add to floor space and/or increase the intensity of the use;
- a single house;
- additions to a single house;
- ancillary accommodation where the applicant can demonstrate that traffic volumes for the proposed development will not increase above the existing level of development for the development site;
- non-commercial and non-industrial sheds/outbuildings;
- aquaculture (for non-tourist developments); and
- telecommunication and infrastructure benefiting the public in the opinion of the Council.

The Council will generally not seek a contribution for applications to amalgamate land or where a boundary adjustment is proposed (where no additional lots are proposed). The exceptional circumstances to this are outlined in this Policy e.g. addressing land-locked blocks.

Unless provided for in Council's Local Planning Scheme or an endorsed structure plan, or appropriately justified under exceptional circumstances, the Council will not impose planning conditions requiring off-site contributions for the benefit of "third parties" (including State Government agencies and servicing authorities).

### Types of Contributions

Standard off-site contributions, where relevant to the proposal, include:

- road upgrading (includes widening and reinstatement);
- laneway/right of way upgrading;
- sealing crossovers (subject to other Council policies on car parking/access);
- footpaths/dual use paths; and
- drainage.

For development/subdivision that has more substantive off-site effects, in the opinion of the Council, contributions may include:

- road construction;
- vehicle slip/turning lanes;
- intersection upgrading;
- bush fire protection;
- community purpose sites and other public facilities; and
- other infrastructure, services or facilities required in the opinion of the Council.

### Development Contribution Plans

The Council will develop, as appropriate, Development Contribution Plans for relevant infrastructure, services or facilities subject to inclusion in Council's Local Planning Scheme and in accordance with WAPC policy. The Development Contribution Plans will establish principles and/or costs for designated areas/catchments where cost-sharing applies to a number of developers/subdividers. The Development Contribution Plans may set a standard rate with costs to be reviewed based on the Consumer Price Index, a review of actual costs and estimates of anticipated costs.

## **Roads**

### Overview on Roads

Developments/subdivisions are required to be served by appropriate legal and practical vehicular access which meets the Council's standards. The Council seeks to

ensure that the standard and safety of Council managed roads are appropriate to meet the impacts and demands of the proposed development/subdivision.

For the purposes of this Policy, the approach to developer/subdivider contributions relating to roads also includes laneways and right-of-ways managed by the Council.

The Council will require a developer/subdivider to make an appropriate contribution, in the opinion of Council, where a development, subdivision, or scheme amendment or structure plan request is considered to cause or contribute to the requirement for the road/s to be upgraded/constructed whether immediately or in the foreseeable future.

The roads considered for contributions are those onto which a development/subdivision fronts (has practical and legal vehicular access) and other public roads impacted by the development/subdivision as determined by the Council. The contribution may be for design, gaining necessary third-party approvals, clearing and removing vegetation, upgrading, widening, reinstatement, kerbing, draining, sealing, constructing and lighting a road.

On-site works are the landowner/proponent's responsibility. This includes that internal subdivision roads are to be constructed, at the cost of the subdivider, to the satisfaction of the Council and the WAPC.

#### Specific Assessment Considerations for Roads

Council will determine the need for developers/subdividers to contribute to upgrading and/or constructing existing Council managed roads (both sealed and unsealed) through considering the following:

- the objectives of this policy;
- the assessment considerations set out in this policy;
- sections of this policy relating to which proposals typically require or do not require contributions;
- whether the existing road is either substandard or inadequate to accommodate the additional traffic generated and impact from the proposed development/subdivision;
- an evaluation of the existing standard of the road (along with determining average vehicle numbers per day), compared to the expected impacts of the proposed development/subdivision and implications for the road;
- an assessment of the total development/subdivision potential for the area/catchment as outlined in the Council's endorsed Local Planning Strategy and/or gazetted Local Planning Scheme and implications for the relevant road/s;
- the classification of the road in the road hierarchy;
- the cost of the required work and the amount of contribution monies collected from developer/subdivider contributions;
- budget provision from Council or other sources;

- consistency with the Council's road maintenance/construction programme; and
- the need and timing to gain environmental and other approvals.

In particular, the Council will apply the following formulae:

Developer /Subdivider contribution for road upgrading etc.	=	$\frac{\text{Determine traffic impacts (volumes and type) of application}}{\text{Existing traffic volumes on road + projected traffic impacts of other development accessing road (within 5 years) based on development potential in Local Planning Scheme/Local Planning Strategy}}$	=	$\frac{\text{Shire identified level of service for road (based on traffic volumes, type of traffic, safety etc) and associated costs to meet this standard}}{\text{Shire identified level of service for road (based on traffic volumes, type of traffic, safety etc) and associated costs to meet this standard}} \times$	= \$ contribution paid by developer / subdivider
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The Council will not seek a contribution for applications to amalgamate land or where a boundary adjustment is proposed (and no additional lots are proposed) unless access to the lot/s are reliant on an unconstructed road or the lot does not have access to a public gazetted road.

#### Upgrading existing roads

Existing roads shall be required to be reconstructed and/or upgraded as a condition of development/subdivision, where the Council considers that the development/subdivision should not proceed unless the reconstruction or upgrading occurs.

The Council may impose a condition requiring the developer to enter into satisfactory arrangements with the Shire for the reconstruction/upgrading of the relevant road/s. The responsibility for the design and construction of the works is generally the responsibility of the developer.

The developer must undertake either of the following to allow the development/subdivision to proceed:

carry out the works to the satisfaction of the Council; or  
contribute to the cost of the works by either cash payment or other means acceptable to the Council (e.g. bank guarantee).

#### Truncations

In order to ensure that sight distances at street junctions are adequate, the Council may request the WAPC impose a condition requiring that a suitable truncation be

ceded free of cost from corner blocks. Such truncations refer to a line joining the points equidistant from the intersection of the street reserve boundaries.

### Road Widening

The Council, in determining road widening requirements (including truncations) for development applications, may impose a condition requiring land for road widening to be ceded free of cost to the Council where:

the development will result in additional traffic movements, including those by vehicles that may require special access considerations that give rise to the need to widen the road; and/or  
where the development increases the potential for increased turning movements to and from the development site.

The Council will determine road widening requirements for subdivision applications in accordance with WAPC policy and the anticipated impacts arising from the proposal.

### Reinstating Roads

The Council will require contributions from developers proposing extractive industries, tree plantations and other developments that are either typically shorter term and/or have periods of intensive traffic generation and impacts, as considered appropriate by the Council. This is to ensure that Council managed roads are in a condition post-development that is at least the same condition as pre-development as determined by the Council. To achieve this, development conditions will include a system of notification, inspection and post-development repair of the roads to the satisfaction of the Council.

### Unconstructed Public Roads and Lots Without Access to a Public Gazetted Road

The Council considers it has no legal obligation to provide existing lots with practical vehicular access via unconstructed and typically vegetated public road reserves that are the responsibility of the Council. Additionally, the Council considers it has no legal obligation to provide legal access to lots that do not have access to a gazetted public road, or to obtain access via a public or private road not vested in the Shire of Nannup such as a road managed by the Department for Environment and Conservation.

The Council will assess development applications that propose vehicular access from an unconstructed public roads and lots without access to a public gazetted road on their merits and may or may not approve the application. The Council may:  
request that environmental and/or heritage assessments be undertaken and approvals obtained;  
require the applicant to appropriately address issues raised by the proposal prior to determining the application including outlining how practical and legal vehicular access will be obtained; or

grant approval with a condition/s requiring the developer to secure necessary legal agreements and/or undertake necessary works; or  
refuse the application due to environmental impacts, cost of infrastructure upgrade or other impacts in the opinion of Council.

In considering subdivision applications that propose access only via an unconstructed public road, under the responsibility of the Council, and lots without access to a public gazetted road, the Council will determine these applications on their merits. The Council may or may not support the application and in giving advice to the WAPC, the Council may:

request that a requirement for other appropriate legal arrangements be made for permanent vehicular access to the satisfaction of the Council and the WAPC; or  
recommend support subject to a condition requiring the applicant to make a monetary payment to meet all or part of the cost of constructing the road and/or securing appropriate practical vehicular access; or  
recommend that the application be refused until necessary approvals, including environmental clearances, have been obtained.

If the unconstructed road is not on the Council's road construction programme, any determination of a development application, or advice to the WAPC on a subdivision application, will not bind the Council into "fast tracking" the inclusion of the unconstructed road on future road construction programmes.

The Council recommends that prospective purchasers of land should take account of this policy when contemplating the purchase of land that does not front a constructed public road and/or has no gazetted public road access.

#### Partnerships and Possible Council Contribution

The Council may contribute up to a maximum of 50% towards the cost of upgrading an existing constructed road where such upgrading is considered by the Council to be in the interests of the community and its road construction programme.

A partnership approach may be applied between the proponent/s and the Council for financing the necessary road upgrading/construction and associated requirements. Any contribution will have regard to matters including:

this Policy, including determining the proportion of costs that the proponent will need to contribute based on considerations including the level of existing traffic/impact compared to anticipated future traffic/impact generated by the proposal;  
the existing and other potential users of the road and whether the Council contribution is in the interests of the community;  
the standard to which the road is to be constructed;  
the total cost of the upgrading; and  
the Council's road construction programme.

The Council may contribute, subject to budgetary constraints and Council commitments, up to 50% of the cost of constructing, priming, subsequent sealing and draining of appropriate lengths of previous unsealed roads adjacent to a development/subdivision site, if that developer/subdivider, or adjoining landowner, is also prepared to contribute up to 50% of the cost of the work. The Council shall not be bound to contribute to the upgrading of a road.

#### Significant proposals

For significant proposals or proposals likely to create off-site impacts/demands, the proponent should submit details, with their application/request, from a suitably qualified practitioner relating to road access. For instance, this may include an assessment of existing road conditions, expected traffic generation, expected impacts and proposed remediation/contribution measures through a Traffic Impact Study.

Where there is concern about potential traffic generation, the Council may require the submission of a Traffic Impact Study to provide a technical assessment of the impact of the development/subdivision. The study should also set out the basis for recommending controls to ensure that the new development/subdivision will not have an adverse impact on the safety or functioning of the surrounding road system.

#### Road hierarchy

A road hierarchy can be adopted which designates the classification of roads within the municipality. The proposed road hierarchy is based on Liveable Neighbourhoods, other WAPC policies and Local Government Guidelines for Subdivisional Development. The road hierarchy will incorporate traffic volume and design characteristics which have implications on priority roads for funding/maintenance and the construction standards. Some roads have multiple classifications due to varying road functions on different parts of the road.

#### Design and construction standards

The Council's design and construction standards for roads and associated stormwater management are set out in Local Planning Policy 17 Subdivisional Development Guidelines. This accounts for the road hierarchy and references Local Government Guidelines for Subdivisional Development and Australian standards. Unless otherwise agreed to by the Council, road upgrading and/or construction are to be consistent with Local Planning Policy 17.

The design and construction standards will be periodically reviewed to account for changing technical requirements and community expectations.

Other than for minor proposals or as otherwise determined by Council, the Council will require developers to meet or contribute to road upgrading as a result of impacts and/or demands arising from their proposal. The Council may include a condition/s of a development approval, request a condition/s for a subdivision approval or negotiate

an agreement (or similar) through a scheme amendment, structure plan or development guide plan request, a requirement for the provision of:

land to be dedicated to the Council;  
infrastructure works;  
monetary payment (cash payment or other means acceptable to Council e.g. bank guarantee).

The developer shall contribute towards upgrading of roads (especially accessing non sealed roads), constructing unmade roads and constructing new roads. Such contribution includes:

newly created lots shall be provided with a constructed road at the subdivider's cost to the specification and satisfaction of the Council;  
the Council may require roads in the immediate locality linking the subdivided land to the existing road network to be upgraded at the developer's cost to the specification and satisfaction of the Council; and  
where a developer is responsible for upgrading and/or constructing new roads under point 1 above, this does not negate their obligation under point 2 above to contribute towards upgrading existing roads in the immediate locality.

Where a secondary street exists, the Council reserves the right to seek a contribution for the secondary street in addition to the primary street frontage, however the Council will take into account traffic movements and existing vehicular access/site entry.

In assessing proposals and possible contributions, the Council will consider natural environmental assets and associated impacts.

#### Legal and practical vehicular access

Developments/subdivisions are required to be served by appropriate legal and practical vehicular access which meets the Council's standards. The Council seeks to ensure that the standard and safety of Council managed roads are appropriate to meet the impacts and demands of the proposed development/subdivision.

Where it is considered that the road is required to be upgraded as a direct result of the development/subdivision, the Council may refuse the application on the grounds that the development has inadequate practical access (unless the proponent agrees to pay the total cost of this upgrading to an appropriate standard) and/or legal access.  
Laneways/Right of Ways

The Council may require contributions for development/subdivision applications that propose or have the ability to access an existing Shire managed laneway and/or right of way. The assessment will be based on matters set out in section 7 of this Policy.



The contribution will be used, as considered appropriate by the Council, for design, drainage, widening, sealing, lighting etc.

### Crossovers

Crossovers are to be constructed by the developer/subdivider in accordance with Council's Local Planning Policy No. 003 and 013.

Where crossovers are proposed as part of a planning proposal, the developer will be required to bear the full cost of the constructing and draining the crossover to the satisfaction of the Council.

The Council will contribute up to 50% of the cost of a standard crossover, as set out in Local Planning Policy 3, Installation of a Standard Crossover, where not associated with a planning proposal.

Maintenance of crossovers is the on-going responsibility of the land owner.

### Footpaths and Dual Use Paths

The Council may require developers/subdividers to make an appropriate contribution for off-site footpaths and dual use paths (reconstruct and/or construct). If deemed necessary by the Council, the developer/subdivider is required to provide a footpath/dual use path adjoining and/or not adjoining the proposal site in order to provide safe and convenient pedestrian and cyclist connections to existing footpaths/dual use paths.

The requirement to upgrade and/or provide new footpaths/dual use paths are as follows:

by developers on the frontage of the development site where the Council considers the development will warrant this, as determined by predicted pedestrian and/or cycle movement, which will be in conflict with existing or estimated traffic volumes/types;

by developers for relevant off-site works in the opinion of the Council where in addition to the above point, the path is required as a link for convenience and/or safety;

by subdividers within urban and rural residential/rural living subdivisions; and  
by subdividers for off-site works, for urban, rural residential/rural living and tourist subdivision, where the site is not connected to the existing public footpath/dual use path system and where the Council considers the path is required as a link for convenience and/or safety.

There may be opportunities for cost-sharing with the proponent financially contributing in partnership with other landowners and/or with the Council.

### Drainage

The Council requires appropriate stormwater management and treatment for the proposed subdivision/development that satisfactorily addresses stormwater control and meets appropriate environmental standards in the opinion of the Council. Where possible and practical, stormwater will need to be appropriately detained and treated on the proposal site.

New developments/subdivisions draining to an existing Council drainage system, or requiring an off-site drainage requirement, may attract a drainage contribution unless the proponent's suitably qualified professional submits a design, which is approved by the Council, for the installation of appropriate disposal/retention systems is carried out for full on site disposal/retention in the opinion of the Council.

New developments/subdivisions are to be provided with a comprehensive drainage system and where that system contributes to an impact on downstream drainage (includes issues of water quantity and/or water quality), the developer/subdivider is responsible for the necessary provision and/or upgrade.

Where possible, the Council will encourage cost sharing between adjoining developers/subdividers and landowners.

#### Bush Fire Management

The Council will require contributions from developers/subdividers where required as a consequence of assessment against the State Government's Planning for Bush Fire Protection guideline document (or relevant updates) and other relevant Council Local Planning Policies.

#### Public Open Space

The Council will seek public open space (POS) provision and/or a cash-in-lieu payment for POS for relevant subdivisions in accordance with WAPC policy.

In determining the need for POS and its associated function and location, the Council will take into consideration factors including:

- proposed land use;
- lot sizes and number of lots proposed;
- location of subdivision in relation to existing POS areas;
- environmental and landscape considerations;
- safety including from traffic and promoting surveillance;
- convenience and accessibility;
- appropriately sized to accommodate the intended use;
- consist of highly usable land for the intended recreational purpose;
- on-going management/maintenance;
- Council's Recreation Plan; and
- other matters determined relevant by Council.

The Council does not support the creation of POS which has no practical use or value and/or where the proposed POS duplicates existing nearby POS. In these situations, the Council will seek a cash-in-lieu payment.

#### Community Purpose and Other Public Purpose Sites

The Council may seek community purpose and other relevant public purpose sites and/or a cash-in-lieu payment for relevant subdivisions in accordance with WAPC policy.

The Council may require, in some instances, require monetary payment and/or land contributions for community halls/meeting rooms, fire sheds, and health care centres etc. This will be determined on a case by case situation by the Council including considering issues such as the size of the development area, the expected number of lots and associated future population. This form of contribution is most likely to be required for a large subdivision and/or where multiple landowners within an area have a realistic potential for subdivision in the opinion of the Council.

Community purpose sites and other public purpose sites are typically required to be given up free-of-cost to the Council. If land is given up free of cost, it is generally a component of the 10% POS requirement. The Council will seek to ensure the community purpose or other public purpose site is ceded early in the subdivision process to increase certainty for all stakeholders. Unless otherwise determined by the Council or agreed to by the proponent, the Council will be responsible for constructing the community or other public purpose facility at a future date which is consistent with its budgetary commitments and an assessment of the demands of residents.

#### Other Infrastructure, Services and Facilities

The Council will assess, on its merits, the need for developer/subdivider contributions for other infrastructure, services and facilities not outlined in this Policy through having regard to considerations including:  
the objectives set out in this Policy;  
the assessment considerations set out in this Policy; and  
sections of this Policy relating to which proposals typically require or do not require contributions.

### **ADMINISTRATION**

#### Matters to be Addressed prior to Formally Lodging the Proposal

Proponents are encouraged to discuss possible contribution implications for their proposal with the Shire administration early on in the planning process and prior to the formal lodgement of the application/request. This especially applies for relevant proposals anticipated to require a contribution outlined in this policy, or where the proposal, if implemented, is likely to create off-site impacts and demands.

### Details Provided with the Proposal

The Council recommends that proponents submit appropriate details with their application/request relating to:

- how the site will be effectively serviced;
- their proposal's impact and demands on services, infrastructure and facilities;
- what commitments are intended to be met by the proponent to address off-site impacts/demands arising from the proposal; and
- address the requirements of this Policy.

### Details submitted by the proponent may also include:

appropriate written justification as to why this Policy should not apply to their proposal or outline other recommended ways in which equitable contributions can be obtained; and

why compliance with the provisions relating to the contribution would be unreasonable or unnecessary in the circumstances of the case including demonstrating why a precedent will not be created.

For significant proposals or proposals likely to create off-site impacts/demands, the proponent should submit details, with their application/request, from a suitably qualified practitioner relating to relevant infrastructure, services and facilities and address the requirements of this Policy. For instance, this may include an assessment of existing road conditions, expected traffic generation, expected impacts and proposed remediation/contribution measures through a Traffic Impact Study.

### Assessing the Proposal

The Council may refuse a development application or recommend refusal to the WAPC for a subdivision application if:

Council is of the view that the proposal will create considerable off-site impacts/demands and the applicant is not proposing to suitably address these off-site impacts/demands; and  
necessary contributions are likely to render the proposal unviable in the opinion of Council.

The Council will seek the support of the WAPC to impose appropriate contribution conditions on subdivision approvals. Typically, should the WAPC impose a condition/s relating to contributions, negotiation is undertaken once a conditional subdivision approval has been issued by the WAPC. Negotiations regarding the scope of the contribution and what is required to clear the necessary condition/s will be undertaken by the Shire administration, with matters and amounts in dispute to be referred to Council for determination (provided the subdivider puts this in writing).

In the case of scheme amendment requests, the Council may not agree to initiate (adopt) a scheme amendment until it is satisfied that the proponent provides written support to address appropriate off-site contributions and/or prepares a Development Contribution Plan to the satisfaction of Council.

#### Timing of Payment, Works and Ceding Land

Contributions, which are required as a condition of the development approval, are required to be met in accordance with the approval. Generally, the Council will require the monetary payment to be paid in full or bonded to the full amount prior to the commencement of site works and may require payment prior to issuing a building permit. Where associated infrastructure works are required as a condition of development approval, the requirement is typically to finalise the works to the satisfaction of Council prior to occupation especially for developments that will be available to the public. Where development is for “domestic” use only (in the opinion of Council), the development approval may require associated infrastructure works to be completed within two years or within the time period of the development approval.

Where the proponent is proposing to undertake infrastructure works, the proponent is to appoint a suitably qualified practitioner to prepare appropriate construction design plans which are to be submitted to the Shire administration for approval. If the construction design plans are approved by the Shire administration, the developer/subdivider is to carry out the works to the satisfaction of the Council in accordance with the development approval or prior to clearance of the Deposited Plan.

The clearance of a development condition will be by completion of the necessary work and/or appropriate payment and/or ceding of land to the satisfaction of the Council. Bonding will not be accepted where works are considered necessary to the function or safety of the development/subdivision and/or existing public/private infrastructure.

The Council may accept, in exceptional circumstances for development approvals, a deferred or periodic payment of a contribution by the developer, or any other person entitled to act upon the relevant consent. This will be subject to a developer satisfying the Council that the non-compliance will not prejudice the timing or the manner of the provision of the infrastructure, service or facility for which the contribution is required. The decision to accept a deferred or periodic payment is at the sole discretion of the Council.

The provision of land, infrastructure/works and/or monetary contributions associated with a condition of a subdivision approval are required to be met prior to the clearance of the approved Deposited Plan to the satisfaction of the Council and the WAPC.

Unless otherwise set out in a scheme provision, a legal agreement or agreed to by Council, the contribution amount is determined at the date of the requested clearance

of the development/subdivision condition and not when the conditional development/subdivision approval was issued.

#### In Kind Contributions

The Council may accept an offer by the developer/subdivider to make a contribution by way of an “in kind” contribution or a material public benefit.

The Council may accept the offer of an in kind contribution if the developer/subdivider, or any other person entitled to act upon the relevant consent, satisfies Council that:

the in kind contribution will not prejudice the timing in the manner of provision of the infrastructure, service or facility for which the contribution was required; and the value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this Policy.

#### Holding the Funds

All monetary payments made under this policy by developers/subdividers shall be paid into a relevant Council account with monies to be used to upgrade, extend or provide infrastructure, services and facilities in the vicinity of the land subject to the contribution in the opinion of the Council.

The requirement for the contribution shall still be applied whether or not the Council proposes to, or carries out the upgrading/provision of the infrastructure, service or facility in the same financial year as the development/subdivision is proposed or the monies are paid. The monetary payments which are acquired by the Council are to be set aside for the purpose for which the contribution is paid.

The Council shall expend the funds when sufficient funds are available for an appropriate amount of work to be undertaken in the opinion of the Council. Generally, the monies collected should be spent by Council within 3 years of collection in the vicinity of the site where the contribution was collected in the opinion of the Council. Monetary payment received for a development/subdivision will not necessarily be spent, for instance, on the section of road immediately fronting the proposal site, but will be typically spent nearby where there is the greatest need for upgrading. At all times, the acquired funds will be used, for instance, for the upgrading of a road that relates/serves the relevant development/subdivision where the funds were acquired.

The Council must keep a record of monies paid and place these in a restricted account and the Council is to allocate any expenditure from this account. Where works are not carried out within 5 years of collection, the Council is to write to the developer/subdivider and provide reasons and an expected timeframe for undertaking the works.

Review Contribution Amounts

The Council will review contribution amounts periodically by re-estimating current rates in relation to matters such as the Consumer Price Index, the BTCE Road Construction and Maintenance Index (prepared by the Commonwealth Department of Transport and Regional Services - this measures the movement in prices of inputs used in road works including materials, equipment, fuel and labour), a review of actual costs and estimates of anticipated costs.

The financial contribution is based upon an amount equal to the Shire's estimated cost to undertake the works at the date of clearance of the road upgrading/construction condition by the local government. Alternatively, the developer may wait until the Shire is able to construct or upgrade the road before proceeding with the development/subdivision.

Provision exists in the Planning and Development Act to enable a subdivider to claim a portion of the cost of providing an existing road from subsequent subdividers that abut the road. This is providing the subsequent subdividers have not already contributed to the cost of providing the road.

Related Policies:	Nil
Related Procedures/Documents:	Nil
Delegation Level:	Manager Infrastructure, Development Services Coordinator
Adopted:	23 May 2013
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Policy Number:	LPP 021
Policy Type:	Local Planning Policy
Policy Name:	<b>Bush Fire Management</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 3

## OBJECTIVES

The objectives of this Policy are to:

- minimise the risk from bush fire and other sources to life, property and community assets for new proposals and require proponents to suitably justify why there should be a departure from this Policy;
- ensure that the impact of fires is significantly reduced and fire suppression is maximised through careful planning and the implementation of fire prevention measures for the safety of residents and visitors;
- control the location of subdivision/development and use of land to avoid placing inappropriate subdivision/development in areas that have moderate to extreme bush fire hazards, as set out in the Bush Fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup, unless permanent and realistic hazard level reduction can be sustained without detrimental environmental and/or landscape impact;
- ensure that new subdivision/development in identified bushfire prone areas is located, designed, constructed and maintained to address the identified bush fire hazard;
- balance bush fire protection, biodiversity, community safety and economic objectives within the context of ensuring that a satisfactory bush fire protection outcome is achieved;
- recognise that the Council has endorsed the State Government document titled Planning for Bush Fire Protection (edition 2) or any updates;
- ensure the implementation of appropriate fire management measures to mitigate fire risks;
- ensure that buildings, by virtue of materials and design, are reasonably fire resistant through application of AS3959-2009 or any updates;
- provide a consistent approach to the assessment of development in areas identified as bushfire prone;
- provide guidelines to proponents on the minimum requirements and format for the preparation of a Fire Management Plan (FMP);
- provide for the coordination of FMPs and strategic fire breaks throughout the Shire;
- encourage firefighting facilities and water tanks to be strategically located to best cater for existing and future residential, rural living, tourist and other development;
- outline the role and responsibilities of the developer, the Shire and individual property owners;



- provide guidance to developers, subdividers, landowners, the community, other stakeholders and the Shire administration to ensure new developments and subdivisions appropriately address fire risk;
- clarify works to be undertaken by developers for fire management as part of any subdivision; and
- provide for the integration of the Shire administration's planning and building sections to bush fire protection with broader approaches to bush fire protection, especially the Council's annual fuel reduction notice.

## **DEFINITIONS AND ABBREVIATIONS**

Terms used in this Policy shall be as interpreted as set out in the Shire of Nannup Local Planning Scheme No.3, the Building Code of Australia or the Planning for Bushfire Protection Guidelines. For the purposes of clarification, the following terms have meanings as defined below:

'AS3959-2009' means Australian Standard 3959-2009: Construction of buildings in bushfire-prone areas or any updates.

'Bushfire Attack Level' (BAL) as set out in Australian Standard 3959-2009: Construction of buildings in bushfire-prone areas or any updates.

'BCA' means the Building Code of Australia.

'Building Protection Zone' (BPZ) as set out in the Planning for Better Bush Fire Protection Guidelines which is a low fuel area immediately surrounding buildings.

'Bushfire' means an unplanned fire. Also called a "wildfire" which may include forest scrub and grass fires.

'Bushfire Assessment Report' means a report that demonstrates how the construction of a building will comply with the appropriate setbacks and construction requirements of AS3959-2009. It includes classifying the BAL.

'Bushfire Attack' means the threat on buildings in bushfire prone areas arising from embers, radiant heat, flames, wind and smoke during a wildfire.

'Bushfire Hazard Strategy' means the Bush Fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup.

'Bushfire prone area' means an area of land mapped for the purposes and consideration of bushfire protection through a Local Planning Scheme and which triggers the operation of AS3959-2009.

'DFES' means Department of Fire and Emergency Services Authority or the State Government's lead agency that is responsible for fire management should it be renamed.

‘DPaW’ means the Department of Parks and Wildlife and includes any other environmental or land management agency should it be renamed.

‘Emergency Access Way’ (EAW) provide alternative links to public roads during emergencies and meet the Guideline requirements.

‘Fire Management Plan’ (FMP) means an ongoing dynamic document plan that addresses the requirements of the Guidelines including access, water, Building Separation Zones and the responsibilities of the developer and the land owner.

‘Fire Service Access Routes’ (FSAR) provide links between public road networks for firefighting purposes and meet Guideline requirements.

‘Guidelines’ means the Western Australian Planning Commission and the former Fire and Emergency Services Authority of Western Australia endorsed Planning for Bush Fire Protection Guidelines (edition 2) or any updates.

‘Hazard Separation Zone’ (HSZ) means the fuel reduced area between an area of bushfire hazard and the buildings (and associated building protection zones) of a development.

‘LPS3’ means the Shire of Nannup Local Planning Scheme No.3 or other operative Local Planning Scheme.

‘Major development’ means development likely to result in bush fire issues similar to those created by subdivision, including strata title subdivision.

‘Minor building work’ means building work:  
which results in an increase in gross floor area of an existing and approved habitable building premises by no more than the lesser 50m<sup>2</sup> or 25% of the existing gross floor area as at 3 May 2013; or  
alterations of not more than 50% of the existing premises building fabric; or  
a non-habitable building located more than 6.0 metres from and not physically connected to a habitable building.

‘Proponent’ can refer to “applicant”, “developer” or “subdivider”.

‘Proposal’ can refer to “planning (development) application, subdivision application, scheme amendment request, structure plan request, structure plan request, building permit or other works where considered appropriate by the Council.

‘Rural Zone’ means “Agriculture Priority 1 – Scott Coastal Plain”, “Agriculture Priority 2”, “Cluster Farming” and “Coastal Landscape” zones.

‘WAPC’ means the Western Australian Planning Commission.

## **POLICY**

This Policy applies throughout the municipality however the applicable of AS3959-2009 only applies to land designated as bushfire prone. In particular, this Policy applies to all proposals within the municipality in areas of fire risk and/or which contributes to fire risk as determined by the Council.

Links to Local Planning Scheme and other documents

This Policy relates to various requirements set out in the LPS3, Council's Local Planning Strategy, the Bush Fire Hazard Strategy, State Planning Policy 3.4 Natural Hazards and Disasters, the Guidelines, the BCA and AS3959-2009.

### **Policy Provisions**

#### **1. Endorsement of the Planning for Bush Fire Protection document**

The Council endorses the WAPC and DFES Planning for Bush Fire Protection Guidelines (edition 2) along with any amendments or updates. Accordingly, the Council will have due regard to the Guidelines. Further, the Council will require proponents to ensure compliance with the Guidelines.

Where there are differences between the Guidelines and AS3959-2009, AS3959-2009 prevails.

#### **2. General**

The Council will adopt a precautionary approach to fire risk. To achieve this, the Council will require proponents seeking planning (development), subdivision, scheme amendment, structure plan, and building permit approval and other works to take account of fire risk with their proposals.

The Council will consider fire risk in planning and building decisions to avoid increasing risks through inappropriately located or designed land use and development.

More intensive land use and development should only take place in areas where the performance criteria and acceptable solutions set out in the Guidelines can be achieved and realistically maintained.

The Council will consider fire hazard in the context of other considerations such as landscape protection and vegetation retention.

The Council will have regard to the objectives and provisions of this Policy in determining proposals in areas where there is fire risk.

The Council reserves the right to vary this Policy where, after consideration of all matters, it is deemed appropriate to the circumstance and is consistent with the spirit and intent of the Policy.

Except as varied by this Policy, the local government will assess proposals for scheme amendments and applications for approval of structure plans, subdivision, subdivision clearance, building envelope relocation, planning consent, building permit applications and other proposals against the Guidelines.

The bush fire prone areas mapping, set out in Attachment 1, has been adopted pursuant to LPS3. Areas identified on the mapping as “Bush Fire Prone” are designated bush fire prone areas for the purposes of LPS3, the BCA and this Policy.

Local structure planning, scheme amendment proposals and subdivision applications are required to address the potential for conflict between biodiversity values and bush fire protection. Unless the site is suitably zoned and has relevant approvals on the gazettal of Scheme Amendment No. 12 to LPS3, the Council will generally seek that clearing of native vegetation is minimised wherever reasonably practicable.

Applications for the approval of structure plans, subdivision applications or where conditions of subdivision require identification of building envelopes or the preparation of a FMP, shall ensure that building envelopes, development exclusion areas or similar are put in place and located so as to minimise impacts on native vegetation.

Wherever practicable, to accommodate a combined BPZ and HSZ of 100 metres width, building envelopes, development exclusion areas or similar shall generally be located to provide 100 metres separation from vegetation. Where there is an approved structure plan or subdivision approval that is inconsistent with the Policy, the subdivision application or application for subdivision clearance shall address these Policy provisions as much as is reasonably practicable.

In the case of building envelope plans submitted with applications for subdivision clearance, applications for the relocation of building envelopes, or, in the case of lots where there are no identified building envelopes, the development and associated BPZ and HSZ shall be located so as to minimise the impact on biodiversity values (including native vegetation). Relocation of building envelopes will not be supported to enhance access to views, reduce construction costs or for any other reason where it will increase impacts on biodiversity values.

The Council will seek to achieve the outcomes set out in the Guidelines even where an existing structure plan or subdivision approval is not consistent with the Guidelines. The Council recognises that it may not always be practicable to do so, and will accordingly apply this Policy in a reasonable manner in those cases.

### 3. Fire Risks

The Council does not generally support scheme amendment and structure plan requests, subdivision applications or development applications for residential, rural-residential, rural small holdings, tourist, industrial and other uses in extreme fire hazard areas.

The Council will not support scheme amendment and structure plan requests, nor support proposals for “D” and “A” uses as set out in the LPS3 zoning table in areas classified as “extreme” fire risk without permanent and realistic hazard level reduction measures being implemented, that can be sustained in perpetuity in the opinion of the Council to reduce the hazard level to moderate or low. Additionally, for “D” and “A” uses set out in the LPS3 zoning table, the Council will not generally support proposals which have a BAL-40 or a BAL-FZ rating.

The Council recognises historical lot creation and will seek the appropriate location and design of development for “permitted development” (clause 8.2 of LPS3) and for “P” uses set out in the LPS3 zoning table. The Council will seek to influence proponent’s make safer choices in the location and design of development.

In areas which are classified as “extreme” and “moderate” fire hazard hazards (bush fire prone), the use and development of land for more intensive purposes will not be approved or supported without assessment of the bush fire risk and compliance with the performance criteria and acceptable solutions set out in the Guidelines. The Council will only support proposals in areas classified as extreme and moderate fire risk following the receipt of a FMP and/or bush fire hazard assessment from a suitably qualified practitioner confirming that the proposal, design, facilities and management are appropriate to address fire risk to the satisfaction of the Council.

#### 4. Bushfire Hazard Mapping

The Council has endorsed the Bushfire Hazard Strategy for the municipality. The Council will give this due consideration in determining proposals.

#### 5. Designated Bushfire Prone Areas

Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as endorsed by the Council. The endorsed Bushfire Prone Area Maps form part of LPS3. The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.

The designated bush fire prone area mapping referred to in this Policy has been endorsed by the Council. The overview map is set out in Attachment 1, with other mapping available on the Shire website and at the Shire office.

#### 6. Habitable Buildings to comply with AS3959-2009

Subject to this Policy, construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone will be subject to the relevant

requirements pursuant to the BCA and AS3959 – 2009. The exception is where the application is classified as a “minor building work”. Where an application is a minor building work, the Council encourages proponents to engage a qualified and/or experienced practitioner to undertake a BAL assessment and to build to AS3959-2009. However, the Council will approve minor building work not meeting AS3959-2009 subject to the building meeting the Policy’s minor building work definition and compliance with other planning, building and environmental health considerations.

If an owner disputes their land's identification within a designated Bushfire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the Guidelines.

On receiving a request, the local government may determine that the land is not within a designated Bushfire Prone Area, or determine that the land's identification within a designated Bushfire Prone Area is correct.

Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the Guidelines. The BAL level will inform the application of AS3959.

In designated bush fire prone areas, due to the need to return environmental assets e.g. threatened vegetation or for amenity reasons in Special Rural estates or in other areas, the building construction standard may be required to be higher to reduce clearing of native vegetation.

In designated bush fire prone areas, the Council prefers that development is located on cleared land or in areas which will require a minimal amount of clearing. In areas zoned Special Rural, the BPZ should generally be retained on the lot and not extend onto adjoining properties. Where the expansion of the BPZ is proposed, there is a need to consider physical or regulatory constraints to achieve a satisfactory bush fire management outcome.

In designated bush fire prone areas, where a satisfactory bush fire management outcome cannot be achieved to address the Guidelines, AS3959-2009 and this Policy, applications for planning consent will generally be refused for “D” or “A” uses as set out in the Zoning Table of LPS3. Where a planning consent is not required, then a building permit would generally need to be granted, but with a minimum construction standard of BAL FZ.

Non-habitable buildings, including outbuildings (sheds) do not generally need to meet AS3959-2009. Exceptions do occur should the outbuilding be located within 6 metres of the habitable building.

## 7. Requirements for Bush Fire Hazard Assessments and/or FMPs

Unless otherwise agreed, local planning scheme amendment proposals that fall, in part or whole, within any land identified as designated bush fire prone area shall be accompanied by a bush fire hazard assessment consistent with the Guidelines. Generally, unless based on the findings of that assessment and the nature of the proposal, there will be a need for the bush fire hazard assessment to be accompanied by a FMP.

Unless otherwise agreed to by the local government or unless an endorsed FMP addresses all relevant issues in a manner consistent with this Policy in a preceding structure plan or local planning scheme amendment proposal, all applications that fall in part or whole within any land identified as designated bush fire prone area shall be accompanied by a bush fire hazard assessment consistent with the Guidelines.

Unless the proposal is minor building work and/or an endorsed FMP has addressed all relevant issues in a manner consistent with this Policy, the Council will generally require or seek a FMP to accompany all subdivision and planning consent applications that fall, in part or whole, within any land identified as designated bush fire prone area.

Where a FMP has been submitted with a preceding proposal (including establishing a BAL) that addresses all relevant issues in a manner consistent with this Policy and unless development is proposed in a location different to that proposed and assessed as part of the preceding proposal, then a new bush fire hazard assessment or FMP may not be required in support of an application. However, if more than three years has elapsed between approval of the preceding proposal and a building permit application, then an updated bush fire hazard assessment will generally need to be provided in support of the Building Permit application.

#### 8. Qualifications and experience of consultant

All bush fire hazard assessments and FMPs are to be prepared by experienced and/or qualified bush fire consultants. While noting there are no specific accreditation requirements for bush fire consultants at this time in Western Australia, all practitioners are required to have suitable professional indemnity insurance to the satisfaction of the local government. If documents are prepared by a consultant that the local government is not familiar with, the local government may request details of the consultant's experience, qualifications and level of professional indemnity before accepting documents prepared by that consultant.

#### 9. Minimum requirements for bush fire hazard assessments and FMPs

All bush fire hazard assessments need to be prepared using a methodology consistent with the Guidelines and AS3959-2009.

The bushfire hazard assessment plan shall generally be overlaid onto aerial photography to provide a more comprehensive visual depiction of fire hazard and vegetation. The Council does not support the use of street maps or location plans as a

basis for the bushfire hazard assessment plan unless under very exceptional circumstances where justified by the bush fire consultant and to the satisfaction of the Council.

The Council considers that a maximum BAL-29 rating is desirable. The Council will however consider BAL-40 and BAL-FZ on their merits (where there is no way of reducing this BAL without unacceptable environment/amenity impact), where the development is a “P” (permitted) use in the LPS3 zoning table or where the development does not require a planning application.

FMPs are to include all proposed buildings or, in the case of local planning scheme amendment proposals or applications for approval of a structure plan or subdivision, proposed or potential building locations. The FMP is required to suitably address:

a bush fire hazard assessment consistent with the Guidelines;  
indicative BAL ratings pursuant to AS3959-2009 and minimum width of the BPZ, HSZ, fire break and access/egress requirements to achieve a satisfactory bush fire management outcome in accordance with the Guidelines and AS3959-2009; and  
where native vegetation needs to be cleared to achieve a satisfactory bush fire management outcome, the identification of the extent of required clearing, and the nature and condition of the vegetation to be cleared.

All FMPs need to be in a format consistent with the model FMP set out in the Guidelines.

The implementation part of the FMP is to clearly identify actions to take place:

in the case of proposals or applications intended to result in subdivision, prior to commencement of subdivisional works and prior to clearance of the subdivision; and  
in the case of the proposals, prior to commencement of development/construction of buildings, and/or on an annual or other periodic basis.

The Council will require all FMPs to clearly outline the developer responsibilities and the land owner responsibilities.

## 10. Fire Management Plans

All FMPs are to be prepared in accordance with the Guidelines. FMPs are to address, to the satisfaction of the Council, matters including:

- aim and objectives;
- description of the area;
- assessing and classifying the bushfire hazard (fire problem);
- classifying the bush fire attack level and providing indicative BAL ratings;
- fire mitigation strategies including a performance approach set out in the Guidelines, an acceptable solutions approach or a combination of the two;
- subdivision and development design to address the hazard;



- location of development;
- vehicular access including as relevant firebreaks, emergency access ways (EAW) and fire service access routes (FSAR);
- water supplies;
- siting of development including HSZ and BPZ;
- design of development, included recommended building design standards to account for fire risk;
- fuel reduction management;
- fire suppression response;
- the anticipated impact on environmental assets (especially reporting on rare flora, fauna and/or threatened ecological communities) on the application site through implementing the FMP. This may require a separate and independent environmental assessment from a suitably qualified and/or experienced practitioner;
- implementation; and
- monitoring/review.

Where an approved FMP requires fuel loadings to be reduced (by burning, slashing or other methods), this is required to be undertaken prior to the Shire clearing the subdivision condition. The fuel reduction should generally be overseen by a suitably experienced and/or qualified bush fire practitioner. The Council's preference is that the fuel reduction is undertaken for the entire subdivision or stage rather than for an individual lot.

FMPs submitted to and approved by the local government shall generally be registered as section 70A notifications on the title of the affected property or properties. This will be achieved as a condition of subdivision or as a condition of planning consent.

In the case of an application for a building permit, the local government will seek landowner support to forward the bush fire hazard assessment to prospective purchasers.

## 11. Fire Breaks

In most cases individual standard firebreaks on each existing and/or proposed lot will be appropriate. However in some cases, EAW or FSAR will be required to complement standard firebreaks. EAW/FSAR should be co-ordinated into existing EAW/FSAR and road networks, allow for retention of vegetation on larger lots, and may better suit the topography and minimise potential erosion.

Where EAW/FSAR are required as part of an approved FMP, the Council will require the subdivider to install the EAW/FSAR, gates and other required measures to the satisfaction of the Council. In particular, the EAW/FSAR is to be to an all-weather standard that can be accessed by two wheel drive vehicles. Where the EAW is also used for pedestrian/cyclist access, the Council may require the access to be sealed, concreted or constructed to an appropriate standard to the satisfaction of the Council.

The Council's preference is that the on-going management and maintenance of EAW/FSAR (not "standard" firebreaks around each property) rests with the Shire for:

larger rural residential and rural small holding subdivisions;  
residential, tourism or industrial subdivisions adjoining river foreshores and/or public land; and  
other subdivisions as determined appropriate by the Council.

The EAW/FSAR is to be protected through a reserve, easement, inclusion in a Public Access Way or through other measures to the satisfaction of the Council.

The Council does not support taking over on-going management and maintenance of EAW/FSAR in the Rural zone.

The Council requires the following for EAW/FSAR:

- the site subject to the FMP is to be self-sufficient and cannot rely on external EAW/FSAR unless:
- the land containing the EAW/FSAR forms part of the same structure plan or subdivision, and is under one ownership; and
- there is written agreement by the owner of the land (containing the EAW/FSAR) to the granting of a public easement in gross (over the EAW/FSAR) to be registered on the Certificate of Title; or
- there is written agreement by the owner of the land (containing the EAW/FSAR) and the subdivider that an easement will be granted free of cost in favour of the local government and will be accepted as a condition of subdivision;
- an easement or alternatively a reserve is to be provided for all proposed EAW/FSAR in favour of the local government at the developer's cost. If it is on an easement, the easement is required so that the local government can maintain the EAW/FSAR (if agreed to by the Council) and/or to allow vehicular access to the break for emergency egress; and

- all EAW/FSAR (and future driveways) must be constructed to a trafficable surface and comply with the Guidelines.

## 12. Water Supplies

The Council's priority is seeking to minimise fire risks. The provision of reticulated (scheme) water, with associated hydrants and storage tanks, is an important component to achieve this.

The Council will seek to ensure that urban subdivisions are connected to the reticulated water system. The Council will generally seek to ensure that rural residential subdivision is connected to the reticulated water system in accordance with WAPC policy or as set out in the Local Planning Strategy.

While noting the above, the Council is mindful of the need to conserve water and that water should be fit for purpose. The Council will require that proponents consider appropriate water sources and an appropriate range of fire management measures in preparing FMPs.

In designated bush fire prone areas where reticulated water services are not available or cannot be provided, where a new dwelling is being built more than 50 metres from a public road, constructed private driveways are to be provided to the dwelling in accordance with Acceptable Solution A2.5 of the Guidelines, and access to the same standard shall be provided to the water tank associated with the dwelling. The water tank shall also be fitted with hard suction connections in accordance with DFES requirements.

With regard to Element 3 of the Guidelines (Water), supplementary acceptable solutions A3.2 and 3.3 (non-reticulated areas) include the following:

- all water tanks, pumps and standpipes for public/community use are to be located on land vested with or owned by the local government and to either be immediately accessible from a public road, or accessed by a FSAR. All pipes and other infrastructure linking tanks, pumps and standpipes shall either be on land vested with or owned by the local government, or shall be located within easements in favour of the local government;
- where reticulated electricity is available, pumps should generally be electric, or must have the capacity for both AC and DC connections, or a separate petrol driven pump and a 20 litre fuel container shall be provided. Unless justified by the bush fire consultant, the pump should be housed in a heat resistant and insulated shed/structure to the satisfaction of the Council;
- where reticulated electricity is not available, a separate petrol/diesel driven pump and a minimum 20 litre fuel container shall be provided;
- pumps housed within a permanent, tamper resistant, lockable shed or cage with concrete floor, with a local government compatible padlock and operating instructions for the water pumps must also be provided with the equipment;
- standpipes provided with a standing area for filling should be sealed and, where adjoining a sealed, public road, the tapers shall also be sealed;

- where a standpipe services generally more than 10 or more lots, then the standpipe should have two outlets to refill two units simultaneously; and
- a minimum tanker refill capacity of 500 litres per minute and a minimum head of six metres to the tank at 2 metres above the ground at the standpipe.

### 13. Fire Hydrants

In areas served by reticulated water, the Council will require fire hydrants to be provided in accordance with DFES and Water Corporation standards, including design, spacing and water pressure. The Council will require the subdivider's consulting engineer to provide sufficient details in order for the local government to make its assessment.

The Council may also require the subdivider to install a reserve storage tank, in an appropriate location, to complement the reticulated water system to assist in maintaining continuity of supply.

### 14. Signage

The Guidelines set out requirements for signage where EAW/FSAR connect to public roads. Where set out in an approved FMP, the Council will require the subdivider to install appropriate signage prior to the clearance of the Deposited Plan.

### 15. Scheme Amendment and Structure Plan Requests

Any scheme amendment request, where there is a potential for fire risk in the opinion of the Council, must be accompanied by a FMP which demonstrates that fire protection requirements contained in the Guidelines are achieved to the satisfaction of the Council.

The Council will not adopt scheme amendment requests on land having moderate or extreme risk where the performance criteria and/or acceptable solutions contained in the Guidelines cannot be met.

The Council will require a FMP to be provided with structure plan requests.

In the case of scheme amendment requests, the Council may not agree to initiate (adopt) a scheme amendment until it is satisfied that the proponent provides appropriate justification to address the Guidelines and this Policy to the satisfaction of Council.

### 16. Subdivision Applications

Assuming that non-bushfire issues are appropriately addressed, the Council will generally only support subdivision in areas classified as moderate or extreme fire risk either:

following the receipt of a FMP from a suitably qualified and/or experienced practitioner confirming that the proposal, design, facilities and management are appropriate to address fire risk to the satisfaction of the Council; or subject to the imposition of a condition of subdivision approval requiring the preparation and implementation of a FMP.

The Council will recommend conditions to be imposed on subdivisions as applicable. Generally, unless there are non-standard circumstances, the condition will be as per the WAPCs Model Subdivision Conditions Schedule.

In terms of implementing the approved FMP, this may include:

- notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) to be placed on the Certificate(s) of Title;
- to ensure that prospective purchasers are aware of the FMP, relevant scheme provisions and publications addressing bush fire safety;
- the developer to lodge a written undertaking with the Shire that they will provide a copy of the FMP and Structure Plan to all prospective purchasers. If an agent is used to market the subdivision, and/or sell the lots on the developers behalf, then they shall also provide a written undertaking;
- the provision of EAW/FSAR and other required access improvements;
- EAW/FSAR are protected by a public easement in gross. Public access to EAW/FSAR must be maintained at all times and no fences, materials, locked gates or structures that impede access should be erected by owners;
- the easement in gross is to be granted free of cost to the local government as a public access easement over EAW/FSAR constructed on the land. The easement documents are to be prepared by the local government's solicitors at the developer's cost and shall be completed and signed by the owner and against the Certificate of Title for the land prior to the issue of any clearances. The easements shall be shown on the Deposited Plan in "as constructed" locations and those locations shall be pegged on site by a qualified licensed surveyor;
- the location of EAW/FSAR shall be pegged and surveyed on site;
- the developer to install signs for EAW/FSAR access in accordance with the FMP and to the satisfaction of the local government;
- the provision of firefighting water supply and if relevant, fire hydrants;
- water tanks shall be installed prior to occupation of any habitable building and owners need to retain a minimum of 10,000 litres of water for structural firefighting purposes at all times;
- a water tank is constructed on site in accordance with a FMP approved by the local government;
- the developer addresses fuel loads within the HSZ and BPZ;
- all building envelopes shall be clearly pegged on site by a licensed surveyor;
- the allocation of a site for the location of a fire fighting facility; and

- owners may be required to contribute annually to a special fund to be administered by the local government and used for maintenance of firefighting facilities or equipment.

## 17. Planning Applications

For developments that are in areas of moderate or extreme fire risk and where there is no existing and contemporary FMP covering the area subject to the application, the Council may require the submission of a FMP with the Planning Application to assess development risks. Alternatively, the Council may impose a condition requiring either the preparation and/or implementation of a FMP or bushfire hazard assessment in accordance with the Guidelines to the satisfaction of the Council.

## 18. Submission Requirements for Building Permits in Bushfire Prone Areas for Habitable Buildings

The Council will require the following as a minimum requirement:

- a land description and street address of the subject land and how the site of the proposed habitable building is affected by the Bushfire Prone Land map. A copy of the plans and specifications showing how the building will meet the requirements of AS3959-2009;
- the location, extent and type of any bushland on or within 100 metres of the proposed habitable building. A description of the vegetation in a direction perpendicular to each facade. Where different vegetation formations are found over the 100 metres within a direct line from any facade, the predominant vegetation (as per AS3959-2009) assessed is to be taken as the appropriate vegetation formation;
- the effective slope and aspect under the vegetation identified in a perpendicular line from each facade and within 100 metres of the habitable building, which may determine the likely path of any bushfires. The effective slope is that slope under the hazard which most significantly affects fire behaviour;
- any features on or adjoining the site that may mitigate the impact of a high intensity bush fire on the proposed development. The location of the building relative to any slopes or likely future clearance associated with adjoining developments;
- whether the habitable building complies with AS3959-2009 in relation to the construction level for bush fire protection. The report should identify the BAL ratings for each facade in accordance with AS3959-2009. It should also relate to the relevant chapter within AS3959-2009 for the appropriate BAL levels;
- the requirements of any approved FMP setting out the management of vegetation on site, water requirements and landscaping on the site and surrounding the dwellings; and
- implementation requirements required prior to occupation of the habitable dwelling and on an ongoing basis.

The following sets out BAL and corresponding AS 3959-2009 section relating to construction.

#### BUSHFIRE ATTACK LEVELS AND CORRESPONDING BCA SECTIONS FOR SPECIFIC CONSTRUCTION REQUIREMENTS

Bushfire Attack Level (BAL)	Classified vegetation within 100m of the site and heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	AS 3959-2009 Construction Section
BAL-LOW	See Clause 2.2.3.2	There is insufficient risk to warrant specific construction requirements	4
BAL-12.5	$\leq 12.5 \text{ kW/m}^2$	Ember Attack	3 and 5
BAL-19	$\geq 12.5 \text{ kW/m}^2$ $\leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 6
BAL-29	$\geq 19 \text{ kW/m}^2$ $\leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 7
BAL-40	$\geq 29 \text{ kW/m}^2$ $\leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux with the increased likelihood of exposure to flames	3 and 8
BAL-FZ	$\geq 40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to heat flux and ember attack	3 and 9

#### 19. Subdivider/Developer Responsibilities

Subdividers/developers are required to implement requirements set out in endorsed FMPs, bushfire hazard assessments or conditions set by the WAPC and/or local government.

#### 20. Landowner Responsibilities

Landowners should take all practical steps to address fire risks subject to gaining necessary approvals.

The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.

Where a FMP has been endorsed by the local government and/or DFES, the affected land owners will be responsible for the ongoing implementation of the “land owner’s responsibilities” as specified in the FMP.

Land owners need to maintain driveways for emergency access and maintain areas for sufficient turnaround for fire safety in accordance with the Guidelines and the approved FMP.

Land owners are required to maintain BSZ and HSZ in accordance with the Guidelines and the approved FMP.

#### 21. Annual Fuel Reduction Notice

The local government will regularly check firebreaks on freehold land.

The local government will periodically check bush fuel loads on properties throughout the municipality. A priority will be ensuring that properties issued with a Building Permit for a habitable dwelling post-gazettal of Scheme Amendment No. 12 to LPS3 suitably maintain BPZ and as required, HSZ.

### **ADMINISTRATION**

#### 1. Matters to be Addressed prior to Formally Lodging the Proposal

Proponents are encouraged to discuss bush fire management implications for their proposal with the Shire administration early on in the planning/design process and prior to the formal lodgement of the application/request.

Bush fire hazard assessments and FMPs submitted to the local government in support of local planning scheme amendment proposals, and applications for approval for structure plans and major development will be referred to DFES for comment. Proponents are encouraged to consult with DFES before lodging such proposals or applications with the Shire.

#### 2. Details Provided with the Proposal

The Council recommends that proponents submit appropriate details with their application/request as set out in this Policy.

#### 3. Obtaining Advice

The local government will seek advice from the local volunteer Bush Fire Brigades, DFES and/or other agencies as appropriate on proposals.

#### 4. Assessing the Proposal



In considering proposals (including applications for planning approval, subdivision applications and structure plans) where there are bush fire risks, the local government is to have regard to:

State Planning Policy 3.4 Natural Hazards and Disasters;  
the Guidelines;  
any advice obtained from DFES; and  
any other planning consideration the local government considers relevant.

The Council may refuse to adopt a scheme amendment request, structure plan request, a development application, building permit or recommend refusal to the WAPC for a subdivision application if:

the Council is of the view that the proposal will create unacceptable bushfire risks and/or will create unacceptable environmental amenity impacts; and  
the proposal is inconsistent with the Guidelines and/or this Policy.

The Council will seek the support of the WAPC to impose appropriate conditions on subdivision approvals.

## 5. Imposing Conditions

The local government may impose conditions to reduce bush fire risk to people and/or property including:

- the provision of a fire fighting water supply;
- the provision of fire services access;
- the preparation of a FMP in accordance with the Guidelines, or any updates, and implementation of specific fire protection measures set out in the plan; and
- the implementation of measures to ensure that prospective purchasers are aware of the LPS3 provisions, the FMP and publications addressing fire safety.

Related Policies:	Nil
Related Procedures/Documents:	Nil
Delegation Level:	Development Services Coordinator, Community Emergency Services Manager
Adopted:	26 September 2013
Reviewed:	OM 27 July 2023

Attachment 1 – Bush Fire Prone Areas from the Bush Fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup (Overview Map)

Policy Number:	LPP 022
Policy Type:	Local Planning Policy
Policy Name:	<b>Outbuildings</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 3

## OBJECTIVES

The objectives of this Policy are to:

- Retain or enhance the visual amenity of neighbourhoods through outbuildings not detracting from the streetscape/landscape and the amenity of adjoining/nearby properties through controlling building bulk (size and height), appropriate siting, colours and use.
- Provide further interpretation of the R Codes and the Shire of Nannup Local Planning Scheme No. 3 (LPS3) in the assessment of applications.
- Set out the limitations for proposed outbuildings.
- Promote the function and usability of residential yards.
- Ensure that outbuildings are not used for permanent habitation and set out where the Council will support or not support the conversion of an outbuilding to a dwelling.
- Provide increased certainty for landowners, the community and others and to assist in providing greater consistency in decision making by the local government.

## DEFINITIONS

In this Policy, the following definitions apply:

“Ancillary outbuilding” – is an outbuilding which is incidental to the predominant use of the land and other buildings on the lot. In particular, this is an outbuilding which is not oversized or over-height (as set out in Attachment 1) or is proposed on a vacant lot.

“Dwelling” - as defined in the Residential Design Codes of Western Australia, is a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

“Outbuildings” - are enclosed non-habitable Class 10a buildings, under the Building Code of Australia (BCA), that are detached from a dwelling and which are not used for commercial or industrial purposes.

“Over-height outbuilding” - an outbuilding that proposes a height greater than provided for in the R Codes for land subject to the R Codes or as set out in Attachment 1 of the Policy for land not subject to the R Codes.

“Oversize outbuilding” - an outbuilding that would result in a total combined outbuilding area on the lot which is greater than provided for in the R Codes for land subject to the R Codes or as set out in Attachment 1 of the Policy for land not subject to the R Codes.

“R Codes” - the Residential Design Codes of Western Australia, adopted by the Western Australian Planning Commission including any updates.

“Vacant lot” - is a lot or property upon which no dwelling is constructed and includes a lot created pursuant to the Strata Titles Act 1985 (as amended).

### Application of the Policy

This Policy applies throughout the municipality.

This Policy does not apply to carports, studios, games rooms, patios, pergolas and verandahs and the like that are connected to or form part of the dwelling or the principle building on the property. In these cases, applications are assessed against criteria including compliance with setbacks, site coverage, overshadowing, and related requirements of the R Codes and LPS3 along with the requirements of the BCA.

Attachment 1 sets out, in general terms, when a Planning Application is and is not required, along with other key considerations.

### Links to Local Planning Scheme and Other Documents

This Policy relates to various requirements set out in LPS3, the R Codes and is also guided by the BCA. Where there is an inconsistency between this Policy and the R Codes, then this Policy prevails to the extent of such inconsistency. Where there is an inconsistency between this Policy and LPS3, then LPS3 prevails to the extent of such inconsistency.

## **POLICY PROVISIONS**

### **1. General**

This Policy sets out the Council's position relating to outbuildings. It is Council's policy to achieve a balance between providing for the legitimate garaging, storage and other domestic needs of residents and to minimise the adverse impacts that outbuildings may have on neighbours and the amenity, appearance and character of neighbourhoods.

Most outbuildings in the municipality do not require the submission of a Planning Application to the local government and accordingly in these instances no planning approval is required. In particular, this is where the outbuilding's location, size, height, design and use would comply with LPS3 and the R Codes, which has also been reflected in Policy (see Attachment 1).

A Planning Application for an outbuilding is required where:

- it necessitates the exercise of discretion by the local government including to vary the R Codes and to vary LPS3;
- the outbuilding is outside a designated/approved building envelope;
- the outbuilding is within a designated building exclusion area;
- the outbuilding is proposed within the Flood Risk Land Special Control Area;
- the outbuilding is proposed on a lot or location which does not have access to a dedicated and/or constructed public road;
- the outbuilding is located in a Heritage Area;
- the outbuilding is located within the Landscape Values Area or the Public Drinking Water Source Area;
- the outbuilding is located within a drainage/stormwater easement;
- the outbuilding is oversized and/or over-height (as set out in Attachment 1); or
- the outbuilding is proposed on a vacant lot (as set out in Attachment 1).

## 2. Assessing Applications

The Council will have regard to various matters in assessing outbuilding applications including:

- the zoning of the lot;
- lot size, shape and features, including the extent of existing screening;
- the existing level of development, including outbuildings, on the site;
- floor area of the proposed outbuilding and maintaining existing and generally accepted overall outbuilding floor area standards for the zone and/or the locality;
- ensuring that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property;
- setbacks and location of the proposed outbuilding;
- height of the proposed outbuilding, including impact, amenity and overshadowing on adjoining/nearby properties;
- the effect on the streetscape and visibility from nearby public places;
- the level of cut and fill;
- construction materials and proposed colour/s;
- the intended use and demonstrated need for the outbuilding;
- provisions and requirements set out in LPS3, the R Codes and the BCA;
- relevant State Planning Policies and Local Planning Policies;
- other planning considerations including Structure Plans and Local Development Plans;

- written comments from affected landowners; and
- any other circumstance and factor affecting the application in the opinion of the Council.
- The “onus of proof” rests with the applicant to justify their application based on the requirements of this Policy.

### 3. Floor Area

The Council will determine the floor area as the total gross area of all outbuildings (existing and proposed) on the site. This excludes carports, studios, games rooms, patios, pergolas, verandahs and the like that are connected to, or form part of, the dwelling or the principle building on the property.

Applications for outbuildings that propose a mezzanine or a second story will be considered on their merits. The floor area of the mezzanine/second story will not be included in the calculation of gross floor area. However, the Council will consider potential impacts on privacy from the mezzanine/second story especially in residential areas.

For areas subject to the R Codes, the Council will require that the total area of all existing outbuildings (proposed to be retained) and proposed outbuildings collectively do not exceed 10% of the site (lot) area.

### 4. Height

The height of the proposed outbuilding is measured from natural ground level.

An outbuilding that proposes a height greater than provided for in the R Codes (for land subject to the R Codes) or as set out in Attachment 1 of the Policy (for land not subject to the R Codes) is defined as an “over-height” outbuilding for the purposes of this Policy.

The Council will require applicants to justify any proposed increase in outbuilding height, above the deemed-to-comply requirements, for areas subject to the R Codes.

### 5. Setbacks/Location

For zones subject to the R Codes, outbuildings are to be setback in accordance with the R Codes. For other zones, setbacks are outlined in LPS3 or outbuildings are to be located within the approved building envelope for the site or outside of building exclusion areas.

The Council may approve outbuildings with walls or supporting columns that are setback less than 1.0 metre from side and rear boundaries on residential lots, subject to compliance with the fire separation requirements of the BCA and consultation with adjoining landowners.

## 6. Colours

The Council supports colours that retain or enhance the area's amenity. The Council encourages outbuilding walls and roofs to be constructed of non-reflective colours that are essentially natural and earthy, rather than colours such as white or silver. The Council discourages the use of zincalume and unpainted fibre cement for outbuilding walls in the Residential, Special Residential, Special Rural and Special Use zones, especially for oversized and/or over-height outbuildings.

## 7. Habitable Use and Conversion of Outbuildings to Dwellings

Outbuildings shall not be used for habitable purposes unless they gain local government approval and comply with LPS3, the R Codes and the BCA as a habitable unit.

While noting the above, the local government will consider approving temporary accommodation outside of the Nannup townsite in accordance with Council's Temporary Accommodation policy.

## 8. Outbuildings on Vacant Lots

The Council will consider outbuildings on vacant lots in most zones as outlined in Attachment 1.

In general, the Council does not support an outbuilding on a vacant lot in the Residential zone, Special Residential zone and in Special Use zones (where it is subject to the R Codes) except where the construction of a dwelling is imminent on the lot. The local government may consider approving an outbuilding on a vacant lot in these zones subject to the applicant gaining necessary approvals for the dwelling, or the applicant providing appropriate written assurances that a dwelling will be shortly applied for and substantially completed within two years of the outbuilding receiving conditional planning approval.

Where an outbuilding is proposed on a vacant lot in the Residential zone, Special Residential zone and in Special Use zones (where it is subject to the R Codes), the local government may impose a planning condition requiring the payment of a bond, with the value determined to cover the cost of removing the outbuilding and stabilising the site to the satisfaction of the local government. Should construction of a dwelling not be substantially complete within 2 years from the granting of conditional planning approval for the outbuilding, the Council may require the owner to move or demolish the outbuilding and clear the property of all debris and building material. The planning approval for the outbuilding becomes permanent following the construction of the dwelling and ensuring that all planning conditions relating to the outbuilding have been met and are maintained.

## 9. Land Uses

Outbuildings are not to be used for commercial, industrial, habitable or other non-domestic purposes. Outbuildings are to be used for low-key “domestic” uses, to the satisfaction of the Council, that do not create undesirable impacts on adjoining or nearby properties.

## **ADMINISTRATION**

### Matters to be Addressed Prior to Formally Lodging the Application

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early on in the planning process and prior to the formal lodgement of any Planning Application.

### Application Requirements

#### Planning Applications are to include the following:

the requirements set out in sections 9.1 and 9.2 of LPS3 which includes a site plan (including highlighting existing outbuildings) and setting out the location of any easements;  
floor plan/s and elevations detailing the area, wall and ridge heights and the external materials and colours to be used;  
details of intended use/s and demonstrated need for the outbuilding;  
filling in the Form of Application for Planning Approval; and  
payment of the Shire Planning Application fee.

Subject to the proposed location and the scale of the proposed outbuilding, the local government may also require the applicant to provide:

detailed contour information from a licensed surveyor;  
cross sections showing the extent of cut and fill;  
written information setting out why Policy requirements should be varied; and  
any other plan or information that the local government may reasonably require to enable the application to be determined.

Should a Planning Approval be issued, it will be necessary for the proponent to submit a Building Permit Application (which gains necessary approval) prior to undertaking construction.

### Consultation with Landowners and Stakeholders

The local government will consult with adjoining/nearby landowners where an application for an outbuilding is made that does not comply with the requirements of the R Codes. For land not subject to the R Codes, the local government may consult with adjoining/nearby landowners where a proposed outbuilding does not comply with this Policy or has the potential to adversely impact landowners in the opinion of the local government. Alternatively, the local government may require the applicant to

supply written comments from adjoining and other affected landowners, with the process undertaken in accordance with the consultation requirements of the R Codes.

#### Assessing the Planning Application

Applications will be assessed on a case by case basis subject to this Policy, LPS3, the R Codes, the BCA, information provided by the applicant and any submissions received.

For land subject to the R Codes (i.e. Residential or Special Residential zones), the local government will not support applications for an outbuilding which does not comply with , the 'oversize' and 'over-height' provisions set out in Attachment 1. Such applications will be referred to Council for determination.

For land not subject to the R Codes, any application for an outbuilding which does not comply with the 'oversize' provisions set out in Attachment 1 may be considered by Council where the local government is satisfied that the application is consistent with the objectives of this policy and general intent and provisions applicable to the relevant zone.

Where objections are received and the objections are not able to be adequately dealt with through conditions of approval, the application will be referred to Council for determination.

The Council may refuse a Planning Application where it is inconsistent with this Policy, LPS3, the R Codes, based on the information provided by the applicant, or based on information set out in any submission.

Related Policies:	LPP 001 Cut & Fill and Retaining Wall LPP 002 Private Stormwater Drainage Connections to Council's Stormwater Drains LPP 011 Development in Flood Prone Areas
Related Procedures/Documents:	<a href="#">LPP 022 Outbuildings – Attachment 1</a>
Delegation Level:	Development Services Officer, Building Surveyor
Adopted:	23 October 2014
Reviewed:	OM 27 July 2023



Policy Number:	LPP 23
Policy Type:	Local Planning Policy
Policy Name:	<b>Plantations and Agroforestry</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup Local Planning Scheme No. 3

## POLICY BASIS

This is a local planning policy prepared under the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) and the Shire of Nannup Local Planning Scheme No. 3 (LPS3).

## OBJECTIVES

The objectives of this Policy are to:

Promote agroforestry where integrated with other rural and/or conservation activities and where it is effectively managed.

Outline areas favoured for plantations along with non-preferred locations.

Ensure that relevant planning considerations are suitably addressed.

Conserve and enhance environmental assets.

Ensure best practice design and fire management practice for plantations and agroforestry.

Assist the local government in determining applications for agroforestry and plantations by setting out matters local government will have regard for in assessing applications.

Provide increased certainty for landowners, the community and others and to assist in providing greater consistency in decision making by the local government.

## DEFINITIONS

In this Policy, the following definitions apply:

“Agricultural Priority” - means Agricultural Priority 1 – Scott Coastal Plain Zone and Agricultural Priority 2 zone.

“Agroforestry” - means land used commercially for both tree production and agriculture where trees are planted in blocks of more than one hectare. Agroforestry is the combining of agriculture and tree growing, to produce both agricultural products and tree products for commercial, land management or environmental purposes. It is also known as “farm forestry”.

“Code of Practice” - Code of Practice for Timber Plantations in Western Australia (2014), produced by Forest Industries Federation WA, Forest Products Commission and Australian Forest Growers, or as revised.

“Plantation” - based on LPS3, “has the same meaning given to the term in the Code of Practice for Timber Plantations in Western Australia (2006).”

“Plantation Management Plan” - provides details of the way in which a tree crop will be developed and managed, and aims to demonstrate the means by which the principles of environmental care, cultural and fire management objectives are achieved. A Plantation Management Plan generally includes a Plantation Map, Establishment Plan, Maintenance Plan and Fire Management Plan.

“Relevant planning considerations” include:

Matters set out in Clause 67 of Schedule 2, Part 9 of the Regulations;

- the Code of Practice;
- the Guidelines for Plantation Fire Protection (2011 or any updates) produced by the former Fire and Emergency Services Authority of Western Australia; and
- matter

“Sensitive Use” is based on State Planning Policy 4.1 and includes residential dwellings, major recreational areas, hospitals, schools, and other institutional uses involving accommodation.

“Vulnerable Use” is as defined in Guidelines for Planning in Bushfire Prone Areas.

### Application of the Policy

This Policy applies throughout the municipality. In this Policy, the municipality will be called the “district”.

### Links to Local Planning Scheme and Other Documents

This Policy relates to various requirements set out in LPS3, the Shire of Nannup Local Planning Strategy, State Planning Policy 2.5 Rural Planning, the Code of Practice and the Guidelines for Plantation Fire Protection. Where there is an inconsistency between this Policy and LPS3, then LPS3 prevails and to the extent of such inconsistency.

## **POLICY PROVISIONS**

### General

The local government:

Supports agroforestry on appropriately zoned land (including “Agricultural Priority”) subject to the proposal or application addressing relevant planning considerations; Encourages plantations to be located on land zoned “Agriculture”, which are outside of Landscape Values Areas and more than 3 kilometres from the Nannup townsite (see Attachment 1), provided relevant planning considerations are suitably addressed; and

Will positively consider, plantations on land zoned “Agricultural Priority” on the Scott Coastal Plain subject to the application addressing relevant planning considerations.

The local government generally discourages:

- The use of whole farms for plantations on zoned Agricultural Priority in the Cundinup, Carlotta and Biddelia localities (see Attachment 2);
- Plantations that by virtue of their topography, physical size, their inability to access strategic water supplies for fire-fighting purposes, or their close proximity to vulnerable uses, sensitive uses or habitable buildings, present an unacceptable fire risk or otherwise are unable to satisfy the FESA Guidelines for Plantation Fire Protection;
- New plantations in areas within the Landscape Values Special Control Area as set by LPS3 unless associated with a landscape assessment for land that has not been subject to a plantation which was established prior to 16 September 1983 or to a previously approved plantation; and
- New plantations within 3 kilometres of the Nannup townsite (see Attachment 1).

The onus of proof rests with the applicant to justify their application based on the requirements of this Policy. Additionally, applicants are required to justify their application if variations are proposed to this Policy.

#### When is a Development Application required?

Development approval is not required for the planting of trees for land rehabilitation, shelter belts or for other land management/environmental purposes provided the total area of planting is less than 4 hectares for the lot. Landowners should however advise the local government in writing and via preparation of a site plan showing the proposed planting. There is a separate requirement to ensure the plantings are appropriately managed to address fire risk and comply with the local government’s Firebreak Notice.

No Development Application is required for agroforestry provided no more than 4 hectares of planting occurs on any lot or location. A Development Application must be submitted and approved by the local government prior to the commencement of agroforestry above 4 hectares.

No Development Application is required on the ‘development footprint’ where the plantation was established prior to 16 September 1983 and where a plantation has operated since 16 September 1983 with gaps of no greater than 6 months.

A Development Application is required to be lodged for any proposed planting of trees, for commercial or land management/environmental purposes, exceeding 4 hectares on any lot or location, regardless of whether the trees are proposed to be harvested or not. The local government expects that the tree planting will be effectively managed on an on-going basis.

Where development approval has been obtained for agroforestry or a plantation, no Development Application is required for a second rotation for hardwood plantations, however a second rotation will not form part of the development approval for softwood plantations.

Unless the plantation was established prior to 16 September 1983, and where a plantation has operated since 16 September 1983 with gaps of no greater than 6 months, a Development Application is required for:

- the establishment of a new planting for softwood and hardwood plantations;
- every additional rotation for harvested softwood plantations where only a single rotation has previously been approved; and
- three or more rotations for hardwood plantations.

#### Agroforestry compared to plantations

In providing guidance between agroforestry and plantations, the local government will assess if the planting area is “agroforestry” having regard for:

- The area of the planting on each lot;
- The percentage of the planting area on a lot by lot basis. Generally, a 20% maximum planting area applies;
- The extent of existing remnant vegetation areas; and
- Whether a significant portion of each lot can continue to be used for agriculture.

The local government encourages the integration of tree planting with agricultural operations and conservation initiatives.

#### Code of Practice and Guidelines for Plantation Fire Protection

The local government expects operators will design and manage their plantation in accordance with the Code of Practice and the FESA Guidelines for Plantation Fire Protection.

The local government requires the preparation of an appropriate Plantation Management Plan to accompany applications in accordance with the Code of Practice.

#### Location and compatibility with adjacent land uses

To reduce potential adverse impacts from inappropriate siting, development or management of agroforestry and plantations, the local government will consider the following matters:

- The proximity to any land zoned in LPS3 or earmarked in the Local Planning Strategy for residential, rural residential or rural smallholding lots;

- Separation distances between the proposed planting and any “vulnerable land use” or “sensitive use”, including dwellings, holiday accommodation, commercial workplaces (as determined by the local government), or community/recreational area);
- The suitability of the application site in terms of the road network capabilities and public safety;
- The visual impact when viewed from State and regional roads, and from main tourist routes within the Landscape Values Area as set out in LPS3;
- Whether aerial spraying is proposed; and
- Impact on the population of the Nannup townsite and the sustainability of services and facilities in the Nannup townsite, particularly for plantations proposed on Agricultural Priority land in the Cundinup, Carlotta and Biddelia locations (see Attachment 2).

The local government encourages operators, plantation managers and landholders to work in partnership to develop and sustain being a “good neighbour”.

#### Fire management plans

The local government:

- Expects that agroforestry and plantation designs do not compromise the fire safety of the local community;
- Expects landowners and plantation operators to have effective mitigation measures and assets to reduce fire risks of their planting and to reduce fire risks on the Nannup townsite and nearby rural living areas (rural residential and rural smallholding); and
- Seeks to reduce fire risks in and around the Nannup townsite. As a guideline, the local government discourages new plantations within the area shown in Attachment 1 unless the applicant provides increased fire mitigation measures to the satisfaction of the local government.

As previously outlined, no Development Application is required on the ‘development footprint’ where the plantation was established prior to 16 September 1983 and where a plantation has operated since 16 September 1983 with gaps of no greater than 6 months.

Where there is an approved existing plantation, within the area outlined in Attachment 1, the possibility of a second rotation is as per the development approval. If there are no details in the development approval regarding the number of rotations, the local government will adopt the approach of limiting the approval to:

One rotation for softwood plantations;

#### Two rotations for hardwood plantations.

Additional rotations are to be subject to a new Development Application.

Additionally, the replacement of an existing plantation may be applied for via a Development Application provided the area of planting is no greater than the existing plantation. This is however subject to suitable fire mitigation measures to the satisfaction of the local government which could include:

The provision of additional fire-fighting equipment/assets;  
Proposing agroforestry in relevant parts of the application site, especially closer to the Nannup townsite, with management measures such as grazing outlined to manage fuel load on an on-going basis; and  
The planting of suitable fire-suppression non-native/exotic trees.

The local government requires the preparation of an appropriate Fire Management Plan to accompany applications in accordance with the specifications and guidelines in the Guidelines for Plantation Fire Protection and the local government's Firebreak Notice.

The approved Fire Management Plan is to be implemented on an on-going basis to the satisfaction of the local government.

#### Visual impact

The local government will consider the visual impact of agroforestry and plantations in general. In particular, the local government seeks to carefully consider development applications for plantations:

Within Landscape Values Areas; and  
Within 3 kilometres of the Nannup townsite (see Attachment 1).

The local government's assessment of visual impact is primarily concerned within Landscape Values Areas and near the Nannup townsite when viewed from State and regional roads and tourist routes. The purpose of the assessment is not in relation to views from other properties.

The local government encourages applicants to consider the planting of native vegetation that is endemic to the district and/or the planting of suitable fire-suppression non-native/exotic trees near State and regional roads and tourist routes, to complement the proposed plantation.

Applicants proposing plantations in highly valued landscapes, within a Landscape Values Area or within 3 km of the Nannup townsite, are encouraged to submit a landscape assessment from a suitably qualified consultant with the Development Application. The landscape assessment should have regard to the Visual Landscape Planning Manual (Western Australian Planning Commission 2008 or any updates).

#### Suitability of public roads for harvesting

The local government will:

- Require the applicant to outline the preferred haulage routes for future harvesting as part of the Development Application. Generally, potential haulage roads should be identified on the Plantation Map;
- Consider the suitability of access, in particular the suitability of public roads for harvesting, in assessing the Development Application;
- Ensure there is appropriate access to agroforestry and plantations and that the existing road network and public safety are not affected by heavy vehicles and that the local road network is not damaged by heavy vehicles; and
- Require as a condition of development approval, a Plantation Harvest Plan to be prepared and implemented to the satisfaction of the local government where harvesting
- occurs on Shire of Nannup managed roads which are unsealed. This is to address the Code of Practice including notification, inspection and post-harvesting repair of roads.

The local government may also require:

An assessment on the pre-condition of the haulage roads as part of a Plantation Harvest Plan.

The applicant/operator to undertake remedial works post harvesting to the satisfaction of the local government; and

A Road Condition Assessment post harvesting to ensure the roads are reinstated to the same condition as pre harvesting to the satisfaction of the local government.

In considering the adequacy of the existing roads, the applicant and the local government will have regard for any proposed use of Restricted Access Vehicles (larger than 19 metre semi-trailer, 42.5 tonne). Main Roads Western Australia (MRWA) advise 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.

#### Natural resource management

The local government:

Requires that agroforestry and plantation applications, as relevant, protect and enhance environmental assets;

- Supports the planting of native vegetation that is endemic to the district;
- Encourages agroforestry and plantations in areas subject to land degradation including areas subject to salinity, waterlogging or erosion on the application site;
- Promotes the establishment and/or enhancement of buffers of local endemic native vegetation along rivers, watercourses and drainage lines and/or providing environmental corridors;

- Will consider Department of Water and Environmental Regulation guidelines and advice on setbacks from rivers and watercourses, along with guidance in the Code of Practice, site conditions and justification provided by the applicant; and
- Will seek suitable fencing of native vegetation should grazing be proposed.
- In considering any variation to the Policy, the local government will have regard for any proposed land/water management and environmental benefits to the application site (or in the catchment/locality).

### Aerial spraying

The local government does not favour aerial spraying within 3 kilometres of the Nannup townsite as outlined in Attachment 1.

The local government will have regard to aerial spraying of plantations, to control insect damage, for areas further from the Nannup townsite. If aerial spraying is proposed, the applicant is to set this out in the Development Application. The local government may require a condition of development approval that the applicant prepare an Aerial Spray Application Management Plan which addresses the Code of Practice.

Future spraying is to be undertaken in accordance with the Code of Practice. This includes that plantation operators are to undertake notifications and as required field specifications in accordance with the Code of Practice.

### Rehabilitation of land

As part of the Plantation Management Plan, the local government will seek a statement on the number of proposed rotations and the expected approach to rehabilitating the land post plantations e.g. removal of stumps and establishment of pasture at the end of the final rotation.

## **ADMINISTRATION**

### Matters to be Addressed Prior to Formally Lodging the Application

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early in the planning process and prior to the formal lodgement of any Development Application.

### Application Requirements

Development Applications are to include the following:

- Filling in the Form of Application for Development Approval;
- Payment of the local government Development Application fee; and



- A Plantation Management Plan that complies with Appendix 1 of the Code of Practice including a:
- Plantation Map including the preferred haulage route;
- Establishment Plan;
- Maintenance Plan; and
- Fire Management Plan that complies with the Guidelines for Plantation Fire Protection.

Subject to the proposed location, scale and intended management of the proposed agroforestry or plantation, the local government may also require the applicant to provide the following:

Landscape assessment;

Any other plan or information that the local government may reasonably require to enable the application to be determined; and

Written information setting out why Policy requirements should be varied.

#### Consultation with Landowners and Stakeholders

The local government will consult with adjoining/nearby landowners and other stakeholders as required by LPS3, the Regulations and as determined by the local government. The local government will also consult where an application does not comply with this Policy.

#### Assessing the Development Application

In assessing any application for agroforestry or plantations, the local government will have regard to various matters including:

Clause 67 of Schedule 2, Part 9 of the Regulations;

The Code of Practice;

- The benefits of agroforestry and plantations in addressing land degradation including salinity, waterlogging and erosion and assisting in enhancing water quality;
- The zoning of the lot;
- Setbacks and location of the proposed agroforestry or plantation;
- Separation distances to dwellings, habitable buildings, vulnerable uses and other sensitive uses as determined by the local government; and
- The impact on the population of the Nannup townsite and the sustainability of services and facilities in the Nannup townsite, particularly for plantations proposed on Agricultural Priority land in the Cundinup, Carlotta and Biddelia locations.

Where objections are received and the objections are not able to be adequately dealt with through conditions of approval, the application will be referred to the Council for determination.

The local government may refuse a Development Application where it is inconsistent with this Policy, LPS3, and the Code of Practice, based on the information provided by the applicant, or based on information set out in any submission.

Related Policies:	LPP 13 Car Parking and Vehicular Access LPP 15 Dedication of Road Access LPP 20 Developer and Subdivider Contributions LPP 21 Bush Fire Management
Related Procedures/Documents:	LPP23 Plantations and Agroforestry - Attachment 1 LPP23 Plantations and Agroforestry - Attachment2 Planning and Development (Local Planning Schemes) Regulations 2015 State Planning Policy 2.5 Rural Planning Guidelines State Planning Policy 3.7: Planning in Bushfire Prone Areas Code of Practice for Timber Plantations in Western Australia FESA Guidelines: Guidelines for Plantation Fire Protection (2011), endorsed by DFES or as revised Guidelines for Planning in Bushfire Prone Areas Visual Landscape Planning Manual
Delegation Level:	Development Services Coordinator
Adopted:	OM 22nd October 2020
Reviewed:	OM 27 July 2023

Policy Number:	TPL 4
Policy Type:	Local Planning Policy
Policy Name:	<b>Residential Accommodation – Minimum Internal Requirements</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup Local Planning Scheme No.3

## OBJECTIVE

To detail minimum internal residential standards to ensure and maintain a consistent satisfactory quality of life, amenity and health requirements for residential occupants.

## POLICY

Enabling Legislation

Town Planning & Development Act, Local Government Act, Health (Miscellaneous Provisions) Act 1911, Building Code of Australia.

With regard to the objective of this Policy the following minimum standards shall apply to all residential dwelling accommodation:

- The minimum floor area shall be 55sqm, unless special dispensation is granted by the Council. Under the former Uniform Building By-Laws the minimum floor area required in a Class 1 building was 40sqm plus WC, laundry and cooking facilities to be provided in accordance with the Health (Miscellaneous Provisions) Act 1911. Average floor area for these non-habitable rooms was approximately 15sqm, hence the minimum floor area of 55sqm.
- The internal area of all residential dwellings shall be partitioned and lined into separate habitable and non-habitable areas. The minimum internal facilities to be provided are separate cooking and food preparation area, WC, bathroom and sleeping quarters.
- The WC and bathroom shall be partitioned and enclosed separately from the remainder of the internal accommodation.
- All residential development shall conform to the provisions of the Building Code of Australia and the Health (Miscellaneous Provisions) Act 1911.
- Effluent disposal for all residential accommodation shall comply with the provisions of the Health (Miscellaneous Provisions) Act 1911.

Related Policies:	Nil
Related Procedures/Documents:	Nil
Delegation Level:	Development Services Coordinator, Building Surveyor
Adopted:	OM 13 May 1993.
Reviewed:	OM 27 July 2023

## **RISK MANAGEMENT**

Policy Number:	RM 1
Policy Type:	Risk Management
Policy Name:	<b>Risk Management</b>
Policy Owner:	Chief Executive Officer
Authority	Shire of Nannup

### **OBJECTIVE**

The purpose of risk management is to develop a culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It also is designed to reduce the potential cost of risk by reducing liability, preventing litigation and improving loss control.

Risk management is a key process in developing the strategic direction of the Shire.

The key drivers for risk management are councillors' responsibility for good corporate governance and the due diligence requirements of the insurance industry, which impacts on the cost of insurance.

Definition of "Risk":

AS/NZS/ISO 31000:2009 defines risk as "the effect of uncertainty on objectives."

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative, or a deviation from the expected. An objective may be financial, related to health and safety, or defined in other terms.

Definition of "Risk Management":

Co-ordinated activities to direct and control an organisation with regard to risk. (ISO Guide 73)

### **POLICY**

The Shire of Nannup 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 of managing risk as outlined in AS/NZS/ISO 31000:2009

The Shire of Nannup 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.

In particular it will be applied to:

- Strategic planning
- Expenditure of large amounts of money
- New strategies and procedures
- Managing projects
- Introducing significant change, and
- The management of sensitive issues.
- The Risk Management Advisory Committee is responsible for developing a Risk Management Plan for the Shire. The Committee will report to Council on a regular basis on the progress of the risk management program implementation. Council recognises that adequate resources are needed to implement the risk management program.

## References

Australian and New Zealand Standard AS/NZS/ISO 31000:2009

## Scope

This policy covers all the operations of the Shire, including corporate governance, legal compliance, infrastructure, business risks, capital assets, finances, information technology, human resources, service delivery and events management.

## **OBJECTIVES**

To implement the Risk Management Standard AS/NZS/ISO 31000:2009

To define the Shire's tolerance to risk and communicate it throughout the Shire.

To communicate with the community about the Shire's approach to risk.

Ensuring public safety within the Council's jurisdiction is not compromised.

To protect and enhance the reputation of the council.

To develop a risk management plan which is aligned to the strategic planning process.

## Responsibilities

CEO: is responsible for the full implementation of risk management throughout the Shire, according to the Risk Management Standard AS/NZS/ISO 31000:2009, including Ensuring that a Risk Management Policy has been developed, adopted and communicated throughout the Shire.

Ensuring that the Risk Management Policy and Plan are reviewed annually

Risk Management Advisory Committee is responsible for:

- Developing a risk management plan for the Shire

- Establishing the risk tolerance level of the shire for adoption by Council
- Reporting to Council on the implementation progress of the risk management standard on a pre-determined frequency basis.
- Communicating the policy to all employees
- Displaying a copy of the policy on staff notice boards or through other relevant communication media
- Ensuring that risk management is a standard agenda item at all meetings including toolbox meetings
- Development of risk management skills through training and education
- Identifying and measuring performance indicators for risk management that cascade from the risk management plan to position descriptions and performance appraisals

Management are responsible for:

- Identifying and assessing all the potential risks in their area of responsibility.
- Collating, assessing, treating and reporting to the Risk Management Advisory Committee on all areas and tasks under their responsibility.

All Employees are responsible for:

- adopting the principles of risk management and complying with all policies, procedures and practices relating to risk management, after appropriate training.
- conducting risk assessments during the performance of their daily duties, as required. The level of sophistication of the risk assessment will be commensurate with the scope of the task and the associated level of risk identified.
- Failure to observe reasonable directions from supervisors regarding the management of risks and/or failure of employees to take reasonable care in identifying and treating risks in the workplace may result in disciplinary action.

Council is:

- committed morally and financially to the concept and resourcing of risk management.

### Reporting

The Risk Management Advisory Committee will report regularly to the CEO on the risk management standard AS/NZS/ISO 31000:2009 implementation.

### Documentation

The Risk Management Advisory Committee will ensure that all risk management processes are fully recorded throughout the Shire and documented through the Shire's records management system. This will include regular monitoring to ensure closeout of risks and identification of ongoing issues and trends.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Corporate Services
Adopted	OM 28 September 2006
Reviewed	OM 27 July 2023



Policy Number:	RM 2
Policy Type:	Risk Management
Policy Name:	<b>Occupational Safety and Health</b>
Policy Owner:	Chief Executive Officer

The Shire of Nannup is committed to providing a safe and healthy working environment for all employees, volunteers, contractors, suppliers, visitors and non-employees by conforming to current legislation, regulations, codes of practice, best practice and appropriate national standards.

The objectives of this policy are to:

- avoid, eliminate and control workplace hazards;
- provide employees with safety information, supervision and training appropriate to the hazards they are likely to encounter;
- continuously improve the standard of occupational safety and health for all employees.
- 

The responsibility for implementing this policy rests with the Chief Executive Officer and the Manager Corporate Services and Manager Infrastructure for the respect departments.

The Manager Corporate Services is assigned the authority to act as the Safety Co-Ordinator and is responsible for initiating and driving all safety and health strategies on behalf of the Chief Executive Officer through all levels of management throughout the organisation.

All employees are responsible for safety and health by taking reasonable care for their own safety and health at work and to avoid harming the safety and health of other people through any act or omission at work.

Safety and health issues will be dealt with in consultation with employees through the elected safety and health representative. Council will provide the time and resources necessary to implement this policy and will identify hazards, assess risks and develop the necessary plans and procedures to improve all aspects of workplace safety and health.

Related Policies	RM 1
Related Procedures/Documents	Nil
Delegated Level	Senior Managers
Adopted	OM 24 June 2010, #8414
Reviewed	OM 27 July 2023

Policy Number:	RM 3
Policy Type:	Risk Management
Policy Name:	<b>Outdoor Clothing</b>
Policy Owner:	Chief Executive Officer

## **PURPOSE**

The Shire of Nannup is committed, where practicable, to reducing risks in the first instance by means other than protective clothing and equipment (PPE). Where the provision of PPE is deemed appropriate, the Shire of Nannup is committed to ensuring that all personal protective clothing or equipment complies with the requirements of the appropriate Standards.

## **SCOPE**

This procedure applies to whole of organisation.

## **ADMINISTRATIVE AND OTHER CONTROLS**

While these guidelines are essentially about the type of garments worn, the implications to the wearer with respect to comfort and overheating problems require consideration.

The key factors which may promote bodily overheating problems are the:

- ambient and radiant temperature;
- extent of air movement (wind);
- pace and physical demands of work;
- adequacy of water replacement due to sweating;
- humidity;
- person's clothing.

Some steps which may be taken include:

- Having ample supplies of fresh cool water.
- Exploiting the use of natural shade.
- The erection of temporary shade where practicable.
- Rescheduling of particularly heavy work outside the period 10am to 2pm where practicable.
- Consideration of temporary cessation from physically demanding work for the time when severe heat related conditions are experienced.

It is readily apparent that heavy work in particularly hot weather is not efficient work, without frequent stops, at least for drinks and possibly self-dousing with water.

## RESPONSIBILITIES

### Supervisor

Where PPE is used at the workplace, Supervisors must ensure that:

- employees are instructed in relation to the correct fitting, use, selection, testing, maintenance and storage of the clothing or equipment;
- employees are informed of the limitations in the use of the clothing or equipment;
- the clothing or equipment is maintained in good working order;
- the clothing or equipment is replaced when it no longer provides the level of protection required to protect the wearer or user against the particular hazard; and
- the area of the workplace at which the clothing or equipment is required is identified by signs in accordance with the AS 1319: 1994 Safety Signs for the Occupational Environment (e.g. a sign may be required in the welding bay denoting the type of PPE which is required).
- All repairs to PPE are to be done by a competent person, and are to be conducted according to the specifications of the manufacturer.

### Employees

Persons to whom PPE is provided or made available at the workplace:

- must use the PPE in the manner in which he/she has been properly instructed to use it;
- must not misuse or damage the PPE; and must, as soon as practicable after becoming aware of any damage/malfunction/need to clean or sterilise, advise the Supervisor of the damage, malfunctioning or need to clean/sterilise.
- Under Section 20(2)(c) of the OS&H Act 1984 an employee who "misuses or damages any equipment provided in the interests of safety or health" commits an offence. Shire of Nannup employees who misuse or damage PPE will face disciplinary action that may result in dismissal.
- The Shire of Nannup will replace any items deemed unserviceable due to normal wear and tear at no cost to the employee.

## **APPLICATION**

### CLOTHING RECOMMENDATION

#### Standard Dress

Shire of Nannup recommends that outdoor employees wear long sleeved shirts and trousers. However, to help alleviate the adverse effects of hot weather, outdoor employees may elect to wear long shorts and short-sleeved shirts. The minimum clothing requirement for outdoor employees shall be long shorts i.e. to just above the knee and sleeved shirts.

This basic dress code will apply all year round. Exemptions may apply based upon written medical advice.

It is recommended that except for the months of May, June, July and August a broad brimmed (8cm to 14cm) hat should be worn. Other types of hats may be substituted so long as they provide good protection to the face, ears and neck. This may include a peak cap with non-detachable neck flap. Baseball type caps with no ear or neck protection are not recommended.

Hats, long and short sleeved shirts, shorts and trousers appropriate for the nature of work will be supplied by Shire of Nannup. Wherever practicable, the Ultra-violet Protection Factor (UPF) of clothing fabric will be 50+ or better.

An "outdoor employee" for the purpose of this document, is defined as a person whose regular daily duties require them to be in direct sunlight for more than one hour/day on a cumulative basis.

Where there is an obvious risk of immediate physical damage to the skin workers must wear trousers and long sleeve shirts or overalls. The option to wear long shorts in certain areas will not apply to:

- persons performing welding or mechanical repairs/maintenance
- operators of brush cutters, concrete/bitumen saws and chainsaws
- people handling bitumen
- people who handle chemicals (i.e. pesticides and herbicides).

#### Other People Who Work Outdoors

It is recommended that all persons who work in direct sunlight for more than thirty (30) minutes (but less than one (1) hour) per day on a daily basis wear a broad brimmed hat (or equivalent) and sunscreen, both of which Shire of Nannup will supply.

#### High Visibility Clothing

Because of the requirement for Shire of Nannup workers to be easily seen by vehicle users, high visibility clothing (either high visibility shirt, jumper, jacket or vest), of some description must be worn by workers while within the road reserve or near vehicle access ways.

Should over garments (e.g. jumpers and jackets) be needed, then a high visibility vest must be worn over jumpers etc.

#### USE OF SUNSCREEN CREAM

All outdoor workers will be supplied with sunscreen cream which should be applied to their uncovered skin in accordance with the manufacturer's directions. Information, instruction and supervision will be provided in the use of sunscreens. In particular, this refers to their face, ears, necks and backs of hands, and legs if relevant. The cream provided will be registered under Australian Standards and shall be at least the SPF 30+ Broad Spectrum type.

It is recommended that sun screen be used on the face, neck and ears all year round.

Exemptions may apply based on written medical advice.

#### SUPPLY AND USE OF SUN GLASSES

All employees working outdoors shall, when practicable, wear general purpose sun protection glasses which comply with AS1337: 1992 – Eye Protection for Industrial Application, and AS1067: 1990 – Combination Safety/Sun Glasses, as appropriate. These will be made available to relevant employees as part of the standard personal protective equipment issue.

#### REFERENCE

Occupational Safety and Health Act 1984, and 2005 amendments  
Occupational Safety and Health Regulations 1996, and 2005 amendments

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Senior Managers
Adopted	OM 20 December 2001
Reviewed	OM 27 July 2023

Policy Number:	RM 4
Policy Type:	Risk Management
Policy Name:	<b>Fitness for Work</b>
Policy Owner:	Chief Executive Officer

## **PURPOSE**

The Shire of Nannup is committed to the safety and health of its employees and has a duty of care under the Occupational Safety and Health Act, 1984 to provide a safe working environment. Council recognises that this duty is incumbent on all employees and extends to co-workers and individuals to prevent their safety and health from being jeopardised through an act or omission of an employee who is unfit for work.

## **SCOPE**

All employees will be requested to complete an annual medical declaration to identify any issues which may affect safe working.

For the purpose of meeting our duty of care, employees who attend work under the influence of, in possession of drugs and/or alcohol, or being in any other way impaired for work, will not be tolerated by the Shire of Nannup. In order to ensure that this duty is fulfilled, Council has implemented this procedure in the interests of occupational safety and health.

Those who are suspected or found to be under the influence of drugs or alcohol at work, will be submitted for a drug and alcohol test. If the test proves positive, the employee will subsequently be stood down from work without pay.

Those who fail to follow this procedure will be appropriately counselled and, depending on the severity of their actions, may also be suspended without pay or dismissed without notice.

## **RESPONSIBILITIES**

It is the responsibility of the direct supervisor or manager to recognise an employee who is displaying signs of impaired work performance.

It is the responsibility of employees to ensure they do not attend work in a condition which will affect their work performance, or that could endanger work colleagues or members of the public or cause damage to Council equipment.

The Shire of Nannup believes that the health and wellbeing of an employee is of great importance to the organisation. An employee assistance program will be offered in order to support any affected employee.

All matters pertaining to fitness for work will be treated with the utmost confidentiality and any employee of Council who is interested in receiving counselling services should seek approval from their Manager.

#### Definitions

For the purpose of this policy and procedure, the following definitions apply:

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

- Unfit for Work – being impaired for work and therefore unable to perform duties in a safe manner, including unfit through illness.
- Use – eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.
- Misuse – inappropriate use of a substance on the premise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.
- Alcohol – Any beverage containing alcohol.
- Drugs – Amphetamines, Cannabinoids THC, Opiates, Barbiturates, Cocaine, Methadone, Benzodiazepines, Alcohol and other narcotics, prescription drugs and non-prescription drugs.
- Substance – any drug that may have adverse effects causing impaired work performance.
- Fatigue – The inability to perform work effectively or safely due to lack of sleep or the adverse effects of medication, alcohol, drugs and / or other substances (including, “hangovers” and/or “come downs”).
- Fit for Work – not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance or not being fatigued.

#### APPLICATION

##### Alcohol

Being under the influence of alcohol will not be permitted whilst working for the Shire of Nannup. Employees who commence work whilst under the influence of alcohol, including working under the adverse effects of alcohol, will be stood down from their duties and taken to the nearest hospital for a blood alcohol test. If a blood alcohol level is deemed to be 0.05 and over, employees will be sent home without pay for the remainder of the day. As the employee will be over the legal limit to drive, alternative transport will be required. Any refusal to submit to testing will be deemed to be a positive result.

If the blood alcohol level is under 0.05, employees will be prohibited to operate machinery, plant or equipment until a blood alcohol content of 0.00 is reached. Sedentary duties will be offered until then.

There may be occasions where alcohol may be included as part of a work function or other recognised work event. Where management has properly approved the consumption of alcohol, employees must continue to behave in a sensible and

responsible manner with due care for their own and other people's safety and wellbeing. Failure to behave in a sensible and responsible manner with due care, or any failure to follow any directions given by management with regard to the consumption of alcohol may result in disciplinary action. It is a condition of Council that employees make alternative arrangements to get home. The Shire of Nannup accepts no responsibility for employees during travel to and from the function.

### Drugs and Prescription Medication

#### Illicit Drugs and Other Substances

Illicit drugs and other substances are strictly prohibited by the Shire of Nannup. Being under the influence of, or suffering adverse effects whilst at work, will result in disciplinary action and possibly instant dismissal.

If suspected of the above, an employee must undergo a drug screen (paid by the Shire of Nannup).

Refusal to undertake a drug screen may result in instant dismissal.

#### Prescription and Other Medication

It is an employee's responsibility to inform their supervisor of any medication they are taking that may cause any adverse effects and impede their working duties. It is also necessary for the employer to record any known allergic reactions to any medication an employee may have (e.g. penicillin).

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

Failure to follow these requirements will result in disciplinary action or instant dismissal.

### Fatigue

Fatigue can be the result of many different situations. This procedure will therefore directly reflect the implications of fatigue through external triggers; these include (but are not limited to):

Lack of sleep

Voluntary Work

External work commitments

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

It is the employers' responsibility to provide a safe place of work for its employees. It is an employee's responsibility to report to their supervisors any other work



commitments or voluntary commitments outside of their employment with the Shire of Nannup. Depending on the circumstances, Council may agree to come to a compromise with the employee to ensure there is an equilibrium between regular hours worked at the workplace, sleep/rest and additional hours worked elsewhere (including paid and voluntary work). If this agreement is reneged on by the employee, disciplinary action will result.

If deprivation of sleep is the cause of fatigue due to other external circumstances, a drug and alcohol screen will be required. If positive, disciplinary action will result.

In circumstances where the employee is unfit to remain at work as determined by their employer, the employee will be stood down from work without pay for the remainder of the day.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Shire of Nannup understands employees may be experiencing difficulties external to work that may influence their behaviour and health whilst at work. To assist with the recovery of the employee, Council has in place a confidential employee assistance program through its Insurers. The Shire of Nannup will offer a total of 3 counselling sessions; if further sessions are required, approval is to be obtained by the Manager.

Employees who have not failed to meet the guidelines of this procedure, and feel an EAP would benefit them due to personal circumstances, may utilise these services with the agreement of their Manager. Such employees do not contravene the guidelines of this procedure if they volunteer for the EAP service.

### **DISCIPLINARY ACTION**

If this procedure is in any way contravened by an employee the following procedure will apply.

#### General Guidelines

Any employee who tests positive to an alcohol breath screen, urine screen, or found to be significantly fatigued will be stood down from their work without pay and will not be permitted to resume work until such time as they have proven they are fit for work.

#### First Offence:

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

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

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

The employee will be counselled by their supervisor. This will focus on:

the unacceptability of the employee's behaviour

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

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

- The employee will be formally offered the opportunity to contact a professional counsellor. The decision to undertake counselling or other treatment for alcohol or other drug or substance problems is the responsibility of the employee; however this is not mandatory.

#### Second Offence:

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

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

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

The employee will be counselled by their supervisor. This will focus on:

the unacceptability of the employee's behaviour

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

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

- that any future breach of the policy will result in instant dismissal.
- The employee will be instructed to contact a professional counsellor. The decision to undertake counselling or other treatment for alcohol or other drug or substance problems is the responsibility of the employee and is mandatory. The employee will be instantly dismissed without notice if they do not attend a counselling session.
- The employee will be referred [fortnightly or randomly] for alcohol and/or drug screening for a period of two months paid for by the Shire of Nannup. If tests confirm positive, instant dismissal will follow. If the employee refuses to comply, instant dismissal will follow.

#### Third Offence:

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

The employee will be immediately dismissed without notice.

#### Instant Dismissal:

The following are circumstances that will result in dismissal without notice:

Any attempt to falsify the drug and alcohol screen.

Unlawful behaviour.

#### OTHER

If an employee is found to be heavily intoxicated, above the legal limit to drive, or extremely fatigued and they are to be sent home without pay, it is a requirement of the supervisor to:

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

If next of kin is unable to be contacted or unable to take employee home, make arrangements to get the employee home safely.

#### REFERENCE

Occupational Safety and Health Act 1984;  
Occupational Safety and Health Regulation 1996, and 2005 amendments;  
AS/NZS 4360: 2004 – Risk Management

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Senior Managers
Adopted	OM 22 July 2010 #8426
Reviewed	OM 27 July 2023

Policy Number:	RM 5
Policy Type:	Risk Management
Policy Name:	<b>Threats, Intimidation or Physical Assault against Staff</b>
Policy Owner:	Chief Executive Officer

## 1. Preamble

In view of the confrontational nature of some clientele of Council, it has been identified that violence against employees is a hazard in the workplace. As there is a reasonable level of risk of such incidents occurring, management has an obligation to ensure that measures are in place to address and manage this hazard.

To comply with the Occupational Safety and Health Act 1984 in relation to duty of care, as well as in response to physical assaults on an employee, the following policy has been implemented.

## 2. Policy

All clients of Council must be made aware when necessary, through verbal advice given by employees that at no time will threats, intimidation or physical violence be tolerated. Clients who engage in such activities may face permanent exclusion from the premises or be subject to legal action.

## 3. Procedure

### Verbal assault or intimidation

In the case of verbal assault or intimidation against employees, the perpetrator will be asked to cease the behaviour or to leave the premises immediately.

3.1.2 Future entry into all areas of Shire premises will be determined by the responsible manager of each area subject to:

- Mitigating circumstances at the time of the incident.
- The response to the request to cease the behaviour and leave.
- Discussion with the perpetrator and a mutually agreed written contract to act in a more appropriate manner in the future.

3.1.3. Should a further incident occur the perpetrator will be banned from the premises.

3.1.4 If the behaviour does not cease on request and the perpetrator will not leave, the Police will be called and the future direction of the management of the situation will be determined by them.

- 3.1.5 Immediately following the incident, a report will be prepared for management, outlining the date and time of the incident, a description of the incident, the actions taken and the name and contact details of any witnesses.
- 3.1.6 The responsible senior manager is to be informed and appropriate debriefing and counselling offered to the employees involved.

#### Physical Assault

In all cases of physical assault the police are to be called immediately.

Employees are to diffuse the situation where possible or remove themselves to a safe place.

Once the police arrive the management of the incident must be handed over to them and the Chief Executive Officer will be notified. Incident report documentation must be completed in accordance with organisational policy.

The Police will advise the Chief Executive Officer or the senior officer present of their recommendations on what course of action should be taken. Depending on the circumstances of the incident, outcome of the assault and the recommendations of the Police the course of action will be decided by management in consultation with employees. Options are:

To follow the course of action as outlined in 3.1.5 and 3.1.6.

An immediate ban from the organisation for the perpetrator for an agreed period, subject to review if referred to counselling, anger management or other appropriate services.

A permanent ban for the perpetrator backed up by a restraining order if required.

To charge the perpetrator with assault as well as instituting a permanent ban.

#### Decision Making

While consultation will take place with the responsible manager and employees, the final decision on the course of action taken for any incidents of threat, violence and intimidation lies with the Chief Executive Officer and senior management, in line with the legislative requirements to demonstrate and fulfil their duty of care.

#### Awareness

All employees must be informed of this policy, their duty of care to each other and be informed about the procedures for implementing the policy at induction and on an ongoing basis.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Senior Managers
Adopted	OM 22 July 2010 # 8426
Reviewed	OM 27 July 2023



## **WORKS**

Policy Number:	WRK 2
Policy Type:	Works
Policy Name:	<b>Disposal of Verge Timber</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

### **POLICY**

The Chief Executive Officer is delegated authority to dispose of all surplus wood arising from roadside clearing in the following circumstances:

There is to be no consideration (money) paid for timber.

Council declines any liability in respect of people accessing timber utilising their own equipment and machinery.

Timber can be removed in an orderly manner on a first come first serve basis under the direction of the local government's Manager Infrastructure.

Any timber removed is to be removed from site by the person requesting.

The local government reserves the right to retain any timber for its own purposes.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 24 September 1992
Reviewed	OM 27 July 2023

Policy Number:	WRK 3
Policy Type:	Works
Policy Name:	<b>Private Works</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

1. That all works costings for private works be authorised by the Manager Infrastructure or Chief Executive Officer.
2. Private Works customers are to agree to the quote by way of signature of the standard Shire of Nannup form.
3. The standard form is to contain exact specification of works to be performed and amount of works.
4. All monies are to be paid prior to commencement of works unless prior arrangements are made with the Chief Executive Officer or the Manager Infrastructure.
5. Any deviation to specifications are to be costed and paid for prior to commencement.
6. The Chief Executive Officer and the Manager Infrastructure do not have the power to refund any monies paid. All applications must be submitted in writing for local government consideration.
7. The local government will charge a 20% administrative fee on any large private works jobs where the local government's direct costs applied. (Direct Costs are actual cost to the local government)

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 9 July 1992
Reviewed	OM 27 July 2023



Policy Number:	WRK 5
Policy Type:	Works
Policy Name:	<b>Management of Roadside Vegetation</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

1. All proposals to clear vegetation on a road reserve must be submitted to the Shire of Nannup in writing.
2. Each proposal should detail the location, amount and type of vegetation to be removed.
3. The local government will delegate authority to the Chief Executive Officer to approve, after an on-site inspection, clearing for the installation of a new or replacement fence to a maximum width of one (1) metre.
4. Any dead or dying trees outside of the approved one (1) metre width may be removed with the authority of the Chief Executive Officer.
5. Landowners are to be mindful of existing natural vegetation when undertaking clearing activities to ensure that damage to such vegetation is minimised.
6. All timber pushed over is to be stacked in the landowners paddock for disposal prior to full repair of boundary fence by the applicant.
7. The road verge is to be left in a clean & tidy state after clearing has been completed.
8. All other requests for clearing in excess of one (1) metre width are to be submitted to the local government for consideration.

Department of Parks and Wildlife (DPaW) manages requests from landowners for other tree removals generally by negotiation. Clearing of trees for fence lines is generally permitted, clearing of allegedly dangerous trees is managed following expert advice and not all tree removal requests are granted.

All clearing subject to DPaW Native Vegetation Clearing Act

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 20 October 1994
Reviewed	OM 27 July 2023

Policy Number:	WRK 6
Policy Type:	Works
Policy Name:	<b>Naming and Renaming of Roads and Streets</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

The Council has endorsed a road names list for the district. While noting this, all road names need to be approved by the Minister for Lands following advice from the State Government's Geographic Names Committee and meet their "Road Naming Guidelines."

Prior to any road naming or road name change the proponent is required to submit a written request to the local government along with a plan clearly showing the section of road to be named or renamed.

Any request for renaming a road will be subject to consultation with adjoining/nearby landowners, other stakeholders and as appropriate with the wider community.

The local government will support requests for new road names on the approved road names list without the requirement to separately gain Council endorsement.

Should the proponent submit a name that is not on the approved road list, there is a requirement to gain Council endorsement to the name. the final decision is determined by the Minister for Lands.

Related Policies	Nil
Related Procedures/Documents	Local Planning Scheme No 3
Delegated Level	Manager Infrastructure, Development Services Coordinator
Adopted	OM 26 October 1995
Reviewed	OM 27 July 2023

Policy Number:	WRK 7
Policy Type:	Works
Policy Name:	<b>Driveway Crossovers</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

The Local Government Act 1995 Sch. 9.1.7 and the Local Government (Uniform Local Provisions) Regulations 1996 provides for the sharing of costs for the construction of driveway crossovers. The Regulations state that the local government is obliged to bear 50% of the cost, as estimated by the local government, up to a maximum of \$800 of a standard crossing where the crossing is the first crossing to the land.

For the purposes of driveway crossover contributions the following definitions of a “standard crossing” shall apply:-.

Where the abutting road is a sealed and kerbed road the standard crossing shall consist of a 3m wide single coat bitumen spray seal over a 150mm compacted gravel base with 1m x 1m truncations at the kerb line.

Where the abutting road is of a rural cross section, either sealed or unsealed, the standard crossing shall consist of a 3m wide x 150mm compacted gravel base with 1m x 1m truncations at the shoulder line.

Applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy.

Subdividers are not eligible for a subsidy for freehold (green title) or strata title lots.”

The crossover shall include the provision of drainage culverts as required.

A driveway crossover for the purposes of driveway crossover contributions shall only extend from the roadway to the property line.

A lot owner may request approval to construct a crossover to a higher standard than the “standard crossing” but the local government is only required to contribute 50% or \$800, whichever is the lesser, of the cost of the “standard crossing”.

Where driveway crossovers are required as part of a Subdivisional Approval or a Development Approval then the developer shall be required to bear the full cost of the driveway crossovers.

As required, the crossover subsidy will be set annually by the local government through its adopted fees and charges.

The landowner is responsible for the maintenance of the crossover to the satisfaction of the local government.

Related Policies	LPP 013 Car Parking and Vehicular Access
Related Procedures/Documents	1. Local Planning Scheme No 3 2. Crossover & Driveway Specification <a href="#">WRK7 Attachment 1a.docx</a> 3. Shire of Nannup Stormwater Management Procedure. <a href="#">LPP002 Attachment 1.docx</a>
Delegated Level	Manager Infrastructure
Adopted	OM 25 May 2000
Reviewed	OM 27 July 2023

Policy Number:	WRK 8
Policy Type:	Works
Policy Name:	<b>Maintenance of DPaW Access Tracks</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## POLICY

The local government will not assume maintenance of Department of Parks and Wildlife (DPaW) Access Tracks unless they are deemed to offer significant benefit to the Shire of Nannup and its residents and visitors.

The local government will however maintain other DPaW access tracks on a private works basis at the applicant's expense if requested.

These tracks are but not limited to and may change as priorities differ;

- Jalbarragup Road
- Coronation Road
- Gold Gully Road
- Poison Swamp Road
- Baker Road

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 25 May 2000
Reviewed	OM 27 July 2023

Policy Number:	WRK 9
Policy Type:	Works
Policy Name:	<b>Road Verge Development</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To encourage and support the development of road verges in urban areas in a safe and aesthetically satisfactory manner appropriate to the surrounding environment.

## DEFINITIONS

Verge: The section of the road reserve which lies in between the property boundary and the edge of the constructed road surface.

Footpath: That part of the actual road reserve set apart or constructed for use by pedestrians and cyclists.

## POLICY

The local government encourages the establishment of lawn and gardens of small trees, shrubs and ground covers with mulch provided that –

- Clear sight visibility is maintained at all times for a person using the abutting road in the vicinity of an intersection or bend in the road; and
- Where there is no footpath, a pedestrian has safe and clear access of a minimum width of 1.5m along that part of the verge immediately adjacent to the kerb.
- An owner who installs or maintains a verge development should keep the area in a good and tidy condition and ensure, where the development is a garden or lawn, that a footpath on the verge and a road adjoining the verge is not obstructed by the development.
- All landscaping must allow for pedestrian and cyclist access off the road and road shoulder with no spillage of vegetation onto road edges, footpaths or covering of public utility facilities on the verge.
- Spreading varieties, poisonous trees / shrubs, spiky plants, plants with weed potential and any other plant species deemed dangerous or hazardous are not to be planted.
- The local government discourages use of gravel on verges as it is not in keeping with the amenity of the area and tends to encourage undesirable parking on verge.
- Fixed items such as walls, letterboxes and retaining walls must be constructed behind the front property boundary line and not constructed on the verge.
- Any irrigation equipment is installed in the verge at the risk of the owner and is to be maintained by the owner. Equipment and its operation must not

inconvenience pedestrians or constitute a hazard (eg water spraying onto a road which causes motorists to swerve).

- The levels of new verge areas shall be compatible with properties on either side.
- Land owners should check the location of underground services within the verge area, prior to any development.
- Trees planted under overhead electrical power lines should comply with Western Power recommendations “Trees and Power Lines: A Guide for Safely Planting Near Power Lines” or any updated version of this.
- To prevent obstruction of visibility, trees or shrubs which grow taller than 750mm are not to be planted within six metres of intersecting kerb-lines.
- Any enhancements placed or constructed on the verge is placed there at the risk of the property owner. The local government will endeavour to preserve the layout, but no guarantee can be given.
- The local government reserves the right to remove any existing vegetation, trees, shrubs, or landscaping deemed to present a safety problem and/or maintenance problem and the local government will not be responsible for reinstatement of items removed.
- No assistance can be given by the local government for development, ongoing operation or maintenance costs.

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority –

- is not liable to compensate any person for that disturbance;
- may backfill with sand, if necessary, any garden or lawn; and
- is not liable to place or restore any verge development and, in particular, any plant or irrigation equipment.
- All verge developments must conform with any street tree policies that the local government may adopt.

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 28 November 2002
Reviewed	OM 27 July 2023

Policy Number:	WRK 11
Policy Type:	Works
Policy Name:	<b>Town site Verge Maintenance Areas</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To define the areas of local government controlled road reserves within the Nannup Townsite that will receive maintenance, in particular mowing and works associated with improving the aesthetic appeal to any location. Please note this policy does not preclude the local government from undertaking required verge maintenance works that involve reducing a hazard or implementing any other safety related initiatives in road reserves controlled by local government.

## DEFINITION

Verge: The section of the road reserve which lies in between the property boundary and the edge of the constructed road surface.

## POLICY

The local government will maintain verge areas by mowing and keeping in a aesthetically pleasing manner verge areas in the following locations:

- Warren Road west side from the northern to southern townsite boundaries, including the information bays at either end of the townsite.
- Warren Road east side, excluding that portion from Higgins Street to the cemetery, which predominantly adjoins private property.
- That entire portion of land adjoining the Nannup Recreation ground comprising the relevant sections of Higgins Street and North Street.
- All that portion of land surrounding Higgins Swamp comprising the relevant sections of Higgins Street and Kearney Street.
- The section of Kearney Street from Warren Road to Grange Road.
- The section of Grange Road, west side, from Adam Street to Forrest Street.
- The areas of land surrounding the bowling green encompassing sections of Grange Road and Forrest Street.
- The small area of Brockman Street adjoining the Old Roads Board building.

Beautification works in the main street will be in accordance with local government direction and budget adoption and shall generally include maintaining planter boxes, street trees and other associated beautification works.

Related Policies	Nil
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Related Procedures/Documents	Nil
Delegated Level	Manager Infrastructure
Adopted	OM 22 May 2003
Reviewed	OM 27 July 2023

Policy Number:	WRK 12
Policy Type:	Works
Policy Name:	<b>Plant Replacement</b>
Policy Owner:	Chief Executive Officer
Authority:	Local Government Act 1995

## OBJECTIVES

To meet the requirement for the local government to set aside sufficient funds to replace plant and equipment in accordance with the Plant Replacement Schedule.  
To define income sources to fund future plant replacement.  
To ensure that all plant and equipment is fully funded from the Plant Replacement Reserve Fund each year without capital injection from the local government's own resources.

## DEFINITIONS

'Plant' means the local government's construction and maintenance plant and equipment (including office support equipment) required to carry out road design, construction &, maintenance functions and the administration to support these activities.

'Plant Replacement Schedule' means the schedule developed to identify the most advantageous and cost effective time to replace plant and equipment that have accrued sufficient hours of operation or kilometres travelled to warrant their replacement at the least cost to the local government in the year detailed within the schedule.

'Plant Depreciation' means the depreciation accumulated through the operation of plant and equipment during the period under review.

'Profit on Private Works' means the net income received from undertaking works with local government plant and equipment equal to the sum of any administration fee and profit percentage included in the total cost of the works undertaken.

## **POLICY**

### Funding:

In order for the local government to fully fund all plant and equipment purchases from the Plant Reserve Fund (Plant Replacement Reserve Fund) the following amounts are to be transferred from the Municipal Fund to the Plant Reserve Fund each year:

Total Plant Depreciation charged to works and services from plant operations during the year (amount to be transferred based on actual depreciation generated through works after last pay for financial year figure has been finalised);  
Profit on Private Works generated during the year

### Forward Projections:

All plant and equipment to be funded through the Plant Replacement Reserve Fund is to be listed in the Plant Replacement Schedule and each item of plant identified for replacement in any of the years contained in the Schedule is to have the Gross Replacement Value shown against the plant item in that year.

The value of any trade-in is to shown within the summary as a single line item below the Gross Value of all new plant and equipment to be replaced each year so that the Net Change-over Cost can be clearly identified.

A summary of the Plant Replacement Reserve Fund Position for each year of the Schedule is to follow, clearly identifying any instances where additional local government financial support may be required either through loan borrowings or direct cash injection from the recurrent budget.

The Plant Reserve Fund carried forward balance should accumulate each year to ensure zero (or minimal) additional funds will be required to fund proposed plant replacements over the period covered.

### Variations to the Schedule:

The local government has the discretion to bring forward or defer the replacement of a plant item if the net impact over the years affected by such a variation will be cost neutral and not require supplementary financial support to achieve the desired result.

Variations may be as a result of:

The number of hours/kilometres not being sufficient at the time due for replacement to warrant replacement until the subsequent period;

- The plant item recently underwent a major rebuild or maintenance program that extends its life without diminishing its realisable value during the additional extension.

- A plant item may reach the hours/kilometres earlier than expected and the adjustment to the date of replacement will be cost neutral over the period of variations.

Related Policies	Nil
Related Procedures/Documents	Shire of Nannup Asset Management Planning
Delegated Level	Manager Infrastructure
Adopted	OM 28 October 2010 #8476
Reviewed	OM 27 July 2023

Policy Number:	WRK 13
Policy Type:	Works Policy
Policy Name:	<b>Subdivisional Development Guidelines</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## OBJECTIVE

To provide guidelines for the design and construction of subdivisional works for developers.

## POLICY

The local government requires that the provision of engineering works associated with the subdivision and development of land within the Shire of Nannup is undertaken in accordance with the adopted Shire of Nannup Subdivisional Development Guidelines.

Related Policies:	LPP 17 (Adopted 22/4/2010 Revoked 25/6/2015)
Related Procedures/ Documents	Local Government Guidelines for Subdivisional Development Version 2, 2009. <a href="#">WRK 13 Attachment 1 Subdivision Development Guidelines.doc</a>
Delegation Level:	Manager Infrastructure, Development Services Coordinator
Adopted:	OM 25 June 2015 #9218
Reviewed:	OM 27 July 2023