

Shire of
BROOKTON

Policy Manual



Reviewed and amended: Ordinary Council Meeting August 2017

Table of Content

INTRODUCTION.....	5
1. EXECUTIVE POLICIES	6
1.1 Administration Building and Council Chambers.....	6
1.2 Meetings – Scheduled Dates.....	7
1.3 Council Briefing Forums	8
1.4 Induction – Elected Members	11
1.5 Gift for Retiring Councillors.....	12
1.6 Training Sessions Conferences Meeting Seminars – Elected Members	13
1.7 Provision of Electronic Devices for Councillors.....	15
1.8 Elected Member Records	16
1.9 Brookton All Hours Gym – Conditions of Use Policy	17
1.10 Australia Day Awards	20
1.11 Senior Employees	22
1.12 CEO Performance and Salary Review	23
1.13 Council Committees – Terms of Reference.....	24
1.14 Social Media Policy	26
1.15 Small Business Friendly Charter	28
1.16 Review of Employee Service, Gratuity and Farewell Polices.....	31
1.17 Standing Orders and Meeting Protocol Local Government (Council Meetings).....	34
1.18 Appointment of Acting CEO.....	35
1.19 Legal Representation for Council Members and Employees.....	37
1.20 Legal Proceedings and Prosecutions	41
1.21 Habitual or Vexatious Complainants.....	42
2. GOVERNANCE POLICES	46
2.1 OHS Equal Employment Opportunity	46
2.2 Occupational Safety and Health	47
2.3 OHS Visitor Management.....	49
2.4 OHS Volunteer Management.....	50
2.5 OHS Fitness for Work.....	52

2.6	Discrimination, Harassment and Bullying Policy	59
2.7	Grievances, Investigations and Resolutions Policy	63
2.8	Risk Management.....	67
2.9	Access to Administration Records	70
2.10	Complaints Handling	71
2.11	Koornong Residential Estate	73
2.12	Aged Care	74
2.13	Liquidity Management Strategy – Aged Care	76
2.14	Investment Management Strategy – Aged Care.....	78
2.15	Contiguous Rating – Shire Boundary Properties	81
2.16	Significant Accounting Policies	83
2.17	Salary Sacrificing.....	104
2.18	Use of Corporate Credit Cards	106
2.19	Financials Reserves Policy.....	108
2.20	Purchasing.....	117
2.21	Financial Hardship.....	118
2.22	New Business Incentives.....	119
2.23	Buy Local.....	120
2.24	Fees and Charges for Community Facilities & Active Reserves.....	121
2.25	Hall Hire.....	123
2.26	No School, No Pool Determination No.1	126
3.	DEVELOPMENT POLICES.....	127
3.1	Relocated Second Hand Buildings	127
3.2	Development Requirements for Rural Subdivision	132
3.3	Sewerage Connection for Subdivision of Land	136
3.4	Town Planning Fees Refund	137
3.5	Residential Development on Farming Zoned Lots/Locations Without Frontage to Dedicated and Constructed Public Roads.....	138
3.6	Outbuildings.....	139
3.7	Tree Cropping.....	142
3.8	Signage within Zoned and/or Reserved Land.....	147

3.9	Developer Contributions for Road and Footpath Upgrading relating to Subdivision of Land	150
3.10	Stocking Rates – Rural Townsite, Rural Residential and Rural Smallholding Zone Land	153
4.	INFRASTRUCTURE POLICES	160
4.1	DrumMuster Process	160
4.2	Private Property Access and Crossovers	161
4.3	Slasher & Rotary Mower Ban	163
4.4	Use of Council Equipment and Machinery for Bushfire Control	164
4.5	Expenditure Limit – Bush Fire Control Officers	165
4.6	Undeveloped Road Reserves	166
4.7	Weather Related Road Closures	167
4.8	Restricted Access Vehicles	169
4.9	Waste Management	170
5.	REGIONAL POLICES	173

INTRODUCTION

The Council's *Policy Manual* is a set of Policies adopted of the Council, pursuant to Section 2.7 of the Local Government Act 1995 and includes those adopted pursuant to the Planning and Development Act 2005 and the Shire's Local (Town) Planning Scheme.

The Council's aim, although not statutorily required, is to formally review the Policies contained within this document at least once per annum.

Note that delegations or powers authorisations as though they were delegations are highlighted in red to ensure that such delegations are then easily able to be replicated or embedded into the Delegation Register.

The Policy Manual compliments the separate documents entitled the;

- Shire of Brookton Code of Conduct and the;
- *CEO's Management Policies & Procedures Manual*, which are administrative policies adopted by the CEO for management of the Shire under general powers pursuant to Section 5.41 (d) of the Local Government Act 1995.

The following template can be used for suggested new Policy

Policy Number. Title of Policy

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:				

Objective:

Procedure/Policy:

1. EXECUTIVE POLICIES

1.1 Administration Building and Council Chambers

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	June 2012	Resolution #:	
Review Date:	May 2019			

Objective:

To provide direction on the use of Council Chambers.

Procedure:

The Shire President after liaising with the CEO or CEO may authorise the use of the Council Chambers by community or Government organisations for the purpose of conducting meetings during office hours.

With permission of the CEO or Shire President after liaising with the CEO, the Council Chambers may be made available to community organisations, during office hours or after, that have a Councillor or Shire Administration staff member as a Council delegate on the committee.

Keys to the Administration Centre are only available to Administration Staff and shall not be passed on to other committee members.

1.2 Meetings – Scheduled Dates

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To detail the timing of the Ordinary meetings of Council.

Policy:

The Ordinary meeting of Council shall be held at 5.00 pm on the third Thursday of each month except January when no Council meeting will be held.

Standing Committees and other meetings to be held at a time specified by Council.

1.3 Council Briefing Forums

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:		Resolution #:	13.10.11.01
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To provide stringent guidelines governing the conduct of Council Briefing Forums to ensure compliance with the intent of the *Local Government Act 1995*, including the principles of open and accountable decision making.

Policy:

Council Briefing Forums are held monthly after the Council meeting and are intended to provide a forum at which Councillors:

1. Can become fully informed on operational matters of significance and importance to elected members and the organisation generally; and
2. Can raise and discuss a broad range of matters that relates to corporate governance, and assists in setting of strategic and policy direction.
3. Share information in relation to recent attendance at external meetings and forums, and on community sentiment and concerns regarding matters pertinent to the Local Government.

Procedure:

Council Briefing Forum

The Council Briefing Forum will be closed to the public and agendas will be confidential.

The Chief Executive Officer will prepare the agenda for the Council Briefing Forum and will ensure timely written notice and that a confidential agenda for each forum is provided to all Councillors, including briefing papers where necessary.

The Shire President is to be the presiding member. If the President is unable or unwilling to assume the role of presiding member, then the Deputy President may preside. If the Deputy President is unable or unwilling, Councillors may select one from amongst themselves to preside.

As Council's meeting procedures do not apply for Council Briefing Forums, it is the responsibility of the presiding member to ensure the good conduct of the meeting.

The presiding member shall:

- a. advise Councillors that no decision will be made during the Forum;
- b. encourage all Councillors present to participate in the sharing and gathering of information;

- c. ensure that all Councillors have a fair and equal opportunity to participate; and
- d. ensure the time available is sufficient enough to allow for all matters of relevance to be identified.

Councillors and staff must verbally disclose their interests in any matter listed in the CBF Agenda. Persons disclosing an interest may choose to participate in that part of the CBF relating to their interests or may leave the meeting room.

Councillors have the opportunity to request matters to be included on the agenda for consideration at a future forum by request to the Chief Executive Officer or by request during the forum.

A record shall be kept during the forum, however, as no decisions are made, the record need only be a general record of items covered, including date, attendance, brief description of matters addressed and any follow up action required. A confidential copy of the record is forwarded to all Councillors.

The Council Briefing Forum Agenda for the Shire of Brookton comprises sections:

1. Operational Matters:

The CEO and Senior Officer shall each prepare a report that provides an update on important and relevant operational matters for the Council's information.

2. Policy Formulation

This forum is to provide elected members with the opportunity to identify, discuss, and set direction on the formulation of its corporate policies.

3. Strategic / Concept Items:

Strategic / Concept Items involve Councillors, staff and where appropriate external advisors, experts or proponents. These items provide the opportunity to exchange information and ideas about issues or ideas that may affect the Shire of Brookton.

These items will generally involve projects or matters that are in the early planning stages and are sometime away from being presented to Council for consideration of a formal decision.

During these items:

- the Chief Executive Officer or relevant officers will present items on the agenda;
- the Chief Executive Officer seeks input from Councillors as guidance into research and further drafting of concepts for any future report;

- Councillors are fully informed on matters to enable later decisions to be made in the best interests of the Shire; and
- Councillors represent the views of the community.

The input through an open and free-flowing exchange of ideas and the willingness to contribute to concept items will provide invaluable direction to the Chief Executive Officer for research and the preparation of any report on the matter if required.

Where guests including experts, consultants or proponents are invited to attend and provide a presentation, they will only be present for the item that applies to their presentation.

Matters raised as Strategic / Concept Items will generally not be progressed to the Ordinary Council Meeting scheduled for the following month.

4. Elected Member Reports

For the purpose of providing Councillors with the opportunity to raise matters with staff of a general operational nature, or vice-a-versa, that would not normally be the subject of a report to Council.

In this section Councillors also have an opportunity to inform colleagues and staff of the committee and other meetings they have attended during the past month.

The issues raised in this section, by its very nature, will be varied and most likely deal with matters revolving around the day-to-day operations of the Council or feedback on the implementation of previous decisions of Council.

Council Briefing Forums are not decision making forums and items on the agenda are not to be debated at the forum.

1.4 Induction – Elected Members

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:	May 2014	Resolution #:	
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To induct newly elected Councillors to assist them in transitioning into the elected members role inclusive of a fundamental understanding of their new responsibilities.

Policy:

In the week following their election, new Councillors will be given an induction by the Shire President and CEO. Part of that induction will include information on, but not be limited to:

- Fundamental roles and responsibilities of an Elected Members under the *Local Government Act, 1995*, including declaration of Interests and Gifts
- The Shire of Brookton's Code of Conduct
- Elected Member training courses
- The Integrated Planning Framework
- Copy of this Policy Manual and other Strategic Documents of relevance

1.5 Gift for Retiring Councillors

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:		Resolution #:	305/03
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To detail the protocol to be followed in acknowledging the services of retiring Councillors.

Policy:

A dinner may be held in recognition of the services of Councillors on their retirement after a minimum service of two terms (subject to their agreement).

The style of the function is at the discretion of the Shire President in consultation with the retiring Councillor/s, taking into account the level of service to the community rendered by the Councillor/s.

1.6 Training Sessions Conferences Meeting Seminars – Elected Members

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995</i>		
Council Adoption:	Date:		Resolution #: 108/04
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To encourage Council members to attend appropriate training sessions, conferences, meetings or seminars to assist them in gaining knowledge to perform their duties and detail the entitlements and financial commitments in relation to the attendance.

Policy:

- Proposed attendance at any training sessions, conferences, meetings or seminars by an Elected Member beyond a 500 kilometre radius of Brookton shall be subject to special request to Council for endorsement. Such request must include and outline course.
- Each Elected Member is encouraged to attend training sessions on an annual basis. Each new Councillor will be asked to make a commitment to undertaking at least two training courses within the first six months of taking office. The first course recommended to be undertaken will be *Councillor Roles and Responsibilities* followed by their choice to suit individual needs and aspirations. Where feasible the venue for these courses will be a local Shire or a regional centre.
- Each Councillor is entitled and encouraged to attend the WALGA conference, during their term of appointment. Partners are permitted to accompany Elected Members during the WALGA State Conference, inclusive of accommodation and meals.
- Council will pay for registration, travel and accommodation costs, as well as breakfasts, evening meals and non-alcoholic beverages for Councillors during attendance at relevant training sessions, conferences, meetings and seminars within a 500 kilometre radius of Brookton. Costs for breakfasts, evening meals and non-alcoholic beverages is capped at \$110 per Councillor per day and partner for Local Government Week, excludes Regional Dinner.
- Council will only pay for alcoholic beverages (excluding spirits) during the WALGA State Conference for Elected Members with the amount limited to \$20 per Councillor and partners per day.
- All other costs incurred will be the responsibility of each individual Councillor.

7. All Elected Members shall present to Council a summary of their experience and learnings at the next available Corporate Briefing Forum following attendance at the training session, conference, meeting or seminar.

1.7 Provision of Electronic Devices for Councillors

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995 Sections 5.98 to 5.102 Local Government (Administration) Regulations 30 to 34B</i>			
Council Adoption:	Date:	Sep 2015	Resolution #:	12.09.15.05
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To allocate an allowance for provision of an appropriate electronic device of choice (IPad, Tablet or Laptop) by each Elected Member for Council business.

Policy:

The Shire of Brookton requires all agendas, minutes, and other information for Councillors to be received in an electronic format. This is made available to Councillors via a networked drive. To access this drive Councillors require an appropriate electronic device.

In order to comply with the legislation surrounding Councillor re-imburements and allowances, the such device and Sim card must be owned by the Councillor.

To allow the device to be connected and to cover the initial outlay, the Shire of Brookton will provide each Councillor with a one off allowance of \$800 once elected and for the duration of the election cycle (typically 4 years) to be used for Council business. Thereafter each elected member will be responsible for the care, maintenance and upgrade or replacement of their personal electronic device.

Such devices shall also be used for the receipt and transmission of email communications applicable to the Local Government's business using a dedicated Councillor email address (ie cr.jones@brookton.wa.gov.au).

1.8 Elected Member Records

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>State Records Act 2000</i>			
Council Adoption:	Date:	Apr 2009	Resolution #:	13.04.09.01
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The objective of this Policy is to ensure that records are created which properly and adequately record the performance of member functions arising from their participation in the decision making process of Council, and the various Committees of Council.

Policy:

This requirement will be met through the creation and retention of records of meetings of the Council and the Committees of Councils and other communications and transactions of elected members which constitutes evidence affecting the accountability of the Council and the discharge of Council Business.

All elected members are required to ensure any documents and written correspondence (including emails) meeting the above criteria are passed to the Shire Administration to be registered as part of organisation's correspondence registration process into the current registration system.

1.9 Brookton All Hours Gym – Conditions of Use Policy

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

- Provide the terms and conditions of being a member
- Provide standards of accepted behaviour for comfort of all members
- Provide guidance on minimising the risk of injury

Policy:

ABOUT THE BROOKTON ALL HOURS GYM

The Brookton All Hours Gym was established after the community need for an area for fitness equipment was outlined in the Brookton Sport and Recreation Plan 2006-2015. The Gym is available to members only at any time and is an un-manned gym.

REQUIREMENT FOR INDUCTION

As an un-manned gym it is a requirement that all members obtain an induction from a qualified person that includes instruction on the safe use of the provided equipment.

Due to the requirement for an induction, there are no 'casual' or 'trial' memberships available.

EVACUATION AND EMERGENCY CONTACTS

In the case of emergency where evacuation is required, members should follow the emergency evacuation plan located on display in the gym. For group activities, there is a muster point located in the car-park near the courts.

For other emergencies, please contact Shire Administration on 9642 1106 or after hours 0427 421 032.

ACKNOWLEDGEMENT OF RISK

The Brookton All Hours Gym operates on an all day/night basis and is accessible by members. The Shire has made every effort to ensure that its Conditions of Use Policy has been prepared and implemented to promote safe and correct use of gym equipment to encourage a safe environment for all gym users.

Members accept and understand that there are obvious and inherent risks in the activities undertaken at the Shire of Brookton's All Hours Gym and acknowledge that the activities members undertake whilst at the gym may involve a risk of physical harm and that by participating in these activities voluntarily; you do so at your own risk.

The Shire of Brookton, its servants and agents, accept no liability for any loss or damage to property or death or personal injury however arising from members' use of the Brookton All Hours Gym.

All members are advised to seek medical consultation and clearance before commencing an exercise programme.

DISCLOSING AND SHARING OF INFORMATION

The Shire of Brookton respects the privacy of your personal information. The information contained on membership forms is collected for the purpose of processing, managing and administering your membership. It will not be otherwise disclosed without your consent. If you wish to seek access to your personal information or have any questions regarding the handling of your personal information, contact the Shire.

MEMBERSHIPS:

The following types of memberships will be available:

Adult Membership (18+)

Student Membership (13-17)

Senior Memberships (60+)

1. Memberships are not transferrable or refundable.
2. Memberships will run for a full calendar year, or half year from January to June, and July to December or part there-of.
3. Memberships can be cancelled or a member requested to leave if the member does not behave in a responsible manner, or does not adhere to the Conditions of Use Policy.
4. Facilities or equipment within the gym may be unavailable from time to time due to breakdown or other unforeseen reason. The Shire will not be held liable for such occurrences.

TERMS AND CONDITIONS

Member Access:

1. Access is only available to members. The taking of non-members to the gym, or sharing your key will void your membership immediately. A 12 month ban will be imposed on your usage and no refund will be given.
2. All members must sign in and out in the book provided.
3. Members to ensure the doors are locked when leaving.
4. All members are encouraged to attend the gym with another member to reduce the risk of injury and accidents.
5. Students from 13 to 17 years of age must be accompanied by an adult.
6. No children 12 years of age or under are permitted to enter the gymnasium.
7. No smoking, food or drinks other than water bottles are permitted in the gym.
8. The key must be returned upon expiry of membership.
9. If your key is lost or stolen it must be reported to the Shire as soon as possible. A fee will be charged for a replacement key.

10. If you are the last one to leave ensure the lights and air-conditioners are turned off.
11. I-pods/phones etc. are to be made inaudible to other users unless by agreement of all those present at the time.
12. Members will not use the gym if there is a change to their medical condition that makes it unsafe to do so.
13. Any injuries sustained in the gym must be reported to Shire Administration and recorded in the book in the gym.

Dress Code:

1. You must be clean and dry when entering the gym.
2. Shirts/singlets or athletic crop tops to be worn at all times.
3. Covered athletic shoes are to be worn at all times.
4. Any jewellery that may cause injury is not to be worn.

Use of Equipment

1. Equipment only to be used as shown in displayed instructions or as advised during induction.
2. All equipment to be returned to its allocated position after use.
3. A towel must be used at all times, and equipment wiped after use.
4. Weights are not to be dropped.
5. Any faulty equipment must be reported in the book provided.
6. Any equipment that is unsuitable for continued use is to have an 'Out of Service' tag attached.
7. No member is to use equipment while under the influence of alcohol or recreational drugs.

1.10 Australia Day Awards

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:			
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To provide guidelines for the annual selection of Brookton's Australia Day Awards.

Policy:

The Australia Day Awards are to be selected by a panel consisting of all Councillors and the three immediately past recipients of the Citizen of the Year award. The successful recipients must be selected by secret ballot across the following categories:

1. Citizen of the Year Award
2. Young Citizens of the Year Award (must be under 30 years of age on January 26)
3. Community Event or Voluntary Act of the Year Award

Eligibility Criteria

1. Citizen of the Year Award: to be eligible, the person must be an Australian citizen.
2. Young Citizen of the Year Award: to be eligible, the person must be an Australian citizen under 30 years of age on January 26 each year.
3. Community Event or Voluntary Act of the Year Award: this is presented to the person/group who has staged the most outstanding community event or individual act during the past year.

Nomination

A person may be nominated by another person in the community or nominate their self.

Such nomination is to be submitted on the appropriate form by the due date for consideration by the selection panel, and must address the Selection Criteria as outlined below.

Selection Criteria

The selection criteria for Citizen and Young Citizen of the Year awards are:

- Demonstrating a significant contribution to the community

- Being an inspirational role model for the community
- The scope of impact the individual's contribution on the local government area

Additionally, the selection criteria for the community event or the individual voluntary act of the Year are:

- The quality of the event or nature of the individual voluntary act
- The scope of impact the event or act has had on the local government area
- The event's or individual's lasting contribution to the community

The Selection Panel must instil confidentiality of the award recipients.

1.11 Senior Employees

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995 s. 5.37</i>		
Council Adoption:	Date:		Resolution #: 13.04.09.03
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

To nominate Senior Employee positions and assist the CEO with the selection and performance evaluation of these employees.

Policy:

1. The following positions are nominated as Senior Employees under Section 5.37(1) of the *Local Government Act, 1995*:
 - Deputy Chief Executive Officer
 - Principal Works Supervisor
 - Community Services Manager
2. The CEO shall prepare a short list of candidates, conduct the interviews with assistance of members of the Employment Committee, and proceed to report to Council on the appointment the successful candidate.
3. The Chairperson of the Employment Committee shall participate in the performance review of nominated Senior Employees to provide input on behalf of the Shire Council.

1.12 CEO Performance and Salary Review

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995 – s. 5.38</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To detail the procedure and timing of the CEO's performance review.

Policy:

The Employment Committee shall:

1. Conduct the CEO's performance and salary package review and have the authority to amend his/her salary package.
2. Conduct each review at the conclusion of the probationary period and thereafter annually in April/May of each year prior to the budget meeting.

The Employment Committee may also:

- a) Consult with all or some of the Shire's employees through a '360 Review' or similar process to gain a holistic understanding of the CEO's conduct and performance
- b) Engage the Deputy CEO or an HR Specialist to facilitate the process and assist the Employment Committee in conducting performance review process.

Note: refer also Council Policy No. 1.15 Council Committees – Terms of Reference.

1.13 Council Committees – Terms of Reference

Policy Owners:				
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995 s. 5.8 to s. 5.25 Audit Regulation 16</i>			
Council Adoption:	Date:		Resolution #:	13.03.11.03
Last Amended:	Date:	Aug 2017	Resolution #:	13.09.16.02
Review Date:	May 2019			

Objective:

To list current committees of Council, their role and any delegated authority they may have.

Policy:

a) **Audit (Finance) Committee (CM 278/06 May 2006)**

The Audit (Finance) Committee is authorised to review accounts for payment and Council's financial position and make recommendations or representations to Council in respect of each year's current budget, forward planning (excluding road works & plant), Council Policy and Council's finances. It is also a statutory requirement for the Audit Committee to receive the annual Compliance Audit Return (CAR).

Some of the key duties of the Committee are detailed in the Local Government (Audit) Regulations – regulation 16.

b) **Kalkarni Consultative Committee (CM 11.12.07.03 December 2007)**

The role of the Kalkarni Consultative Committee is to provide advice and make recommendations to Council and the Manager in relation to the plans and the management of the Aged Care Facility.

c) **Employment Committee**

The role of the Employment Committee is to:

- recruit and review the performance and salary of the Chief Executive Officer; and
- assist the Chief Executive Officer in the selection and review the performance of Senior Employees.

d) **Les McMullen Memorial Recreation Grants Committee (CM 220/96 – May 1996)**

Council delegates its authority to the Les McMullen Memorial Recreation Grants Committee to award grants to eligible sporting bodies in accordance with the provisions of the estate of the late Mr Les McMullen.

e) **Community Housing Committee (CM 13.06.08.03 – June 2008)**

The Community Housing Committee has delegated authority to select suitable tenants when vacancies arise in the Madison Square Units complex.

f) Bush Fire Advisory Committee (BFAC)

The Bush Fire Advisory Committee advises Council on all matters relating to:

- the prevention, controlling and extinguishing of bush fires;
- prosecutions for breaches of the Bush Fires Act;
- the formation of Bush Fire Brigades;
- the co-ordination of the efforts and activities of the Bush Fire Brigades; and
- any other matter relating to bush fire control.

Council may delegate any other responsibility to the above Standing Committees or form another Committee, subject to the requirements of the Local Government Act, as it sees fit.

g) Plant and Works Committee (CM 13.12.12.07 - December 2012)

To provide advice and assistance to Senior Staff and make recommendations to Council in relation to major plant acquisition and disposal and any major works that are planned to be undertaken.

Note: refer also to Council Policy No. 1.14 CEO Performance and Salary Review.

1.14 Social Media Policy

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:	Sep 2015	Resolution #:	13.09.15.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

The Shire recognises that social media provides opportunities for enhanced community engagement, two way communications, and improved access by residents to information on delivery of services.

The intent of this policy is to provide understanding and guidance for the appropriate use of social media platforms and tools by staff, Councillors, agents and volunteers of the Shire of Brookton.

This policy does not cover the personal use of social media by staff, Councillors agents or volunteers.

Policy:

This policy applies to existing and future social media platforms where people may comment, contribute, create, upload and share content including, but not limited to:

- Social networking sites (for example Facebook, LinkedIn).
- Video and photo sharing websites (for example Flickr, YouTube, Instagram).
- Blogs, including corporate blogs and personal blogs.
- Blogs hosted by media outlets (for example “comments” or “your say” features on news websites).
- Micro-blogging (for example Twitter).
- Wikis and online collaborations (for example Wikipedia).
- Forums, discussion boards and groups (for example Google groups, Whirlpool).
- Instant messaging (including SMS).
- Geo-spatial tagging (for example Foursquare, Facebook ‘Places’ feature).
- also includes all other emerging electronic/digital communication applications.

Guidelines for staff:

When using social media Council staff and contractors are expected to:

- Be authorised to use the social media platform
- No employee other than the Chief Executive Officer is to post commentary that expresses a view / opinion on behalf of Council.
- Adhere to Code of Conduct, policies and procedures
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of the Shire.

- Not comment outside area of expertise
- Only discuss publicly available information
- Be accurate, constructive, helpful and informative.
- Be mindful of copyright and intellectual property rights.
- Do not publish content in exchange for reward
- Do not endorse any political or religious affinity.
- Do not issue media statements unless authorised.
- Do not respond to media for comment via social media
- Ensure that any social media sites created can be readily moderated.
- Be mindful of accessibility.

Guidelines for Councillors:

- Be mindful that personal contributions are clearly identified as such
- No Councillor other than the President is to post commentary that expresses a view / opinion on behalf of Council.

Non-compliance

Depending on the circumstances, non-compliance with this policy may constitute a breach of employment contract, misconduct under the Shire's Code of Conduct, sexual harassment, discrimination, or some other contravention of the law.

Failure to comply with the policy may result in disciplinary action and, in more serious cases, may result in termination of employment.

Guidelines for users.

Posts on Shire operated social media platforms may be deleted as determined by the CEO, if they contain:

- Violent, obscene, profane, hateful, derogatory, racist or sexist language, links or images.
- Any discussion or promotion of behaviour that is unlawful
- Comments that threaten or defame
- Solicitations, advertisements, endorsements or spam
- Multiple successive off-topic posts by a single user
- Repetitive posts copied and pasted or duplicated by a single user

Any other inappropriate content or comments as determined by the Shire of Brookton.

1.15 Small Business Friendly Charter

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Nil</i>			
Council Adoption:	Date:	Dec 2016	Resolution #:	13.12.16.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Outcomes:

The benefits of being small business friendly and supporting the growth of small businesses includes:

- creating a desirable location to live and to establish a business;
- supporting the local economy, including providing employment opportunities;
- building vibrancy in the community;
- meeting the needs of ratepayers for local goods and services; and
- collaborating and sharing with other small business friendly local governments.

By signing the Charter local governments can display the Small Business Friendly logo to let people know that they offer a great location to run a small business.

Objective:

To participate in the small business friendly Local Governments initiative and become recognised as small business friendly, the Shire agrees to sign and abide by the undertakings in the charter.

To add to the level of credibility of the initiative, local governments are required to report back to the SBDC twice a year on progress towards the charter.

The Charter has the following essential elements;

Commitment to this charter is a requirement for participation in the small business friendly Local Governments (SBFLG) initiative and outlines what the local government agrees to do in support of small business in their area.

1. Commitment to Small Business

The local government agrees to:

- A. Recognise that the small business community is an important stakeholder and will undertake regular and targeted consultation with this group;
- B. Work towards understanding how its local small business community operates and its needs, goals and key challenges;
- C. Provide networking and other development opportunities for its local small business community; and

- D. Actively engage, where appropriate, with the Small Business Development Corporation (SBDC) on matters affecting small business.

2. Commitment to Customer Service

The local government agrees to:

- A. Maintain open lines of communication with small businesses through both formal and informal approaches;
- B. Provide clear advice and guidance to small businesses to assist them to understand and meet their regulatory obligations, and to work with them to achieve compliance;
- C. Publish clear service standards setting out what small businesses can expect from them;
- D. Consider the needs of local small business owners for whom English is not a first language; and
- E. Publish links on its website to take small business owners to resources available on the SBDC website, business local service and the business licence finder tool.

3. Administration and regulation

The local government agrees to:

- A. Take reasonable action to limit unnecessary administrative burdens on small business such as:
 - I. Only asking for information that is absolutely necessary;
 - II. Not asking for the same information twice;
 - III. Working collaboratively with other local governments;
- B. Undertake regular policy reviews to limit their impact on small businesses, and to test new policies and procedures for 'small business friendliness'; and
- C. Ensure that its officers have the necessary knowledge and skills to apply plans and regulations in a consistent manner.

4. Local Government Activities to Support Small Business

The local government agrees to implement activities to improve the operating environment for small businesses within its authority. Details of the activities are to be included in the local government's operational plans and strategies.

5. On-time Payment Policy

The local government agrees to work towards ensuring all invoices from small business suppliers are paid within 30 days.

6. Business Advisory Group

The local government agrees to establish a business advisory group (if one does not already exist) to assist its understanding of small business needs. The group should include local small business operators and members of their representative bodies.

7. Dispute Resolution

The local government agrees to implement a process to manage any disputes it may have with small businesses. This could include referring the dispute to an independent dispute resolution service (such as that offered by the SBDC).

8. Progress Reports

The Local Government agrees to:

- A. Provide the SBDC with a biannual progress report that outlines the results achieved in relation to its small business friendly activities, including its policy relating to paying small businesses on-time, engagement with its business advisory group, and implementation of its dispute resolution process; and
- B. Forward success stories and case studies to the SBDC in relation to the SBFLG initiative when requested.

9. Promotion and Marketing of the Program

The Local Government:

- A. Agrees to make a statement in relation to its commitment to the sbflg initiative on its website;
- B. Will be provided with a logo which it agrees to use in accordance with the SBFLG style guide (as supplied by the SBDC); and
- C. is encouraged to promote the SBFLG initiative by displaying the approved logo on its online and printed marketing and communication materials, where appropriate.

10. Contact details

The local government agrees that the primary contact for the SBFLG initiative will be the Chief Executive Officer and that a secondary contact will be nominated as the day-to-day contact.

1.16 Review of Employee Service, Gratuity and Farewell Polices

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	Nil			
Council Adoption:	Date:	Feb 2017	Resolution #:	13.02.17.03
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To ensure all Local Government staff are familiar with the legislative requirements regarding gratuities for the formal recognition of satisfactory and extended service by Local Government employees.

Policy:

- Where the Chief Executive Officer or a valued employee leaves their employment or is made redundant, they will be given a token of appreciation in the form of a good or service in order to thank the employee for their past commitment to the Local Government.
- The aim of this policy is to establish guidelines for the consideration of Gratuity Payments to employees in accordance with s. 5.50 of the Local Government Act 1995 ('the Act').

Pursuant to s. 5.50 of the Act, this gratuity policy outlines the circumstances in which gratuity payments may be made to an employee. These payments, when made, are in addition to any amount which the employee is entitled to under a contract of employment, enterprise agreement or award. This policy shall not be considered as a contractual entitlement under the employment relationship.

NOTE: As required by s 5.50 of the Act this policy was advertised through Local Public Notice and prior to adoption and the Local Government did not made any payments to employees prior to the giving of the public notification.

Procedure:

Eligibility to Gratuity Payments

It is the position of the Local Government that when an employee's services are ceasing with the Local Government for any of the reasons identified below, the employee will be entitled to a gratuity payment as outlined within this policy based on the completed years of service:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

The Gratuity Payment identified within this policy does not apply to an employee who has been dismissed by the Local Government for any reason other than redundancy.

Number of Years' Service	Amount of Gratuity
Continuous service less than 2 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$40 (based on \$20 per year)
Continuous service greater than 2 years and up to 5 years	A Statement of Service and a gift, or contribution towards a gift, to the value of \$100 (based on \$20 per year)
Continuous service greater than 5 years and up to 10 years	Certificate of Appreciation and a gift to the value of \$300 (based on \$30 per year) Items to be presented to the employee by the Chief Executive Officer, or nominated representative at a function to be determined by the Chief Executive Officer.
10 to a maximum of 15 Years Continuous Service	\$40 per year of continuous service up to a maximum of \$600 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.
15 to a maximum of 20 Years Continuous Service	\$50 per year of continuous service up to a maximum of \$1,000.00 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.
Above 20 Years' Service	\$60 per year of continuous service up to a maximum of \$2,000.00 Items are to be presented to the employee by the President or nominated representative, at a function to be determined by the Chief Executive Officer in conjunction with the Shire President.

The Chief Executive Officer is authorised to approve payments in accordance with the limits prescribed by this policy. Funds will be allocated as part of the Local Government's budget preparation process.

Determining Service:

For the purpose of this policy, continuous service shall include:

- a) Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave and public holidays.

- b) Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay or parental leave.
- c) Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- a) Any period of unauthorised absence from duty unless the Local Government determines otherwise.
- b) Any period of unpaid leave unless the Local Government determines otherwise.
- c) Any period of absence from duty on Parental Leave unless the Local Government determines otherwise.

Financial Liability for Taxation:

The employee accepts full responsibility for any taxation payable on the Gratuity Payment, and agrees to fully indemnify the Local Government in relation to any claims or liabilities for taxation in relation to the Gratuity Payment.

Payments in addition to this Policy:

The Local Government agrees not to make any payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and caused local public notification to be given in relation to the variation.

Financial Implications:

The Local Government acknowledges that at the time of the policy's introduction they were fully aware of the financial implications to the Local Government and that the financial implications had been investigated based on the current workforce position.

Variation to Policy:

This policy may be varied or cancelled from time to time by Council.

The Local Government is committed to taking reasonable action to ensure that any variation or cancellation to this policy is notified to all employees prior to the variation taking effect, including (but not limited to) notifying all employees via normal correspondence of the variation including the proposed reasons for such variation.

Responsible Officer:

The Chief Executive Officer is the responsible officer for implementing this policy.

1.17 Standing Orders and Meeting Protocol Local Government (Council Meetings)

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Nil</i>		
Council Adoption:	Date:	Feb 2017	Resolution #: 13.02.17.01
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.

All meetings are to be conducted in accordance with the *Local Government Act, 1995* and all relevant subsidiary legislation and with this Policy intended to result in:

- (a) better decision-making by the Council and committees;
- (b) the orderly conduct of meetings dealing with Council business;
- (c) better understanding of the process of conducting meetings; and
- (d) the more efficient and effective use of time at meetings.

Policy:

Please refer to the Standing Orders and Meeting Protocol, Local Government (Council Meetings) Policy {Formally Draft Local Law 2000} ***presented under separate cover.***

1.18 Appointment of Acting CEO

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995, Section 5.36 (2)</i>			
Council Adoption:	Date:	Nov 2016	Resolution #:	13.11.16.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The objective of this policy is to appoint the Deputy Chief Executive Officer (DCEO) to act in the role of the Chief Executive Officer (CEO) for periods of leave or vacation of the position for up to five (5) weeks only.

Definitions:

Leave means annual leave, sick leave, long service or personal leave.

Deputy Chief Executive Officer (DCEO) means the incumbent employee being:

- Ms Vicki Morris

Policy:

1. The written consent (where practical) must be obtained from the Shire President (or Deputy Shire President in the absence of the President) prior to taking of annual leave by the CEO in line with this Policy.
2. Unless otherwise determined by a formal resolution of Council to appoint another person in an 'Acting' capacity to the CEO position, the DCEO is appointed pursuant to Clause 5.39(1a) of the *Local Government Act 2005* to the role of the CEO for any period up to five (5) weeks when the CEO is on leave or the CEO position has been vacated.
3. In any event, for periods in excess of five (5) weeks a separate report on each occasion is to be presented to Council for a formal resolution to extend the appointment of the DCEO or appoint another person to act in the CEO position. However, such a period is not to exceed twelve (12) months.
4. The DCEO is not required to act in the position of the CEO during periods when the CEO is away from the office on local government business, or for short periods of leave (up to 3 days) when the CEO is contactable. Should the CEO not be contacted the DCEO shall automatically assume the responsibility and authority of the CEO.
5. The Acting CEO will receive the same rate of salary (cash component) as the CEO whilst acting in the role, but is not entitled to specific allowances and benefits as detailed in the CEO's employment contract.

Explanation:

This Policy:

- Has been prepared on the need to fill the position of CEO for short periods in line with statutory requirements, and in an efficient manner to ensure the fluent operations of the organisation when, or if, the CEO needs, or seeks, to exercise a leave entitlement at short notice.
- Is subject to review every two (2) years or at the time of change of the DCEO position.
- Does not bind Council from appointing another person to Act in the CEO position at any time.
- Requires an absolute majority vote of Council in accordance Clause 5.36(2) of the *Local Government Act 2005*.

1.19 Legal Representation for Council Members and Employees

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995 s. 9.56; s. 3.1; s.6.7 (2)</i>		
Council Adoption:	Date:		Resolution #: 13.02.12.01
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

To provide guidance in the protection of the interests of elected members and employees (including past elected members and former employees) where they have become involved in legal proceedings as a result of their official functions.

Policy:

Definitions

- **approved lawyer** is to be:
 - a. a “certified practitioner” under the Legal Practice Act 2003;
 - b. from a law firm on WALGA’s panel of legal service providers; and
 - c. approved in writing by the Council or the CEO under delegated authority.
- **Council member or employee** means a current or former commissioner, Council member, non-elected member of a Council committee or employee of the Shire.
- **legal proceedings** may be civil, criminal or investigative.
- **legal representation** is the provision of legal services, to or on behalf of a Council member or employee, by an approved lawyer that are in respect of:
 - a. a matter or matters arising from the performance of the functions of the Council member or employee; and
 - b. legal proceedings involving the Council member or employee that have been or may be commenced.
- **legal representation costs** are the costs, including fees and disbursements, properly incurred in providing legal representation.
- **legal services** include advice, representation or documentation that is provided by an approved lawyer.
- **payment** by the Shire of legal representation costs may be either by:
 - a. a direct payment to the approved lawyer (or the relevant firm); or
 - b. a reimbursement to the Council member or employee.

1. Payment Criteria

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

- a. The legal representation costs must relate to a matter that arises from the performance by the Council member or employee of his or her functions;

- b. The legal representation cost must be in respect of legal proceedings that have been or may be commenced;
- c. In performing his or her functions, to which the legal representation relates, the Council member or employee must have acted in good faith and must not have acted unlawfully or in a way that constitutes improper conduct; and
- d. The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

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

- a. Where proceedings are brought against a Council member or employee in connection with his or her functions. For example, an action for defamation or negligence arising out of a decision made or action taken by the Council member or employee; or
- b. To enable proceedings to be commenced and/or maintained by a Council member or employee to permit him or her to carry out his or her functions. For example, where a Council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the Council member or employee; or
- c. Where exceptional circumstances are involved. For example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about Council members or employees.

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

3. Application for payment

A Council member or employee who seeks assistance under this policy is to make an application in writing to the Council or the Chief Executive Officer.

The written application for payment of legal representation costs is to give details of:

- a. the matter for which legal representation is sought;
- b. how that matter relates to the functions of the Council member or employee making the application;
- c. the lawyer or law firm who is to be asked to provide the legal representation;
- d. the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.);
- e. an estimated cost of the legal representation; and
- f. why it is in the interests of the Shire for payment to be made.

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

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

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

- a. has read and understands the terms of this policy.
- b. acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
- c. undertakes to repay to the Shire any legal representation costs in accordance with the provisions of clause 7.

4. Legal representation costs – Limit

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

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

5. Council's powers

Council may refuse, grant or grant subject to conditions an application for payment of legal representation costs.

Conditions may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment and repayment of legal representation costs.

In assessing an application Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Council members or employees' insurance policy or its equivalent.

Council may at any time revoke or vary an approval or any conditions of approval for the payment of legal representation costs.

Council may determine that a Council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved,

- a. not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b. given false or misleading information in respect of the application.

Such determination may be made by Council only on the basis of and consistent with the findings of a court, tribunal or enquiry.

Where Council makes such determination the legal representation costs paid by the Shire are to be repaid by the Council member or employee in accordance with clause 7.

6. Delegation to Chief Executive Officer

In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise on behalf of Council any of the powers of Council to a maximum of \$2,000 in respect of each application.

An application approved by the CEO is to be submitted to the next ordinary meeting of Council. Council may exercise any of its powers under this policy, including its power to revoke or vary the approval or any conditions of the approval.

7. Repayment of legal representation costs

A Council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire:

- a. all or part of those costs in accordance with a determination by Council under clause 5;
- b. as much of those costs as are available to be paid by way of set-off – where the Council member or employee receives monies paid for costs, damages or settlement in respect of the matter for which the Shire paid the legal representation costs.

The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

1.20 Legal Proceedings and Prosecutions

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995 Dog Act 1976 Cat Act 2011</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

The objective of this policy is to detail the circumstances in which legal proceedings will be initiated, which may include prosecutions.

Policy:

Action to institute legal proceedings or prosecution, except for collection of rates and breaches of the Dog Act & Cat Act, shall only be taken following a resolution of Council or a resolution delegating authority to the CEO or other nominated officer in certain circumstances.

Notewell: This Policy does not include legal advice that may be sought at the discretion of the CEO, subject to sufficient allocation of funds in the municipal budget.

1.21 Habitual or Vexatious Complainants

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	13.12.12.08
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objectives

1. To identify situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be 'habitual or vexatious' and ways of responding to these situations.
2. This policy is intended to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.

Background

Habitual or vexatious complaints can be a problem for Council staff and members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer and Member time, and displace scarce human resources that could otherwise be spent on Council priorities. Whilst the Council endeavours to respond with patience and sympathy to all needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

In this policy, the term habitual means '*done repeatedly or as a habit*'. The term vexatious is recognised in law and means '*denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant*'.

Policy

Habitual or Vexatious Complainants

1. For the purpose of this policy, the following definition of habitual or vexatious complainants will be used:

The repeated and/or obsessive pursuit of:

- (i) *Unreasonable complaints and/or unrealistic outcomes; and/or*
- (ii) *Reasonable complaints in an unreasonable manner.*

2. Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in the attached document (Schedule A), the CEO, following discussions with the Shire President and DCEO will seek agreement to treat the complainant as a habitual or vexatious complainant

and for an appropriate course of action to be taken. The attached schedule (B) details the options available for dealing with habitual or vexatious complaints.

3. The CEO will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious, and the action that will be taken. The CEO will also notify the Council Members that a constituent has been designated as a habitual or vexatious complainant.
4. Once a complainant has been determined to be habitual or vexatious, their status will be kept under review after one year and monitored by the CEO with reports being taken to Council as required. If a complainant subsequently demonstrates a more reasonable approach then their status will be reviewed.

Schedule A – Criteria for Determining Habitual or Vexatious Complaints

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows how they meet one of the following criteria:

Where complainants:

1. Persist in pursuing a complaint where the Council's complaints process has been fully and properly implemented and exhausted.
2. Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).
3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
4. Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognized that determining what is a trivial matter can be subjective and careful judgment will be used in applying this criteria.
6. Have threatened or used physical violence towards employees or elected members at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be discontinued and the complaint

will, thereafter, only be continued through written communication. The Council has determined that any complainant who threatens or uses actual physical violence towards employees or elected members will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Council is to be made.

7. Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person, by telephone, letter, email or fax. Judgment will be used to determine excessive contact taking into account the specific circumstances of each individual case.
8. Have harassed or been verbally abusive on more than one occasion towards employees dealing with the complaint or elected members. Employees and elected members recognize that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. *Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.*
9. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
10. Make unreasonable demands on the Council and its employees, and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's complaints procedure or normal recognized practice.
11. Make unreasonable complaints which impose a significant burden on the human resources of the Council and where the complaint:
 - Clearly does not have any serious purpose or value; or
 - Is designed to cause disruption or annoyance; or
 - Has the effect of harassing the public authority; or
 - Can otherwise fairly be characterized as obsessive or manifestly unreasonable.
12. Make repetitive complaints and allegations which ignore the replies which Council Officers have supplied in previous correspondence.

Schedule B – Options for Dealing with Habitual or Vexatious Complainants

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed.

1. A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened,

consideration will then be given to implementing other action as indicated below.

2. Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of this in person.
3. Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.
4. Inform the complainant that in extreme circumstances the Council will seek legal advice on habitual or vexatious complaints.
5. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking legal advice or guidance from its solicitor or other relevant agencies. This may result in the complainant being advised that all further contact is to be directed to the Shire's solicitor.

2. GOVERNANCE POLICES

2.1 OHS Equal Employment Opportunity

Policy Owners:	Chief Executive Officer, Principal Works Supervisor and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>WA Equal Employment and Opportunity Act (1984)</i>			
Council Adoption:	Date:		Resolution #:	13.06.08.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To detail the Shire of Brookton's commitment to Equal Employment Opportunity.

- 1.0 The Shire recognises its legal obligations under the *Equal Opportunity Act (1984)* to actively promote equal employment opportunity based on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.
- 2.0 All offers of employment within the Shire will be directed to providing equal opportunity to prospective employees, provided their relevant experience, skills and ability meet the minimum requirements for engagement.
- 3.0 All employment training opportunities within the Shire will be directed towards providing equal opportunity to all employees based on merit and their relevant experience, skills and ability meet the minimum requirements for the position.
- 4.0 All promotional policies and opportunities within the Shire will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability are adequate to meet the minimum requirements and they are assessed as the most appropriate candidate for the advertised position. In this context, as a minimum, all vacancies shall be advertised internally within the organisation.
- 5.0 The equal opportunity goals of this Council are designed to provide an enjoyable, challenging, involving and harmonious work environment for all employees, where each has the opportunity to progress to the extent of their ability.

2.2 Occupational Safety and Health

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor, Shire Planner and Community Services Manager		
Policy Origin:			
Statutory Environment:	<i>Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments</i>		
Council Adoption:	Date:		Resolution #: 13.06.08.04
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

To ensure that every employee works in an environment where direct efforts are made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.

Policy:

The Shire of Brookton regards the promotion of sound and effective Occupational Safety and Health practices as a common objective for the CEO, Managers, Supervisors, Employees and Contractors.

The Shire of Brookton acknowledges a duty to achieve their objectives by:

- Providing and maintaining a safe working environment.
- Providing adequate training and instruction to enable employees to perform their work safely and effectively.
- Investigating all actual and potentially injurious occurrences in order to eliminate the cause, and reduce the level of risk.
- Comply with AS/NZS 4801 Occupational Health and Safety Management Systems audit tool.
- Compliance with Occupational Safety and Health (OSH) Act 1984, 2005 amendments, and Regulations 1996, relevant OSH Australian Standards, Codes of Practice and Guidance Notes.

Employees have a duty of co-operation in the attainment of these objectives by:

- Working with care for their own safety and that of other employees, contractors and public who may be affected by their acts or omissions.
- Reporting conditions which appear to be unsafe to their supervisor.
- Co-operating in the fulfilment of the obligations placed on their employer.
- Assisting in the investigation and the reporting of any accidents with the objective of introducing measures to prevent re-occurrence.

A safe and efficient place of work is our goal, and we must all be committed to reach this outcome.

2.3 OHS Visitor Management

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments</i>			
Council Adoption:	Date:	Jun 2008	Resolution #:	13.06.08.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The Shire of Brookton is committed to ensuring that visitors to workplaces are not exposed to hazards. Severe penalties apply under the Occupational Safety and Health Act 1984, if visitors to workplaces are injured through not being appropriately cared for.

Policy:

All visitors who wish to enter workplaces or specified locations of a workplace shall obtain the prior permission of the Supervisor and shall report to the front counter (where applicable) or to the appropriate supervisor before entering any workplaces/sites.

Visitors are not permitted to wander around workplaces unaccompanied and therefore are to be accompanied by a staff member at all times.

Visitors are restricted from entering all high hazard areas.

2.4 OHS Volunteer Management

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments</i>			
Council Adoption:	Date:	Jun 2008	Resolution #:	13.06.08.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

To ensure that the Shire of Brookton recognises its responsibility for the management of volunteers in the organisation.

Policy:

The Shire of Brookton recognises the responsibility to ensure that the following points apply to the management of volunteers in the organisation. The Shire of Brookton will maintain a register of volunteers to ensure they are covered by the organisation's insurance policy.

The Council will comply with the national standards for volunteer involvement, which represent and explain the tenets of best practice in the management of volunteers.

The following points identify policy considerations for volunteering involving organisations and can be addressed as part of the process to implement the national standards:

- interview and employ volunteer staff in accordance with anti-discrimination and equal opportunity legislation;
- provide volunteer staff with orientation and training;
- provide volunteer staff with a healthy and safe workplace;
- provide appropriate and adequate insurance coverage for volunteer staff;
- not place volunteer staff in roles that were previously held by paid staff or have been identified as paid jobs;
- differentiate between paid and unpaid roles;
- define volunteer roles and develop clear job descriptions;
- provide appropriate levels of support and management for volunteer staff;
- provide volunteers with a copy of policies pertaining to volunteer staff;
- ensure volunteers are not required to take up additional work during Industrial disputes or paid staff shortage;
- provide all volunteers with information on grievance and disciplinary policies and procedures;
- acknowledge the rights of volunteer staff;

- ensure that the work of volunteer staff complements but does not undermine the work of paid staff;
- offer volunteer staff the opportunity for professional development;
- reimburse volunteer staff for out of pocket expenses incurred on behalf of the organisation;
- treat volunteer staff as valuable team members, and advise them of the opportunities to participate in agency decisions;
- acknowledge the contributions of volunteer staff.

SCOPE

This policy applies to all management, employees, Councillors and volunteers working on Shire activities or official Shire committees.

VOLUNTEER REGISTER

A register will be kept. Volunteers aged between 16 and 85 years are fully covered for personal accident insurance. If volunteers are outside this age group, contact will be made with Local Government Insurance Services to seek approval for insurance cover.

2.5 OHS Fitness for Work

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager		
Policy Origin:			
Statutory Environment:	<i>Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments AS/NZS 4360: 2004 – Risk Management</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To recognise that the Shire of Brookton 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.

SCOPE

The Shire of Brookton also recognises that this duty is incumbent on all employees. It extends to co-workers and individuals alike in order to prevent their safety and health from being jeopardised through an act or omission of an employee who is unfit for work.

For the purpose of meeting our duty of care, employees who attend work under the influence of, in possession of or found to be cultivating, selling or supplying drugs and / or alcohol, or being in any other way impaired for work, will not be tolerated by the Shire of Brookton. In order to ensure that this duty is fulfilled, the Shire of Brookton 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.

Staff who fail to follow this procedure will be appropriately counselled and depending on the severity of their actions, may be suspended without pay or dismissed instantly.

RESPONSIBILITIES

It is the responsibility of the direct supervisor or manager to detect if an employee is displaying signs of impaired work performance.

It is the responsibility of employees to ensure they do not attend work in a manner which will affect their work performance that could endanger work colleagues, members of the public or cause damage to Council equipment.

The Shire of Brookton 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 the affected employee.

All matters pertaining to Fitness for Work will be treated with the utmost confidentiality and any employee of the Shire of Brookton who is interested in receiving counselling services should seek approval from their Manager or Human Resource Manager.

Definitions

For the purpose of this policy and procedure, the abuse of alcohol and / or other drugs includes:

- 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.
- Use – eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.
- Misuse – inappropriate use of a substance on the Shire of Brookton premises 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 such as 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 and/or on the premises or property of the Shire of Brookton. 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 police station for an alcohol test. If the recorded alcohol level is deemed to be 0.05 and over, the

employee(s) 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.

If the recorded alcohol level is under 0.05, employees will be prohibited from operating machinery, plant or equipment until a 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 that employees make alternative arrangements to get home. The Shire of Brookton 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 Brookton. Being under the influence of, suffering adverse effects of, in possession of, or found to be cultivating, selling or supplying drugs or other substances whilst on the Shire of Brookton property or premises 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 Brookton).

Refusal to have a drug screen may result in instant dismissal.

If the drug screen proves positive results on the first offence, the employee will receive a written warning.

If an employee is found to give a positive result on the second offence, they will receive a second written warning. On the second offence, the employee must agree to be submitted for consequent drug testing (every fortnight or at random) for a two month period. The employee will be instantly dismissed if a subsequent test is undertaken with a positive result.

Any third offence will also result in instant dismissal.

Prescription and Other Medication

It is a requirement for employees to advise their supervisor of any adverse effects that may occur when taking medication, including the number of times at which the medication is taken per day. This information is to be recorded on their personnel file for reference in the event of an emergency. It is also necessary for the employer

to record any known allergic reactions to any medication an employee may have (i.e. 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. Due to this, this procedure will directly reflect the implications of fatigue through the following external triggers, but 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, personnel or members of the public.

It is Shire of Brookton policy to provide a safe place of work for its employees. It is an employee's responsibility to report to their supervisors any other work commitments or voluntary commitments outside of their employment with the Shire of Brookton. Depending on the circumstances, the Shire of Brookton may agree to come to a compromise with the employee to ensure there is a balance between regular hours worked at the Shire, sleep / rest and additional hours worked elsewhere (including paid and voluntary work). If this agreement is reneged 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 in the judgement of 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 Brookton 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, the Shire of Brookton has in place a confidential employee assistance program. The Shire of Brookton will offer a total of 3 counselling sessions. If further sessions are required, approval is to be granted by the Human Resources Manager.

If an EAP is offered as a result of a first offence and the employee declines the offer, they risk the consequence of instant dismissal on second offence.

Employees who have not failed to meet the guidelines for this procedure and feel an EAP would benefit them due to personal circumstances may utilise these services on ratification of the Human Resources 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 anyway contravened by an employee the following will result:

General Guidelines

Any employee who tests positive to an alcohol breath screen or urine screen will be stood down from their work and will not be permitted to resume work until such time as they have proven they are fit for work. Any person who is found to be significantly fatigued will also be stood down from work without pay until such time as they have proven they are fit for work.

First Offence:

- (i) The employee will be immediately suspended from duty without pay if found unfit to work.
- (ii) The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.
- (iii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (iv) The employee will be counselled by their supervisor that will focus on;
 - a. the unacceptability of the employee's behaviour
 - b. the risk that such behaviour creates for the safety of the individual and other employees or members of the public
 - c. the employee's responsibility to demonstrate that the problem is being effectively addressed;
 - d. that any future breach of the policy will result in second offence or instant dismissal.
- (v) 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 problem is the responsibility of the employee and cannot be made mandatory. However, refusal to accept counselling will result in instant dismissal on second offence. The Shire of Brookton will insist that the employee provides satisfactory evidence that the effect of work performance and/or safety has been addressed before they are permitted to return to work.

Second Offence:

- (i) The employee will be immediately suspended from duty without pay if found unfit for work.
- (ii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (iii) The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.
- (iv) The employee will be counselled by their supervisor that will focus on;
 - a. the unacceptability of the employee's behaviour
 - b. the risk that such behaviour creates for the safety of the individual and other employees or members of the public
 - c. the employee's responsibility to demonstrate that the problem is being effectively addressed;
 - d. that any future breach of the policy will result in instant dismissal.
- (v) Counselling will be offered, refer to *First Offence (v)*, if counselling was not used in the first offence.
- (vi) The employee will be instantly dismissed without notice if found to decline the offer to an EAP on second offence.
- (vii) The employee will be submitted [fortnightly or randomly] for alcohol and / or drug screening for the period of [two months] paid by the Shire of Brookton. If tests are confirmed positive, instant dismissal will follow. If the employee refuses to comply, instant dismissal will follow.

Third Offence:

- (i) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (ii) The employee will be immediately dismissed from duty without notice.

Instant Dismissal:

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

- (i) Any attempt to falsify the drug and alcohol screen.
- (ii) Cultivating, selling or supplying drugs and / or other substances.
- (iii) Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period.
- (iv) 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 for the supervisor(s) to:

- a) contact the employee's next of kin to arrange pick up.
- b) If next of kin is unable to be contacted or unable to take employee home, alternative transport must be arranged. The employee is to be advised that their vehicle must be collected that day.

REFERENCE

- Occupational Safety and Health Act 1984;
- Occupational Safety and Health Regulation 1996, and 2005 amendments;
- AS/NZS 4360: 2004 – Risk Management.

2.6 Discrimination, Harassment and Bullying Policy

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>Equal Employment Opportunity Act 1984, Sex Discrimination Act 1984, Occupational Safety and Health Act 1984</i>			
Council Adoption:	Date:	Apr 2016	Resolution #:	12.04.16.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The objective of this policy is to provide a definition and a framework of what constitutes discrimination, harassment or bullying in the workplace.

Policy:

The Shire of Brookton and its employees are committed to providing a working environment where every employee is treated equally, fairly and without prejudice. For the purposes of this policy the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Brookton in any capacity.

Unlawful Discrimination

An employee is directly discriminated against if they are treated less favourably than another person in the same or similar circumstance, because of any one of the grounds of discrimination outlined below.

The following is a non-exhaustive list of the grounds of discrimination for which it is unlawful to discriminate against an individual:

- Age;
- Family responsibility or status;
- Race or colour;
- Sex including gender identity, sexual orientation and intersex status;
- Physical or mental disability;
- Marital status;
- Political or religious conviction;
- Pregnancy;
- Criminal record;
- Breastfeeding;
- Gender history;
- Impairment;
- National extraction or social origin; and
- Trade union activity

Sexual Harassment

The *Equal Opportunity Act 1984 (WA)* and the *Sex Discrimination Act 1984 (Cth)* provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Some examples of sexual harassment include, but are not limited to:

- Physical contact (touching, rubbing, patting, embracing, brushing up against etc.);
- Gestures of a sexual nature;
- Leering or staring;
- Offensive telephone calls, emails, text messages or notes;
- Sexual suggestive jokes or comments;
- Tales of sexual exploits;
- Repeated requests for a date;
- Unwelcome comments or questions about a person's sex life, appearance or dress;
- Sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).

Bullying

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying is also unlawful under the *Occupational Safety and Health Act 1984 (WA)* and the *Occupational Safety and Health Regulations 1996 (WA)*.

Some examples of bullying include, but are not limited to:

- Loud, abusive or offensive language or comments;
- Yelling and screaming;
- Unjustified criticism and insults;
- Unjustified threats of dismissal or other disciplinary action;
- Acts of sabotaging another's work by withholding information which is required to fulfil tasks;
- Spreading malicious rumours or misinformation;
- Inappropriate comments about an employee's appearance, lifestyle or family;
- Deliberately excluding an employee from workplace meetings or activities;
- Hiding documents or equipment or withholding vital information required for effective work performance;

- Constantly changing targets or work guidelines;
- Overloading an employee with work and impossible deadlines;
- Setting tasks that are unreasonably below or beyond an employee's level of skill;
- Threats of assault or violence or actual violence;
- Teasing and practical jokes; and
- Isolating or ignoring an employee on a constant basis.

Where an employee makes a threat of violence or assaults another employee, the police should be called.

Reasonable Management Action

The Local Government has a right to take reasonable management action to direct the way in which work is conducted, and to give employees lawful and reasonable directions to complete work in a certain manner. Reasonable management action is not workplace bullying.

Some examples of reasonable management action include, but are not limited to:

- The establishment and regular use of performance management systems;
- The setting of reasonable performance targets and deadlines;
- Providing employees with constructive feedback or counselling to assist workers to improve their work performance or the standard of their behaviour;
- Issuing a lawful and reasonable direction to an employee to complete a work task;
- Preparing and amending a roster for employees;
- Transferring an employee to a different work location for operational reasons;
- Implementing organisational change;
- Informing an employee about inappropriate behaviour in a confidential manner; and
- Taking disciplinary action against an employee.

What are the Ways in which Bullying can Occur?

There are a variety of ways bullying behaviour can occur in the workplace such as verbally, through email or text message or via social media. Bullying can be directed at an individual employee or a group of employees, and can be carried out by one or more employees. Bullying can occur between employees, downwards from managers to employees or upwards from employees to supervisors or managers.

Roles & Responsibilities

To ensure the intent of this policy is realised, various roles within the Shire of Brookton must assume certain responsibilities.

The Employer

The Shire of Brookton will endeavour to:

- provide all workplace participants with a workplace free from discrimination, sexual harassment and bullying;
- provide and maintain safe systems of work;
- provide a fair and effective procedure to investigate and resolve complaints of sexual harassment, discrimination and bullying;
- treat all employees fairly; and
- take suitable disciplinary action against any employee who is found to have sexually harassed, discriminated, bullied or victimised another employee.

All the Organisation's Employees

Employees are required to:

- report any incidents of sexual harassment, discrimination or bullying they may see happening around them to an appropriate manager or supervisor;
- follow all policies and procedures of the Shire of Brookton;
- ensure they do not victimise any person making a complaint of sexual harassment, discrimination or bullying;
- treat all employees fairly and with respect.

Consequences of Breaching This Policy

Any breach of this policy, may result in disciplinary action up to and including termination of employment.

Variation to This Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

- Grievance Policy
- Grievance Procedure

2.7 Grievances, Investigations and Resolutions Policy

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Equal Employment Opportunity Act 1984, Sex Discrimination Act 1984, Occupational Safety and Health Act 1984</i>		
Council Adoption:	Date:	Apr 2016	Resolution #: 12.04.16.04
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

The objective of this policy is to provide a definition and a framework to investigate and resolve grievances that may arise in at the Shire of Brookton.

Policy:

All employees have a right to express any genuine grievances or complaints via an impartial internal process. All employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Brookton in any capacity.

Roles

Complainant – An employee who raises a complaint about a matter regarding the workplace.

Respondent – An employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.

Support Person – A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.

Witness – A person (including an employee) who is requested by the Local Government to assist the process by providing relevant information regarding the complaint.

What to do if you have a Complaint?

If an employee (Complainant) is the victim of behaviour of another employee (Respondent) which is inconsistent with the Local Government’s policies, procedures or guidelines (Policies), the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the complainant should contact their Manager directly. If the Complainant does not feel comfortable approaching the Respondent they should approach a Manager to assist to facilitate the informal discussion.

If the Respondent is the Chief Executive Officer the grievance can lodged with the Deputy Chief Executive Officer. Any grievance lodged against the Chief Executive Officer is to be dealt with by the Shire President under this policy.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their direct manager. If the direct manager is the Respondent in the matter or if the employee feels uncomfortable approaching their manager, the Complainant should approach any other Manager at the Shire of Brookton.

The employee who receives the complaint must contact the Respondents direct line manager (in the case of the Chief Executive officer that is the Shire President) and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

Key Principles in the Complaint Resolution Process

The following principles are necessary for the fair investigation and resolution of a complaint:

- Confidential – Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire of Brookton may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Information will only be placed on an employee's personal file if they are disciplined as a result of the complaint;
- Impartial (fair/unbiased) – Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until available and relevant information has been collected and considered;
- Sensitive – The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation;
- Timely – The Shire of Brookton aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;
- Documented – All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient;
- Natural Justice – The principles of natural justice provide that:
 - A Respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
 - A Respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
 - anyone involved in the investigation should be unbiased and declare any conflict of interest;
 - decisions must be based on objective considerations and substantiated facts; and

- the Complainant and the Respondent have the right to have a support person present at any meetings where practicable.
- Procedural Fairness – The principles of procedural fairness provide that:
 - the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
 - A Respondent is entitled to receive verbal or written communication from the Shire of Brookton of the potential consequences of given forms of conduct, as applicable to the situation;
 - The Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
 - Any mitigating circumstances presented to the Shire of Brookton through the grievance process are investigated and considered;
 - the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
 - any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and
 - All interviews of witnesses are conducted separately and confidentially.

Outcome of Making a Complaint

If a complaint is substantiated, there are a number of possible outcomes. If the complaint involves a performance issue, the manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the Disciplinary Policy.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the manager of the Respondent, in consultation with senior management, may elect to discipline the Respondent in accordance with the Disciplinary Policy.

Vexatious or Malicious Complaints

Where a Complainant has deliberately made a vexatious or malicious complaint that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

Victimisation of Complainant

A Complainant must not be victimised by the Respondent or any other employee of the Shire of Brookton for making a complaint. Anyone responsible for victimising a Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

Variation to This Policy

This policy may be cancelled or varied from time to time. All Shire of Brookton's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

Discrimination, Harassment, & Bullying Policy

Grievances, Investigations and Resolutions Procedure

Code of Conduct

2.8 Risk Management

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>Occupational Safety and Health Act 1984, and 2005 amendments</i> <i>Occupational Safety and Health Regulations 1996, and 2005 amendments</i> <i>AS/NZS 4360: 2004 Risk Management</i> <i>Local Government Audit Regulations - 17</i>			
Council Adoption:	Date:	Oct 2016	Resolution #:	13.06.08.04
Last Amended:	Date:	Oct 2016	Resolution #:	
Review Date:	May 2019			

Purpose:

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

Policy:

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

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

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

Every employee, elected member, volunteer and contractor within the Shire is recognised as having a role in risk management.

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

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

Risk: Effect of uncertainty on objectives.
Note 1: An effect is a deviation from the expected – positive or negative.
Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

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

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

Risk Management Objectives:

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

Risk Appetite:

- The Shire defined its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.
- All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment and approved by a member of the Senior Management Group.

Roles, Responsibilities & Accountabilities:

Council's role is to -

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Liaise with appointed External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

Monitor & Review:

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

This policy will be kept under review by the Shire's Senior Management Group and will be formally reviewed by Council biennially.

2.9 Access to Administration Records

Policy Owners:	Chief Executive Officer, Deputy CEO			
Policy Origin:				
Statutory Environment:	<i>State Records Act 2000 , Freedom of Information Act 1992</i>			
Council Adoption:	Date:	Apr 2009	Resolution #:	13.04.09.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To set clear guidelines for access and removal of Shire of Brookton records.

Policy:

Internal access to records

- Records must be available to all Elected Members, staff and contractors who require access to them for business purposes of the Shire of Brookton.
- Some records created by the Shire of Brookton will be of a sensitive or confidential nature and will require access to them to be restricted to one or more people.
- Right of access to each record will be determined by the security classification attached to the record.
- Confidential records will be restricted to those entitled to have access.

External access to records

Access to Shire of Brookton records by members of the public will be in accordance with the *Freedom of Information Act 1992*.

Accessibility

- Records will be stored in such a way that they can be identified and retrieved easily and quickly by Shire of Brookton staff and contractors.
- Records will be housed in locked cupboards or areas which are not accessible to the public or other unauthorised personnel.
- The location of the records must not impede retrieval requirements.

As a general rule no Shire of Brookton records should be removed from Shire of Brookton premises. However, it is sometimes necessary to remove files such as Building Applications and Permits. Where records are removed from Shire of Brookton premises, the loan to the individual concerned must be recorded and the care of the record is the responsibility of the person to whom the record has been loaned.

2.10 Complaints Handling

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Water Services Code of Conduct (Customer Service Standards) 2013</i>			
Council Adoption:	Date:	Mar 2014	Resolution #:	13.03.14.01
Last Amended:	Date:	Apr 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The Shire is committed to resolving complaints in a timely, fair and equitable manner.

It is important that customers are able to easily lodge a complaint and have the complaint considered by the relevant officer or department.

It is also important that if the customer is not satisfied with the outcome of the complaint that the matter is able to be referred to a higher level for consideration. The customer should be informed of their rights in this regard.

Complaints will be used to review and make positive changes to the Council's policies and procedures.

Policy:

This policy covers all aspects of the Shire's services, including waste water (sewerage) services, but does not relate to complaints that must be legally addressed in another manner such as the State Administrative Tribunal or under the Whistle-blowers Protection legislation.

Complaints will only be addressed if submitted to the Shire in writing (ie letter or email). Anonymous complaints are not considered under this policy.

It is intended that complaints are resolved within 15 business days from the date the complaint is received.

Procedure:

The complaints process is outlined in the following steps

1. Customers are encouraged to discuss their complaint with the officer of the department which is the subject of the complaint and to attempt to resolve the issue at this level.
2. If the complaint cannot be resolved at the first point of contact the matter will be reviewed by the Chief Executive Officer and the complainant will be advised of the outcome in writing.

3. The advice to the customer in step 2 will include the details of an independent party the matter can be referred to if the matter is still unresolved or the complainant is still not satisfied.
4. Once the matter has been completed the CEO will review the circumstances of the complaint and make any relevant changes to the Shire's operations to lessen the probability of further complaints.

Independent Parties:

If the matter cannot be resolved to the customer's satisfaction they have the right to refer the matter to one of the following independent parties.

For general complaints

The Ombudsman Western Australia <http://www.ombudsman.wa.gov.au/>

For water services complaints

The Energy and Water Ombudsman

<http://www.ombudsman.wa.gov.au/energyandwater/>

2.11 Koornong Residential Estate

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Nil</i>			
Council Adoption:	Date:	Dec 2016	Resolution #:	13.12.16.05
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Outcomes:

- To set the fees for sale for the residential estate remaining lots.
- To encourage sales.

Objective:

- To discourage speculation in land.
- To encourage development and activation of the estate and townsite.

Policy:

To encourage activation and also discourage speculation on the Council's Koornong (Avonbank) residential land subdivision, Council offers a \$5,000 retrospective and performance based cash rebate to any purchaser that meets the following mutually inclusive conditions;

- Paying the Council determined purchase price for the respective remaining lot(s) for sale at 'Koornong' (pursuant to Section 3.58(4)(c)(ii)) of the Local Government Act 1995 and as currently advertised) as follows:
 - Lot 102 - \$80,000
 - Lot 103 - \$80,000
 - Lot 105 - \$70,000 and;
- Producing a Builder's Certificate, giving notice of practical completion of a dwelling within 24 months of settlement of the sale of the property; and
- The CEO ensuring such conditions are explicitly contained within the contract of offer documentation relating to the sale.

Council is to review the Policy and the determined pricing for any remaining lots, on at least an annual basis.

2.12 Aged Care

Policy Owners:	Community Services Manager Deputy Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Strategic Community Plan 2013-23 Outcome 1.6 – Quality of Life for Aged & Disabled</i>			
Council Adoption:	Date:	Jul 2015	Resolution #:	13.07.15.01A
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Outcomes:

1. Aged care infrastructure and services enable residents to age in place. They no longer have to leave the Shire to access these services.
2. The physical and social environment are designed to support and enable older people to “age actively” that is, to live in security, enjoy good health and continue to participate fully in society.

Objective:

- The development of age friendly infrastructure;
- Quality universal designed housing;
- Enhanced delivery of home care services; and
- Residential facilities which include dementia and respite care

Scope:

The Brookton, Beverley, Pingelly (BBP) catchment areas.

Policy:

Age Friendly Communities;

The Shire will conduct Aged Friendly Audits, particularly to focus on elements not addressed in the Infrastructure & Services Audit.

Age appropriate housing;

The Shire will investigate appropriate housing models that can be delivered in a way that best meets the needs of the local housing market, are affordable and increase the ability for residents to receive home care services.

The Shire will support the trial of an alternative to Residential Aged Care called “Cluster Housing”.

Enhanced delivery of home care services;

The Shire will continue to support the BBP Aged Care Partnership in its endeavours to ensure our residents are able to access the full range of aged care and carer services.

Residential care including dementia and respite care;

The Shire will support the consolidation of Residential Aged Care into the Kalkarni Residency and plan for an expansion of the Kalkarni Residency to meet our current and future needs.

Transportation;

The Shire will support the investigation of a joint coordination and improvement approach to community transport for the BBP aged care area.

2.13 Liquidity Management Strategy – Aged Care

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Aged Care Act 1997</i> <i>Fees and Payments Principles 2014</i>			
Council Adoption:	Date:	Feb 2016	Resolution #:	12.02.16.05
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

The purpose of this policy is to ensure that the Shire of Brookton’s liquidity in its role as an Approved Provider under the *Aged Care Act 1997*, is correctly and effectively managed at all times in respect of accommodation bonds held on behalf of residents of the Kalkarni Aged Care Residential Facility.

Policy:

The Shire of Brookton (Shire) complies with the Liquidity Standard of the Accommodation Bond Prudential Requirements, and ensures there are adequate means of refunding resident entry contributions / accommodation bonds as they fall due.

The Shire of Brookton has engaged Baptistcare to operate the Kalkarni Aged Care Residential Facility (Facility). In order to effectively comply with appropriate management of the Facility, Baptistcare will manage the processes by which Accommodation Bonds are determined, collected, held and repaid.

Baptistcare has been instructed to comply with the Liquidity Management Policy as set out in this document.

A prudent buffer of funds is to be maintained in the event that larger than average amounts of Accommodation Bonds (and with effect from 1 July 2014, Refundable Accommodation Deposits “RADs”) must be refunded to residents.

1. Factors determining the minimum liquidity standard requirement:
 - Amounts refunded in accommodation bonds during the previous twelve months
 - Amounts received in new accommodation bonds during the previous twelve months
 - Impact of any change in certification status
 - Capital expenditure likely to impact on overall liquidity
 - Significant changes to operational services or profile of residents, and cash flow impacts thereof
 - Legislative requirements
 - The timing difference between the requirement to fund a bond within fourteen days, and a new resident having up to 28 days to pay their RAD.

2. Forms in which the minimum liquidity standard will be maintained:
 - Investments maturing up to 3 months with any bank or approved deposit taking institution as allowed under the Investment Management Strategy (Policy 2.17).

3. Maintaining the minimum liquidity standard:
 - Baptistcare will formally notify annually the Shire of the amount required to maintain the liquidity standard and whenever there is a material variation thereof.
 - Baptistcare will notify the Shire within 7 business days at the end of each month of the bond register details, deposit amounts and their terms of investment and any movements of the bond amounts.

2.14 Investment Management Strategy – Aged Care

Policy Owners:	Chief Executive Officer, Deputy CEO		
Policy Origin:			
Statutory Environment:	<i>Aged Care Act 1997</i> <i>Fees and Payments Principles 2014</i> <i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

The investments objective of the Shire of Brookton, in its role as an Approved Provider under the *Aged Care Act 1997*, is to manage the accommodation bonds held on behalf of residents of the Kalkarni Aged Care Residential Facility.

In order to maximize return within agreed risk parameters and legislative frame work the Shire of Brookton (Shire) has engaged Baptistcare to operate the Kalkarni Aged Care Residential Facility (Facility).

To effectively comply with appropriate management of the Facility, Baptistcare will manage the processes by which Accommodation Bonds are determined, collected, held and repaid.

Baptistcare has been instructed to comply with the Investment Management Strategy as set out in this document.

In achieving this, the following will be considered:

- a) adequate level of diversification to spread risk;
- b) ready access to funds for day to day requirements;
- c) high level of security by using recognized assessment criteria;
- d) adherence to the requirements of Division 9 of the *Aged Care Act 1997* and Section 18(1) of the *Trustees Act 1962 (as amended)* (the “Prudent Person” rule).
- e) adhere to Part 5 – Prudential Standards of the Fees and Payments Principles 2014 (No. 2).

Procedure:

Risk Profile

When exercising the power of investment the following are to be given consideration:

- a) the purpose of the investment and the needs and circumstances;
- b) the nature of and risk associated with existing investments;
- c) the likely income return and the timing of such income return;

- d) the desirability of diversifying investments;
- e) the risk of capital or income loss or depreciation;
- f) the costs (including commissions, fees and charges) of making the proposed investment; and
- g) the length of the proposed investment.

Delegation of Authority

Authority for implementation of the Investment Strategy is delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act 1995*.

Approved Investments

That accommodation bonds may be placed in any of the following authorized deposit taking institutions (ADIs), being licensed banks as defined under the *Banking Act 1959* for a period not exceeding 90 days:

- a) Western Australian Treasury Corporation
- b) Australian and New Zealand Banking Group
- c) National Australian Bank
- d) Westpac
- e) Bank West
- f) Commonwealth Bank
- g) Citibank
- h) St George Bank Ltd
- i) Bendigo Bank
- j) HSBC Bank Australia
- k) ING Bank Australia Limited
- l) Suncorp Bank
- m) Bank of Queensland
- n) Rabobank

Prohibited Investments

In accordance with regulation 20 of the *Local Government (Financial Management) Regulations 1996* the Shire of Brookton will not do any of the following:

- Deposit with an institution except an authorised institution (as defined in section 5 of the *Bank Act 1959*);
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- Invest in a foreign currency.

This investment strategy prohibits any investment carried out for speculative purposes including:

- Derivative based investments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

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

Authorized Counterparties and Exposure Limits

Counterparty Details	Minimum Standard & Poor's Rating	Maximum Exposure as a % of total Investment Portfolio
11.1 All banks within the meaning of the <i>Banking Act 1959</i> . Note: At all times a minimum of 50% of total investments must remain with a Bank	A-1 (short) AA (long)	100%
11.2 Managed (Cash/Treasury) Funds (Unit Trusts) with an average duration of less than 1 year	Aam AAf	50%
11.3 Managed (Cash/Treasury) Funds (Unit Trusts) with an average duration of less than 3 years	AAf	30%
11.4 Managed (Fixed Interest) Funds Note: An overall limit of 50% applies to items – i.e. A mix is acceptable but combined exposure must remain within 50% of total investment portfolio	AAf	20%
11.5 Commonwealth Government (Max term 3 years)	A-1 AA	< 1 year 50% > 1 year 20%
11.6 State Government (Max Term 3 years)	A-1 AA	< 1 year 50% > 1 year 20%

Reporting and Review

A monthly report will be provided to the Shire by Baptistcare. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

This Investment Strategy will be reviewed at least once a year or as required in the event of legislative changes.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

2.15 Contiguous Rating – Shire Boundary Properties

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To recognise parcels of land located on the Shire's boundary adjoining other parcels of land in neighbouring shires as contiguous for the purposes of assessing rates.

Policy:

It is Council Policy to support the contiguous rating of land zoned "Farmland" only where the land is situated in a contiguous position to all other land and the land is in the same ownership, including when the property crosses a shire boundary.

The Shire of Brookton relies on Landgate to determine whether parcels of land that are within the Shire's boundary should be contiguously valued as one holding. Landgate uses set valuation principles and court precedent as the basis for determining the validity of claims relating to contiguously valued properties.

For example: a farming property comprising a number of lots/locations all in common ownership and being used as one large holding will normally receive a single value.

The Shire of Brookton recognises that there may be parcels of land located on the Shire's boundary that adjoin other parcels of land in neighbouring shires that are not considered by Landgate because they are separated by shire boundaries. Council considers that the owners of properties that would otherwise be assessed as being contiguous in nature, if they happened to be contained within the one shire, should be given the opportunity to apply for a concession on their rates within the Shire of Brookton.

The owners of properties that fit the below criteria must apply for a concession from Council each and every year that they wish to have their properties assessed. A detailed application form will be provided for this purpose, on the request of the property owner.

The property owner must be able to prove that all relevant parcels of land meet all of the following requirements:

- Contiguous (touching) with contiguously rated properties in neighbouring shire(s);
- All properties are held in the same ownership; and
- All properties are used for the same purpose.
- The property in the Brookton Shire must be rated at the minimum rate.

The property owner must provide the following documentation for assessment:

- Completed Shire of Brookton Rates Concession Application Form;
- Copy of relevant Shire of Brookton rates notice(s) (current year); and
- Copy of relevant adjoining shire rates notice(s) (current year).

The property owner will be required to pay the whole of the current year rates relating to the relevant Brookton property prior to a concession being awarded.

The concession will be calculated by deducting the amount that would otherwise be payable on the relevant property if it were contiguously rated by the relevant neighbouring shire from the amount that has been assessed/paid in the current year with the Shire of Brookton.

All other regular claims for contiguously valued properties held within the Brookton Shire boundary should be directly with the Shire of Brookton and will be assessed with the assistance of Landgate.

2.16 Significant Accounting Policies

Policy Owners:	Chief Executive Officer, Deputy CEO		
Policy Origin:			
Statutory Environment:	<i>Local Government (Financial Management) Regulations 1996</i> <i>Australian Accounting Standards</i>		
Council Adoption:	Date:		Resolution #: 10.02.11.01
Last Amended:	Date: Sep 2016		Resolution #: 12.09.16.02
Review Date:	May 2019		

The significant accounting policies which have been adopted in the preparation of this financial reports are:

a) Basis of Preparation

The financial report comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this financial report are presented below and have been consistently applied unless stated otherwise.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 20. to these financial statements.

b) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

c) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

d) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for

doubtful debts is raised when there is objective evidence that they will not be collectible.

e) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Sale

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Sale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development.

Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

f) Fixed Assets

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

Mandatory Requirement to Revalue Non-Current Assets

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

The amendments allow for a phasing in of fair value in relation to fixed assets over three years as follows:

- (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
- (b) for the financial year ending on 30 May 2016, the fair value of all of the assets of the local government -
 - (i) that are plant and equipment; and
 - (ii) that are -
 - (I) land and buildings; or-
 - (II) Infrastructure;
- (c) for a financial year ending on or after 30 May 2016, the fair value of all of the assets of the local government.

Thereafter, in accordance with the regulations, each asset class must be revalued at least every 3 years.

In 2013, Council commenced the process of adopting Fair Value in accordance with the Regulations.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the financial report as necessary.

Land Under Control

In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or Regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

Whilst they were initially recorded at cost, fair value at the date of acquisition was deemed cost as per AASB 116.

Consequently, these assets were initially recognised at cost but revalued along with other items of Land and Buildings at 30 May 2016.

Initial Recognition and Measurement between Mandatory Revaluation Dates

All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

Revaluation

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Transitional Arrangements

During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.

Those assets carried at cost will be carried in accordance with the policy detailed in the **Initial Recognition** section as detailed above.

Those assets carried at fair value will be carried in accordance with the **Revaluation Methodology** section as detailed above.

Early Adoption of AASB 13 - Fair Value Measurement

Whilst the new accounting standard in relation to Fair Value, AASB 13 – Fair Value Measurement only become applicable for the year ended 30 May 2016 (in relation to Council), given the legislative need to commence using Fair Value methodology in the previous reporting period (year ended 30 June 2013) the Council chose to early adopt AASB 13 (as allowed for in the standard).

As a consequence, the principles embodied in AASB 13 - Fair Value Measurement have been applied to the previous reporting period (year ended 30 June 2013).

Land Under Roads

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

Depreciation

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 and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

- a) Restated 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
- b) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

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

Buildings	5 to 50 years	30 to 50 years
Furniture and Equipment	4 to 10 years	4 to 10 years
Plant and Equipment	2 to 60 years	5 to 15 years
Infrastructure Parks & Gardens	30 to 50 years	

Sealed Roads and Streets

Formation & Subgrade pavement	not depreciated 15 to 100 years	not depreciated 50 years
Seal		
- bituminous seals	Reclassified as Surface	20 years
- asphalt surfaces	Reclassified as Surface	25 years
Surface	15 to 25 years	
Surface Water Channel	5 to 100 years	

Gravel Roads

Formation & Subgrade	Not depreciated	
Pavement	15 to 100 years	50 years

Formed Roads (unsealed)

Formation / subgrade	not depreciated	not depreciated
Pavement	15 to 100 years	50 years
Footpaths – slab	40 to 100 years	20 years
Sewerage piping	1 to 100 years	100 years
Water supply piping & drainage systems	50 to 75 years	75 years
Storm Water Drainage	50 to 100 years	
Bridges	10 to 50 years	

f) Fixed Assets (Continued)

Depreciation (Continued)

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

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

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

When revalued assets are disposed of, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Capitalisation Threshold

Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.

f) Fair Value of Assets and Liabilities

When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:

Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

Fair Value Hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3

Measurements based on unobservable inputs for the asset or liability.

g) Fair Value of Assets and Liabilities (Continued)

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques

The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:

Income approach

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach

Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.

h) Financial Instruments

Initial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or at cost.

Amortised cost is calculated as:

- (a) the amount in which the financial asset or financial liability is measured at initial recognition;
- (b) less principal repayments and any reduction for impairment; and
- (c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.

h) Financial Instruments (Continued)

Classification and Subsequent Measurement (Continued)

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

(i) Financial assets at fair value through profit and loss

Financial assets are classified at “fair value through profit or loss” when they are held for trading for the purpose of short-term profit taking. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss. Assets in this category are classified as current assets.

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in non-current assets, where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

(iv) Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available-for-sale financial assets are classified as non-current.

(v) Financial liabilities

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

h) Financial Instruments (Continued)

Impairment

A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a “loss event”) having occurred, which will have an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

Derecognition

Financial assets are derecognised where the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or

liabilities assumed, is recognised in profit or loss.

i) Impairment of Assets

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other standard.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

j) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

k) Employee Benefits

Short-Term Employee Benefits

Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave

and long service leave entitlements are recognised as provisions in the statement of financial position.

Other Long-Term Employee Benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any measurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

l) Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

m) Provisions

Provisions are recognised when the Council has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

n) Leases

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the Council, are classified as finance leases.

Finance leases are capitalised recording an asset and a liability at the lower amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

Lease incentives under operating leases are recognised as a liability and amortised on a straight line basis over the life of the lease term.

o) Investment in Associates

An associate is an entity over which the Council has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Council's share of net assets of the associate. In addition, the Council's share of the profit or loss of the associate is included in the Council's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the Council's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the Council and the associate are eliminated to the extent of the Council's interest in the associate.

When the Council's share of losses in an associate equals or exceeds its interest in the associate, the Council discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the

associate. When the associate subsequently makes profits, the Council will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

p) Interests in Joint Arrangements

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method. Refer to note 1(o) for a description of the equity method of accounting.

Joint venture operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The Council's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements. Information about the joint ventures is set out in Note 17.

q) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to 'those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government's operations for the current reporting period.

r) Superannuation

The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

s) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled

within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.

t) Rounding Off Figures

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

u) Comparative Figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Council applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

v) Budget Comparative Figures

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

w) New Accounting Standards and Interpretations for Application in Future Periods

The AASB has issued a number of new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods, some of which are relevant to the Council.

Management's assessment of the new and amended pronouncements that are relevant to the Council, applicable to future reporting periods and which have not yet been adopted are set out as follows:

Title	Issued / Compiled	Applicable (1)	Impact
(i) AASB 9 – Financial Instruments	December 2013	1 January 2018	Nil – The objective of this Standard is to improve and simplify the approach for classification and measurement of financial assets compared with the requirements of AASB 139. Given the nature of the financial assets of the Council, it is not anticipated the standard will have any material effect.
(ii) (iii) AASB 2010 -7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19 & 127]	December 2013	1 January 2018	Nil - The revisions embodied in this standard give effect to the consequential changes arising from the issuance of AASB 9 which is not anticipated to have any material effect on the Council (refer (i) above).

w) New Accounting Standards and Interpretations for Application in Future Periods (Continued)

Title	Issued / Compiled	Applicable (1)	Impact
<p>(iii) AASB 2011 - 7 Amendments to Australian Accounting Standards arising from the Consolidation and Joint Arrangement Standards [Not-For-Profit entities]</p> <p>[AASB 1, 3, 5, 7, 9, 2009-11, 101, 107, 112, 118, 121, 124, 131, 132, 133, 138, 139, 1023 & 1038 and Interpretations 5, 9, 16 & 17]</p>	December 2012	1 January 2014	<p>Consequential changes to various standards arising from the issuance of AASB 10, 11, 12, 127 and 128.</p> <p>It is not expected to have a significant impact on Council.</p>
<p>(iv) AASB 2012-3: Amendments to Australian Accounting Standards - Offsetting Financial Assets and Financial Liabilities</p> <p>[AASB 132]136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19 & 127]</p>	June 2012	1 January 2014	<p>This Standard adds application guidance to AASB 132: Financial Instruments: Presentation to address potential inconsistencies identified in applying some of the offsetting criteria of AASB 132, including clarifying the meaning of “currently has a legally enforceable right of set-off” and that some gross settlement systems may be considered equivalent to net settlement.</p> <p>This Standard is not expected to significantly impact the Council’s financial statements.</p>

w) New Accounting Standards and Interpretations for Application in Future Periods (Continued)

Title	Issued / Compiled	Applicable (1)	Impact
(v) AASB 2013 - 3: Amendments to AASB 136 - Recoverable Amount Disclosures for Non-Financial Assets	June 2013	1 January 2014	1 January 2014
(vi) AASB 2013-8: Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for-Profit Entities – Control and Structured Entities [AASB 10, 12 & 1049]	October 2013	1 January 2014	This standard adds Appendix E to AASB 10 to provide implementation guidance for Not-for-Profit entities regarding control criteria from the perspective of not-for-profit entities. It is not expected to have a significant impact on Council.
(vii) AASB 2013-9: Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments [Operative dates: Part A Conceptual Framework – 20 December 2013; Part B Materiality – 1 January 2014; Part C Financial Instruments – 1	December 2013	Refer Title column	Part A of this standard makes various editorial corrections to Australian Accounting Standards. Part B of this standard deletes references to AASB 1031 in various Australian Accounting Standards in advance of the withdrawal of AASB 1031. Part C of this standard makes consequential amendments to AASB 9 and numerous other standards and amends the permissions around

January 2015]
Notes: (1) Applicable to reporting periods commencing on or after the given date.

certain applications relating to financial liabilities reissued at fair value.

As the bulk of changes related either to editorial or reference changes it is not expected to have a significant impact on Council.

x) Adoption of New and Revised Accounting Standards

During the current year, the Council adopted all of the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory and which were applicable to its operations.

These new and revised standards were:

AASB 10	AASB 128	AASB 2012 - 2
AASB 11	AASB 2011 - 7	AASB 2012 - 3
AASB 12	AASB 2011 - 9	AASB 2012 - 5
AASB 119	AASB 2011 - 10	AASB 2012 - 10
AASB 127		

Most of the standards adopted had a minimal effect on the accounting and reporting practices of the Council as they did not have a significant impact on the accounting or reporting practices or were either not applicable, largely editorial in nature, were revisions to help ensure consistency with presentation, recognition and measurement criteria of IFRSs or related to topics not relevant to operations.

2.17 Salary Sacrificing

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

Salary packaging enables employees to receive fringe benefits in lieu of part of their salary or wage.

The tax cost associated with certain fringe benefits may be lower than the tax on their pay, which can result in financial benefits to the employee, particularly if the goods are exempt from FBT.

The Shire of Brookton supports employees making purchases for goods, through the employer, that are 'otherwise deductible' from the Taxation Office and or exempt from FBT. Examples of purchases that would be deemed eligible include Laptop computers, briefcases and vehicles under certain circumstances.

Procedure:

How it works is that the employee identifies the item they wish to purchase and seeks authority from the Deputy CEO to purchase the relevant item (it must comply with certain taxation rules however). The employer provides a form to employee confirming that they authorise the employer to deduct from their pay the equivalent amount (less GST) from their next pay (or over an agreed number of pays) until the value of the purchase has been 'sacrificed' by the employee. Once the value has been reached, the employer then purchases the item and provides the item to the employee for their use and ownership.

Reimbursements to Council for eligible salary sacrifice items must be paid by the employee at the same time of receiving the benefit or in advance of the purchase by the Council. Retrospective or Council financed purchases will not be authorised. To make salary sacrifice arrangements employees must complete the appropriate form (available from Council's Finance Officer) and be signed by the Deputy CEO or CEO prior to the purchase or 'sacrifice' taking place.

Guidelines relating to vehicle purchases made under a salary sacrifice arrangements include the following;

That with respect to the purchasing of light fleet vehicles and the provision of private staff use of certain vehicles, Council:

1. Endorse the current Human Resources Policy “Remuneration Packaging” and continue to allow for the salary packaging of vehicles upon request from an employee and subject to the discretion of the Chief Executive Officer, within the following guidelines;
 - a) Vehicles predominately required for operational reasons are not eligible (eg. Works vehicles);
 - b) Vehicles that are provided under a novated lease and/or “cashed out” from an existing employer provided vehicle to an employee with unrestricted private use;
 - (i) must be utilised by the employee for work purposes and that employee is not able to utilise “pool” vehicles for work or private purposes;
 - (ii) may be hired by the employer for other employee or Councillor work requirements at the discretion of the owner of the vehicle (every attempt must be made to utilise a non novate lease vehicle in the first instance) and if so hired, may be charged at the prevailing rate provided for in the Local Government Industry Award 2010 (\$0.76 cents per kilometre at 2016);
 - (iii) in the event of damage incurred to the vehicle by the hirer in part ii (above), the Council will meet the cost of any damage or insurance excess to a maximum of \$500;
 - (iv) should not result in the Council nor the employee being disadvantaged.

2.18 Use of Corporate Credit Cards

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government (Financial Management) Regulations 1996 – Regulations 5 (1)(e) & 11 (1)(a)</i>			
Council Adoption:	Date:	Jun 2009	Resolution #:	12.06.09.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

This policy is designed to provide clear direction on the use of corporate credit cards.

Policy:

The Shire of Brookton, in order to enhance daily purchasing processes and reduce administrative costs, will authorise the issue, by its preferred financial services provider, of corporate credit cards with a maximum credit limit of \$10,000, under delegated authority of the Chief Executive Officer.

- The Chief Executive Officer is authorised to use a Council provided Corporate Credit Card for Council approved expenditure within a credit limit of \$5,000 monthly as approved by Council.
- The Deputy Chief Executive Officer is authorised to use Council provided Corporate Credit Card for Council approved expenditure within a credit limit of \$3,000 monthly as approved by Council and the Chief Executive Officer.

The use of Council's Corporate Credit Cards is subject to the following:

- The corporate credit card is only to be used for the purchase of goods and services on behalf of the Shire of Brookton such as, but not limited to, accommodation, meals, travel, fuel, conference/seminar fees, and subscription to professional memberships, journals, publications where the use of a purchase order is impractical or not possible.
- The corporate credit card shall not be used for cash advances.
- The corporate credit card shall not be used for expenditure on personal items or services.
- The corporate credit card shall not be tied to any type of personal benefit or reward.
- If the corporate credit card is lost, stolen and/or damaged it shall be reported to the Chief Executive Officer or Deputy Chief Executive Officer immediately.

The following are the approved methods of processing transactions subject to the cardholder, on each occasion, maintaining a documented record of such transactions:

- Across the counter (the cardholder signs a purchase order at the time of purchase).

- By telephone (the transaction is completed by quoting corporate card details to the supplier).
- By mail, quoting card details on orders to suppliers.
- By internet (the transaction is completed by quoting credit card details to the supplier).
- Signed letter/memo of authorisation by the Chief Executive Officer for non-card holder use.

It is the responsibility of the cardholder to retain purchase/expenditure documentation, tax invoices and reconcile with credit card statements at the end of the each month.

The Officer (cardholder) must sign the credit card statement in the space provided to validate the transactions shown on the statement. The Chief Executive Officer/Deputy Chief Executive Officer is to sign off on the summary of transactions as further verification and validation.

Any disputed amounts on the credit card statement must immediately be brought to the attention of the Creditors Officer.

Termination of Employment

The corporate credit card will be cancelled immediately upon the termination of employment of the Officer (cardholder). The Officer remains responsible for providing details of any expenditure included on the corporate credit card statement up to and including their final day of employment.

Cardholder Acknowledgement

The Officer (cardholder) must sign a “letter of acknowledgement and declaration” acknowledging their responsibilities to comply with the Shire of Brookton’s policy when using the corporate credit card.

2.19 Financials Reserves Policy

Policy Owners:	Chief Executive Officer, Deputy Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995 and Local Government (Financial Management) Regulations 1996</i>			
Council Adoption:	Date:	Feb 2017	Resolution #:	12.02.17.04
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The objective of the Financial Reserves Policy is to provide a framework for the establishment and ongoing management of Financial Reserves.

Policy:

The Shire has established a number of Reserves for the purpose of setting aside funds for specific purposes with clear linkages to the adopted strategies and plans of the Shire.

Reserves may be utilised only for the purpose for which they were created. As part of the ongoing management of the Financial Reserves, each Reserve will be reviewed on an annual basis as part of Budget preparation to ensure that the purpose of the Reserve is still current and maintains clear linkages with the adopted strategies and plans of the Shire.

The *Local Government Act 1995* and Regulations prescribe the necessary steps should the Shire seek to change the purpose of a Reserve or expend Reserve funds for an alternative purpose.

Reserves may be externally restricted (external funding requirement to restrict funds in a Reserve) or internally restricted (Shire funds).

Officers will ensure that all interest earnings from Reserve fund investments will be budgeted to be applied to the relevant Reserve fund, and then if so budgeted, transferred at least once per annum.

Officers will ensure that all proposed transfers to Reserves, established by the annual depreciation (where applicable) and or calculation basis and aspirational targets determined below, will be considered for inclusion in each draft Budget (draft 1).

As a general rule, all transfers to and or from the Reserves will be debited and credited as necessary and not reflect a net transfer. In other words – both the credit (to the Reserve – for example the deemed depreciation amount) and the debit (draw from the Reserve – for example to reimburse the Municipal Fund acquisition) will be journalled, to reflect the principles detailed within the Policy.

Prior to the creation of a Reserve, Council shall adopt operating parameters in relation to the Reserve which set out:

- The purpose of the Reserve;
- The basis of calculation for any transfer to and / or from the Reserve; and
- The proposed allocation of any unexpended balance remaining in the Reserve following completion of any particular project.

Reserve funds may only be expended by an absolute majority resolution of Council, typically encompassed by the adoption of the Budget or subsequent Budget Reviews.

Each month the financial report presented to Council is to include a schedule of Reserves, showing:

- Opening Balance at 1 July;
- Budgeted and Actual Transfers to Reserves;
- Budgeted and Actual Transfers from Reserves;
- Budgeted (Estimated) Closing Balance at 30 June; and
- Current Balance.

Current (2017/18) Financial Reserves of the Shire of Brookton

Reserve Name	Purpose	Calculation Basis	Aspirational Target Balance
<i>(a) Staff Housing Reserve</i>	<i>To fund the acquisition, renewal, upgrading or construction of Staff Housing to meet present and future workforce requirements of the Council.</i>	<i>Transfers to and from the Reserve will be based upon the Housing Development Strategy amended from time to time and include the transfer to the Reserve of all Staff Housing sales (after expenses) and will attempt to transfer a minimum of 2.5% of the capital value (being the estimated annual depreciation).</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(b) Plant and Vehicle Reserve</i>	<i>To fund the purchase of motor vehicles, plant or equipment as approved in the Plant Replacement Program and that are licensed.</i>	<i>Council will attempt to transfer to and from the Reserve based on the adopted 10 Year Plant and Vehicle Replacement Program and include</i>	<i>Sufficient to achieve the cyclical needs of the 10 Year Plant and Vehicle Replacement Program.</i>

		<i>the transfer to the Reserve of 100% of the estimated annual depreciation and Transfers from the Reserve of the new acquisitions after trade, if any.</i>	
<i>(c) Furniture and Equipment Reserve</i>	<i>To fund the replacement of major items of furniture and equipment, including ICT.</i>	<i>Council will attempt to transfer to and from the Reserve based on the Furniture & Equipment Replacement Program and include the transfer to the Reserve of 100% of the estimated annual depreciation and Transfers from the Reserve of the new acquisitions after trade, if any.</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i> <i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(d) Municipal Buildings Reserve</i>	<i>To fund the acquisition, renewal, upgrading or construction of Shire owned buildings and facilities</i>	<i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings).</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i> <i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(e) Land Redevelopment Reserve</i>	<i>To fund land for the purposes of future development.</i>	<i>Council will attempt to transfer to and from the Reserve based upon identified strategic acquisitions and development needs.</i>	<i>To be identified as required.</i>
<i>(f) Townscape and Footpath Reserve</i>	<i>To fund the construction of major townscape works and or upgrade of footpaths.</i>	<i>Council will attempt to transfer to and from the Reserve based upon identified strategic needs.</i>	<i>To be identified as required.</i>

<p><i>(g) Road and Bridges Infrastructure Reserve</i></p>	<p><i>To fund the construction of roads and bridges within the Shire.</i></p>	<p><i>Council will attempt to transfer to the Reserve based upon the estimated annual depreciation. Transfers from the Reserve will be to support matching road grants and / or to meet preservation and / or enhancement needs.</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>
<p><i>(h) Community Bus Reserve</i></p>	<p><i>To fund the ongoing replacement of the Brookton Community Bus.</i></p>	<p><i>Council will attempt to transfer to and from the Reserve based on the adopted 10 Year Plant and Vehicle Replacement Program and include the transfer to the Reserve of 100% of the estimated annual depreciation and Transfers from the Reserve of the new acquisitions after trade, if any.</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>
<p><i>(i) Sewerage Scheme Reserve</i></p>	<p><i>To fund the expansion, ongoing renewal, maintenance and asset management needs of the Brookton Sewerage Scheme.</i></p>	<p><i>Transfers to and from the Reserve will be based upon the principle of the Scheme being self-funding, with transfers to the Reserve based on the estimated average annual depreciation relating to the existing infrastructure and transfers from the Reserve being made to fund necessary expenditure to maintain or service the Scheme.</i></p> <p><i>If there is a surplus of</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>

		<p><i>income over expenditure (inclusive of any administration allocation and depreciation) in any given year, the Council, as asset owner / operator, is entitled to draw a maximum of 3% Return on Investment (ROI) per annum (of the Asset Value of the Scheme) out of any such surplus, before the net transfer to the Reserve is calculated. The Council is not entitled to claim a ROI in the event that the Scheme in any year makes a loss, unless the Council has achieved a balance of the reserve equating to an Asset Sustainability Ratio of at least 90% (relating to the Scheme).</i></p>	
<p><i>(j) Health & Aged Care Reserve</i></p>	<p><i>To fund the development and or refurbishment of the and Kalkarni Residency.</i></p>	<p><i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings).</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>
<p><i>(k) Sport and Recreation Reserve</i></p>	<p><i>To fund new, renewal, upgrades, or major maintenance of sporting and recreation</i></p>	<p><i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset</i></p>

	<i>infrastructure.</i>	<i>annual depreciation relating to the existing buildings).</i>	<i>Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(l) Rehabilitation Refuse & Gravel Reserve</i>	<i>To fund the rehabilitation or major upgrades of the Brookton Refuse Site and or to rehabilitate former Gravel Pits.</i>	<i>Transfers to the Reserve will be based the whole of life management of the Refuse Site and the Rehabilitation Plans for the Site.</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(m) Saddleback Building Reserve</i>	<i>To fund renewal, upgrades or major maintenance of the Saddleback Medical Centre.</i>	<i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings and infrastructure).</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(n) Caravan Park Reserve</i>	<i>To fund renewal, upgrades or major maintenance of the Brookton Caravan Park.</i>	<i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings and infrastructure). The ultimate aim of this Reserve is that it to be self-funding from income after meeting operational and renewal expenses.</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(o) Brookton</i>	<i>To fund renewal,</i>	<i>Council will attempt to</i>	<i>Sufficient to ensure</i>

<p>Museum/Heritage Reserve</p>	<p><i>upgrades or major maintenance of the Brookton Museum.</i></p>	<p><i>transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings and infrastructure).</i></p>	<p><i>adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>
<p><i>(p) Kweda Hall Reserve</i></p>	<p><i>To fund renewal, upgrades or major maintenance of the Kweda Hall.</i></p>	<p><i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings). Transfers from the Reserve will be used to reimburse matching capital expenditure incurred from the Municipal Fund, spent on the Hall in conjunction with the Community.</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i></p>
<p><i>(q) Aldersyde Hall Reserve – Not a Shire Building</i></p>	<p><i>To assist in funding renewal, upgrades or major maintenance of the Aldersyde Hall.</i></p>	<p><i>This Reserve shall be preserved to the extent of being made available as <u>contribution</u> funding to the Aldersyde Hall Committee for restoration and improvement works to the building.</i></p>	<p><i>There is to be no further allocation to this reserve upon expenditure of current funds.</i></p>
<p><i>(r) Railway Station Reserve</i></p>	<p><i>To fund renewal, upgrades or major maintenance of the Railway Station and or Platform.</i></p>	<p><i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing buildings).</i></p>	<p><i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i></p> <p><i>Target: To facilitate, on average, the attainment of a 100%</i></p>

			<i>Asset Sustainability Ratio every year.</i>
<i>(s) Maddison Square Units Reserve</i>	<i>To fund renewal, upgrades or major maintenance of the Joint Venture Housing Units (4) and Business Employee Units (2).</i>	<i>Council will attempt to transfer a minimum of 2.5% % of the capital value (being the estimated average annual depreciation relating to the existing buildings).</i> <i>Nb: Compliance with the Department of Housing Joint Venture Agreement with respect to retention monies in a dedicated reserve is required.</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i> <i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(t) Cemetery Reserve</i>	<i>To fund renewal, upgrades or major maintenance of the Brookton Cemetery.</i>	<i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the existing structures, roadways, and infrastructure).</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i> <i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(u) Water Harvesting Reserve</i>	<i>To fund renewal, upgrades or major maintenance of the water harvesting scheme infrastructure.</i>	<i>Council will attempt to transfer a minimum of 2.5% of the capital value (being the estimated average annual depreciation relating to the structures, pipes, buildings, plant and equipment).</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset Management Plans.</i> <i>Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(v) Aquatic Centre Reserve</i>	<i>To fund renewal, replacement, upgrades or major maintenance of the Brookton Aquatic</i>	<i>Council will attempt to transfer a minimum of 3.33% of the capital value (being the estimated average</i>	<i>Sufficient to ensure adequate funding of annual renewal requirements set out in Council's Asset</i>

	<i>Centre.</i>	<i>annual depreciation relating to the structures, buildings, plant and equipment).</i>	<i>Management Plans. Target: To facilitate, on average, the attainment of a 100% Asset Sustainability Ratio every year.</i>
<i>(w) Employee Statutory Entitlements Reserve</i>	<i>To fund the statutory obligations and liability of the employer in relation to employees annual leave and or long service leave entitlements.</i>	<i>Transfers to and from the Reserve will be based upon projected end of year non-current liabilities relating to employee leave entitlements.</i>	<i>100% of non-current employee leave liabilities as reported in the Council's Annual Financial Statements (the Provisions Note).</i>
<i>(x) Developer Contributions</i>	<i>To hold contributions applied to a development via a Development Application or Subdivision Approval pending determination by Council of its application to the specific works. Nb: Public Open Space (POS) contributions are to be retained in the Trust Fund of the Council.</i>	<i>As applied in accordance with the Local Planning Scheme and Town Planning Regulations.</i>	<i>Not applicable.</i>
<i>(y) Cash Contingency Reserve</i>	<i>To offset overdraft interest expenses that would have otherwise been incurred by the Municipal Fund, should the need arise, which typically would be between the months of May through to the end of September of any given year.</i>	<i>Council will attempt to transfer a minimum 2% of the annual rate increase each year.</i>	<i>Sufficient to ensure adequate funding for continuity of operations until the majority of rates income is received.</i>

2.20 Purchasing

Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor and Community Services Manager		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995 and Local Government (Functions and General) Regulations 1996 as amended</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #: 13.02.16.03
Review Date:	May 2019		

Objective:

- To provide compliance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 as amended.
- To deliver a best practice approach and procedures for purchasing for the Shire of Brookton.
- To ensure consistency for all purchasing activities within the Shire of Brookton operational areas.
- To achieve value for money for the Shire of Brookton rate payers.

Policy:

Amount of Purchase	Policy
Up to \$2,500	Direct purchase from suppliers request verbal quotation(s).
\$2, 501 - \$29,999	Where practical, request a minimum of two written quotations.
\$30,000 - \$149,999	Where practical, request a minimum of three written quotations.
\$150,000 and above	Conduct a public tender process.

Condition:

The above purchasing policy is to be used in conjunction with the “*Shire of Brookton Purchasing and Tender Guide*” and the “*Buy Local Policy*”.

2.21 Financial Hardship

Policy Owners:	Chief Executive Officer, Deputy CEO			
Policy Origin:				
Statutory Environment:	<i>Water Services Code of Conduct (Customer Service Standards) 2013</i>			
Council Adoption:	Date:	20/3/2014	Resolution #:	13.03.17.01
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

This Financial Hardship Policy outlines how the Shire will assist a customer who cannot pay a debt because of financial hardship.

The policy applies to charges levied against a person or a person's property including water charges (see clause 4) if applicable.

Also, tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

Policy:

1. Assessment of Financial Hardship

A person will be considered to be in financial hardship if paying an amount to the Shire will affect a persons ability to meet your basic living needs or have an inability to pay due to exceptional circumstances.

If a person claims to be in financial hardship the Shire may assess the circumstances within three business days to determine the extent of financial hardship. If the Shire cannot undertake the assessment within this period the matter may be referred to a financial counsellor for assistance.

2. Payment plans

If the Shire accepts a situation of financial hardship a payment plan may be offered (accounting for the specific circumstances) to the customer, with solicited input from his or her representative.

In the situation involves leased/tenanted property notification may also be presented to the landlord/owner of the property.

If the payment plan is not adhered to the Shire may commence debt recovery proceedings in accordance with part 2 of the ACCC and ASIC's Debt Recovery Guidelines for Collectors and Creditors, and the Shire's Debt Recovery Procedures.

2.22 New Business Incentives

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>There is no Legislation covering this Policy.</i>		
Council Adoption:	Date:		Resolution #: 13.04.09.03
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

To strengthen the local economy and improve employment opportunities by stimulating business developments suitable to the environment and community of the Shire of Brookton.

Policy:

Council will provide an incentive to a maximum value of \$1,000 for the establishment of new businesses in the Shire of Brookton, by either:

- providing private works for the establishment of facilities and premises in Brookton where the nature of work provided by Council must not compete with services currently supplied by existing Brookton businesses; or
- considering exemption of Town Planning fees; or
- considering rate relief; or
- providing funds or in-kind support for a new business launch function.

All applications must be made in writing to the Shire stating full particulars of the proposed new business.

2.23 Buy Local

Policy Owners:	Chief Executive Officer		
Policy Origin:	Chief Executive Officer, Principal Works Supervisor, Deputy CEO and Community Services Manager		
Statutory Environment:	<i>Local Government (Functions and General) Regulations 1996 Part 4A</i>		
Council Adoption:	Date:	Apr 2016	Resolution #: 13.04.16.03
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To ensure that when purchasing goods and services over \$2,000 the Shire achieves the best *possible value for money whilst supporting local businesses where possible.*

Policy:

The Shire of Brookton recognises that it has a role in the economic development of the local community and is committed to supporting local businesses, provided they are competitive with respect to the quality of their workmanship or product, customer service, delivery and price.

To this end the Shire will:

1. Ensure a “Buy Local” culture within the Shire workforce;
2. Request quotations from local businesses whenever possible and where the required skill and expertise is available and service level can be demonstrated to the satisfaction of the Local Government;
3. Encourage the use of local businesses in the delivery chain whenever goods, materials and services have to be sourced from outside the Shire; and
4. Apply a 5% price preference for all quotations for goods and services over \$2,000 up to a maximum price \$150,000.
5. To ensure that this Procedure is consistent with Council’s Procurement Policy.

To be eligible to claim a price preference, a business must have a permanent office and permanent staff in the Shire of Brookton for a period of six months prior to quotations being sought and be registered or licensed in Western Australia.

If a supplier has concerns about the application of this Policy, this should be taken up in writing with the Chief Executive Officer.

Notewell: Advertising in a State-wide paper is required upon proposed amendment of this policy.

2.24 Fees and Charges for Community Facilities & Active Reserves

Policy Owners:	Chief Executive Officer		
Policy Origin:	Deputy CEO & Community Services Manager		
Statutory Environment:	<i>Local Government Act 1995 s. 6.16</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To ensure that a fair, equitable and transparent model is applied to the setting of fees and charges for the use of Community Facilities and Active Reserves.

To provide a framework for determining and reviewing the fees and charges, and the level of subsidy provided.

Policy:

Council provides active reserves and community facilities for overall community benefit and as such subsidises the use of these facilities to a substantial level in support of this expectation. The fees and charges levied for the use of these facilities are not intended to recover the full cost of provision.

1. Fees and charges for community facilities and active reserves will be established based on recouping a percentage of operating and renewal costs.
2. The target revenue is 10% - of which 5% will be from commercial, private and other use, and 5% from community groups. Thus Council is effectively subsidising to 90%.
3. The structure of the fees and charges recognises the distinct categories of user groups, and fees and charges are set to reflect these different users.
4. Use on a casual basis for competitions, festivals, events etc. will attract fees based on a fee structure that recognises the different financial capacities of community and commercial organisations.
5. To support the participation in junior sports and other Council designated activities, a further 50% donation of the set fees and charges will apply.
6. All clubs which are separately incorporated will be treated as an individual club.
7. Fees and charges will be set based on the previous year's annual operating costs.
8. Fees for regular user groups will be based on a 'per session' method of calculation – that is, that a notional cost for use of a facility per session will be determined and will be multiplied by the number of sessions a particular group conducts during their playing season.

9. Schools are required to book facilities and reserves prior to use, and will be charged according to the relevant fee in the schedule.
10. Clubs requiring exclusive use of facilities will do so under a lease arrangement and will be responsible for the utilities and future improvements of their facilities, unless determined by Council.

Categories of users are:

- Commercial - are activities run by private companies for commercial gain.
- Private Functions - are functions organised by individuals - birthday parties, funerals etc.
- State Govt. and other agencies - includes Main Roads WA, Wheatbelt Dev. Comm., etc.
- Community Groups - are groups that are run by volunteer committees.

2.25 Hall Hire

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To provide the framework for the management of Council's Memorial Hall and WB Eva Pavilion hire program. This aims to ensure that a range of user groups have fair and equitable access to Council's community facilities.

Procedure:

1. Bond and hire fees:

- The hirer must pay the bond and hire fees at the time of making the booking. A booking is only confirmed once payment in full has been made.
- Hire fees are charged on a scale as detailed in Table A and listed in the Shire's Fees and Charges Schedule.
- The bond will be returned to the hirer when staff have inspected the venue after the function.
- Damage and cleaning shall be the responsibility of the person or organisation hiring the facility to be conducted immediately at the conclusion of the hire period, and where:
 - Any damage to or loss of equipment, or additional cleaning required, will be charged to the Hirer as per the current replacement or repair cost of equipment, plus 15% administration fee;
 - Any damage to the buildings, including fittings, chattels, curtains, furniture and surrounds will be charged to the Hirer as per the replacement or repair cost of that item, plus 15% administration fee;

2. Furniture or equipment must not be dragged over the floor surfaces: trolleys are provided for the movement of chairs, tables and other furnishings.

3. Alcohol consumption - Council venues are unlicensed facilities. It is the responsibility of the Hirer to:

- obtain written permission from the Shire CEO to allow alcohol to be consumed at the venue;
- obtain an Occasional Liquor Licence from the Department of Racing, Gaming and Liquor;
- provide a copy of the Occasional Liquor Licence to the CEO;
- display the Occasional Liquor Licence prominently during the hire period;
- ensure that the requirements of the Liquor Licence are fulfilled;
- ensure that minors are not permitted in the bar or licenced area;

- organise and oversee staffing of the bar with personnel sufficiently trained in the responsible service of alcohol;
4. Cleaning supplies are available in each venue. It is a condition of hire that:
- all food scraps are removed from the premises before the end of the hire period;
 - all indoor bins are emptied into the outdoor bins before the end of the hire period;
 - kitchen facilities, crockery and cutlery are left in a clean state with all equipment in working order;
 - shire staff are notified of all breakages;
 - all tables are cleared, wiped and stacked on the trolley;
 - the hirer informs shire staff of any spills/damage as soon as possible.
5. Decorations:
- permission to decorate must be sought at the time of booking;
 - the following items must not be used without consulting shire staff: candles, confetti, blue tac, sticky tape, nails, pins, screws or anything that could deface the surfaces such as chemicals, paint etc.
 - all decorations must be completely removed after the function.
6. Compliance with Acts and Regulations:
- the hirer will comply with the provisions of the Health Act, Liquor Act and any other act, regulation or local law in force at the hiring time and which is applicable to the hiring and use of the venue;
 - the shire CEO, health inspectors, liquor licensing officers and police have the right to enter any function for the purpose of making an inspection or enforcing any of the conditions;
 - the shire CEO, health inspectors, liquor licensing officers and police have the right to close down a function and remove all patrons from the building if regulations are not being met.
7. Other conditions:
- Council reserves the right to amend these conditions at any time to ensure best management practices are met;
 - Council venues are a smoke free environment. Please do not smoke inside the building or within ten metres from the entrance;
 - Council's piano can only be moved under the supervision of shire staff. Please contact staff regarding piano use.
 - the hirer is responsible for any disorderly behaviour, unsuitable dress, obscene or insulting language in any part of the venue.
 - the shire CEO and/or the hirer have the right to refuse admission to any person.

8. Insurance:

- Individuals hiring a shire venue are covered under the shire's Casual Hirers Liability Insurance.
- Incorporated bodies, sporting clubs, associations, corporations and any persons hiring a council venue for commercial or profit making purposes, are required to provide their own Public Liability Insurance.

2.26 No School, No Pool Determination No.1

Policy Owners:	Community Services Manager			
Policy Origin:	Advertising November 2016 and February 2017			
Statutory Environment:	<i>Shire of Brookton Property Local Law</i>			
Council Adoption:	Date:	Dec 2016	Resolution #:	13.12.16.02
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Outcomes:

To encourage school participation rates and to reduce truancy and the resultant potential negative societal effects of truancy.

Objective:

Shire of Brookton Property Local Law 2012 Determination No. 1.

No School, No Pool Rule

It is a determination of the Shire of Brookton, that the Pool Manager of the Brookton Aquatic Centre is required to deny entry to the Centre on a relevant day to any patron, if the following conditions are met on that day;

- That it is not a School sponsored Activity, Excursion or Event and;
- That they are of Primary or High School Age and;
- They normally attend the Brookton District High School and;
- It is during normal school hours for that day and;
- It is a normal school day that is not a pupil free day and/or;
- They are temporarily suspended from the Brookton District High School and the above conditions apply.

Notwithstanding the above, the Pool Manager has authority to approve entry if the Manager is satisfied that there are extenuating circumstances.

This Determination does not restrict entry to Department of Education approved 'Home Schooled' children, nor children ordinarily resident from other districts.

3. DEVELOPMENT POLICES

3.1 Relocated Second Hand Buildings

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Planning and Development (Local Planning Schemes) Regulations 2015 Town Planning Scheme No. 3 Building Act 2011</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	Mar 2013 Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The primary objectives of this policy is to:

1. To ensure compliance with the relevant provisions of Council's Town Planning Scheme in a manner which is realistic and which ensures that the relocation of second-hand buildings is undertaken to an **approved acceptable standard** which pays regard to local amenity and aesthetics;
2. To provide clear standards as to what constitutes an acceptable type of relocated second-hand building to be used for residential purposes; and
3. To ensure the style, construction and design of relocated buildings is in keeping with the character of the surrounding buildings in particular and the locality in general.

Policy:

1. PRELIMINARY

1.1 Relationship of a Town Planning Scheme Policy to the Scheme

Any Town Planning Scheme Policy prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A Town Planning Scheme Policy is not part of the Scheme and shall not bind Council in any respect of any application for Planning Approval, but Council shall take into account the provisions of the Policy and the objectives that the Policy is designed to achieve.

2. APPLICATION OF THE POLICY

This policy applies to all proposals for the relocation of second-hand buildings on land situated within the Shire of Brookton.

This policy does not apply to new pre-fabricated buildings or other new

transportable buildings that have not been previously installed on any other location.

The placement of relocated second hand buildings shall not be permitted on the following lots within the Brookton Town site, or any subdivisions thereof: Lots 100 – 106, Brookton Highway (Koornong Estate). All other locations will be assessed on merit against the objectives of this policy.

3. REQUIREMENT FOR PLANNING APPROVAL

3.1 Determination

Applications for the relocation of second-hand buildings on property within the Shire of Brookton require Council Planning Approval prior to a Building Permit being issued and relocation taking place. All applications for the relocation of second-hand buildings will be assessed against this policy prior to a decision being made under the provisions of the Scheme.

In determining the application, Council (or CEO under delegated authority) may approve the application with or without conditions. The Council may also refuse the application should the proposed development not accord with the objectives of this policy.

Planning approval is valid for a period of two (2) years from the date of approval, during which time a Building Permit must be issued and development substantially progressed or the approval will lapse.

3.2 Information to be supplied with Application

All applications for planning approval to relocate a second-hand building must be accompanied by the following prior to consideration:

- Signed and completed Application for Planning Approval Form;
- Signed and completed Application for Inspection and Report Form;
- Photographs clearly showing the four elevations of the building;
- Site plan showing the proposed location of the building and distances from property boundaries, other buildings and any natural features on the property;
- Floor plans, elevations, cross sections, and specifications;
- Certification from a practicing structural engineer that the design and condition of the building is suitable for transportation and re-erection (where the building is a purpose-built transportable building, sufficient documentation proving this will suffice); and
- Certification from a registered pest control company that the building is free from termites.

3.3 Need for a Building Permit

Notwithstanding that Council may grant Planning Approval, a Building Permit is generally required to be sought and issued prior to relocation commencing.

3.4 Advertising

An application for a relocated second-hand building within the Brookton townsite may need to be advertised in accordance with Clause 7.2 of its Town Planning Scheme where surrounding properties and/or residences may be affected by the relocation of the building taking place.

3.5 Building Inspection

A suitably qualified person (ie Structural Engineer or Building Surveyor) is required to inspect the building prior to its relocation in order to ascertain its suitability for relocation. The inspection will be reported on by completion of the Relocated Second-Hand Building Inspection Report.

4. GENERAL PROVISIONS

4.1 Minimum Dwelling Standard

If the relocated second-hand building is to be used for residential purposes, the following minimum dwelling standard is required to be provided:

- At least one (1) bedroom separate from the other rooms in the dwelling;
- A lounge/dining area;
- A kitchen; and
- A separate toilet, bathroom & laundry facility.

To be used as a dwelling, the building will be assessed against and must comply with the requirements for Class 1 buildings under the Building Code of Australia.

Buildings that are not designed for predominant use as a dwelling and do not meet the above criteria will not be approved for use as a primary residence.

Mobile park homes will only be considered if the above criteria for minimum dwelling standard is met and the mobile home is consistent with all other relevant requirements of this policy, particularly Section 5.3 relating to amenity.

4.2 Non-Residential Building Standard

Relocated buildings to be used for non-residential purposes will be assessed based upon their suitability for the proposed use, the zone in which they are to be located and against all other relevant provisions of this policy relating to asbestos, amenity and design. If considered necessary, Council will prohibit the use of the building for residential purposes through a condition of approval.

If the relocated building is to be used as an outbuilding, the application will be assessed against the relevant provisions of Council's prevailing Outbuildings Policy.

4.3 Asbestos

Second-hand dwellings must have all asbestos materials removed prior to relocation taking place. Council will require documentation proving cement sheeting is asbestos free where the age of the building indicates asbestos may have been utilised in construction.

4.4 Amenity

When giving consideration to an application for planning approval, Council may give consideration to:

- The building in its relocated position being rendered visually acceptable by the use of verandas, screening and / or landscaping;
- The design, scale and bulk of the proposed building being compatible with the type of buildings that exist in the locality in which it is to be located; and
- With respect to the relocation of second-hand buildings within the Brookton Town site, Council may not approve the relocation of non-brick buildings where the predominant building type in the locality in which it is proposed to be located is either brick and tile and / or brick and iron.

Council will not grant planning approval for relocating any building if it is considered to be in 'conflict' with the age and design of buildings in the immediate vicinity of the proposed new location.

4.5 Earthquakes

The Shire area is within the Zone 2 Seismic Zone. Consequently, all relocated structures must meet the appropriate standard of construction required by the Building Code of Australia.

4.6 Works to be carried out

Council will place any conditions on its planning approval it deems appropriate to ensure the relocated second-hand dwelling meets the objectives of this policy and preserves the amenity of the locality. These conditions may include the following if deemed appropriate by Council:

- The exterior of the building being painted in a manner that is consistent with the colours and styles of the surrounding buildings;
- The construction of verandas and / or alterations to the roof pitch and / or materials to ensure the relocated building is consistent with the design of surrounding buildings;
- Other conditions to ensure an individual building meets all relevant Council requirements and policies.

5. BOND

5.1 Payment

As a condition of planning approval for a relocated second-hand building a \$5,000 bond may be required. Bank or other guarantees are not acceptable.

This money will be refunded where the following requirements have been satisfied:

- Any other conditions on the planning approval having been addressed.

5.2 Return of Bond

A bond held in trust will be returned to the applicant once all conditions of the planning approval has been addressed within the 2 year statutory approval period to the satisfaction of the local government.

Should the applicant fail to satisfy the conditions of approval the local government may draw down on the bond to pay for the works to be performed under the direction of the local government to a satisfactory standard.

3.2 Development Requirements for Rural Subdivision

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The purpose of this Policy is to outline Council's requirements for subdivision for rural and rural-residential use. Council will from time to time require conditions be placed on a subdivision approval for certain works to be undertaken particularly relating to road construction and the preparation of fire management plans. Other related matters include drainage, electricity supply and water supply.

Policy:

Road Construction

The following outlines the construction requirements for roads to either serve a subdivision in the 'Farming' or 'Special Rural' Zones, or to construct an unmade road reserve in the Shire of Brookton.

Road Types

There are five types of rural and rural residential road types that are identified in the Shire. These are:

- Rural Residential Road
- Major Rural Road
- Standard Rural Road
- Minor Rural Road Type A
- Minor Rural Road Type B

Rural Residential Road applies to new roads (either on an existing road reserve or a road reserve created as part of a subdivision) that are to be constructed to serve a Rural Residential development (Lot sizes normally 2ha – 5ha). Council will require the sealing of Rural Residential Roads serving lots of 5ha or less in area as a reflection of the relatively high traffic volumes that are created by this form of subdivision.

A **Major Rural Road** is a road that carries large volumes of traffic or connects significant areas of the shire to other rural areas or the town centre. Sealing of these roads may occur should traffic volumes or use by heavy vehicles warrant this. Existing examples of major rural roads in the Shire are Corberding Road, Brookton-Kweda Road and Copping Road between the Great Southern Highway and the BALCO plant.

A **Standard Rural Road** generally carries moderate volumes of traffic from major roads to farming areas. The majority of existing shire roads would be classified under this category.

A **Minor Rural Road Type A** is a road that has the potential to serve a maximum of 10 farming locations or lots (with lot sizes normally greater than 30-40ha) and is typically a no-through road.

A **Minor Rural Road Type B** is a road that has the potential to serve a maximum of 5 farming locations or lots (with lot sizes greater than 30-40ha) and is typically a no-through road.

Road Reserve Requirements

Where a new road reserve is proposed to serve a subdivision, a reserve width of 25 metres will normally be required, unless topography requires a greater width. In rural areas, lot truncations of 8m will be required for lots on road corners.

Road Construction Requirements

The following outlines the normal construction requirements for each road type. Council reserves the right to determine the standard of road required for each subdivision application or application for construction of an existing road reserve.

Rural Residential Roads:

- Road pavement to have a minimum 6.0m wide bitumen seal with 2.0m wide gravel shoulders.
- Seal to be two coat bitumen and aggregate.
- Road construction to be a minimum of 150mm compacted base-course and a minimum 150mm compacted sub-base.

Major Rural Roads

- Pavement width to be a minimum of 10.0m (7.0 roadway, 2 x 1.5m shoulders).
- Can be a gravel road unless otherwise required by Council due to envisaged traffic volumes or the use of the road by heavy vehicles.
- Pavement to be a minimum of 150mm compacted gravel.

Standard Rural Roads

- Pavement width to be a minimum of 8.0m (5.6m roadway, 2 x 1.2m shoulders).
- Pavement to be a minimum of 150mm compacted gravel.

Minor Rural Roads Type A

- Pavement width to be a minimum of 6.0m (4.0m roadway, 2 x 1.0m shoulders).
- Pavement to be a minimum of 150mm compacted gravel.

Minor Rural Roads Type B

- Pavement width to be a minimum of 6.0m (4.0m roadway, 2 x 1.0m shoulders).
- Pavement material to be natural (in situ) where suitable.
- Where gravel is required, pavement to be a minimum of 75mm compacted gravel.

All Roads

- A cross fall of 4% either side of the centreline crown.
- Through horizontal curves, one-way cross fall or super elevation shall be applied in accordance with Austroads publication 'Rural Road Design 1989'.
- Crossovers to be constructed to each property entrance to a design that avoids property access roads draining onto the Shire road.
- Crossovers to be located a minimum of 50m away from intersections and junctions and provide 300m clear sight distance in either direction.
- Piped crossovers to be a minimum width of 9.6m for rural properties and 7.6m for urban properties and to include headwalls.
- Roadside drains to be a minimum of 300mm – 500mm deep with batters having a minimum slope of 1 in 3.

Costs Associated with Road Construction

The construction of roads associated with a subdivision, either on new road reserves or those already existing but not constructed, will be at the cost of the subdivider. This requirement also relates to roads to be constructed for public road access to each new lot in a boundary realignment application (i.e. where no additional lots are created over that existing prior to the boundary realignment taking place).

The proponent may be required by Council to engage a Consulting Engineer to plan, design and supervise the road construction at their cost. The design may include a comprehensive water drainage plan.

A 3% maintenance retention amount is to be lodged with Council for a period of 12 months on roads subject to a subdivision application.

A 1.5% supervision loading is payable throughout the project on roads subject to a subdivision application.

Clearance of Subdivision Condition

Where the subdivider requests Council clear a condition of subdivision relating to road construction prior to the construction having taken place, Council may accept a cash bond that is equivalent to the full estimated construction cost of the road(s). The subdivider will be required to enter into a written agreement with Council for the operation of the bond.

The bond is to be paid to Council and held in trust and is to be used by Council to either:

- a) Design and construct the road(s) itself as a private work; or
- b) Pay a contractor engaged by the subdivider or the Shire to undertake the works to Council's specifications.

Should there be a residual amount remaining in trust at the completion of the construction, this is to be refunded to the subdivider. Should the trust amount not be sufficient to cover all costs associated with the design and construction of the road(s), the outstanding amount is to be provided by the subdivider.

Drainage

Open drains is permitted for new subdivisions. Stormwater is to be retained on site and not allowed to drain onto a Shire road.

Water

For Rural-Residential subdivision providing for lots of 4ha or less in area, a reticulated potable water supply is required to be provided in accordance with Clause 5.3.2 of Statement of Planning Policy No.11 'Agricultural and Rural Land Use Planning'.

On lots greater than 4ha, an on-site potable water supply will suffice, in accordance with Clause 5.1.4 of the Shire of Brookton Town Planning Scheme No.3.

Electrical Power

Western Power sets the provision of power as a condition of subdivision. This authority will decide whether the supply is to be under ground or above ground.

Fire Management Plans

Council requires a Fire Management Plan be prepared and implemented for all subdivisions of rural land. This requirement is in accordance with WAPC Policy DC 3.7 'Fire Planning'. A notification is to be placed on the titles of each lot created informing each subsequent landowner of the existence of the Fire Management Plan.

3.3 Sewerage Connection for Subdivision of Land

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The purpose of this policy is to provide direction when conditioning subdivision approvals in extent of 2,000 m² and less in the Brookton Town site area.

Policy:

The following sewerage connection conditions apply to all approved applications for subdivision on any lots within the Brookton Town site boundary where the newly created lots will have a land area of 2,000 m² or less:

Prior to Council clearing the conditions imposed by the Western Australian Planning Commission the proponent of the subdivision must, at their cost –

- a) Provide an easement approved by Council on the Certificate of Title of each lot, as part of the subdivision process, for the future extension of the sewer main. The area required for the easement to be specified by Council in accordance with the requirements of the legislative provisions relating to sewerage scheme extensions.
- b) Lodge a memorial on the Certificate of Title of each of the newly created lots, notifying subsequent owners that connection to the sewer will only be available when Council deems it necessary or economically feasible to extend the existing sewerage scheme main to the lot.
- c) Provide written acceptance that future extension of the existing sewerage scheme to the newly created lots is not guaranteed.

3.4 Town Planning Fees Refund

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Town Planning (Local Government Planning Fees) Regulations 2000</i> <i>Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To provide clear guidelines for the refund of Town Planning Fees.

Policy:

REFUND OF DEVELOPMENT APPLICATION FEES

Where Council has resolved to refuse to grant Planning Approval, any fees that have been paid to Council are not refundable. The applicant is to be made aware that the fee is for the determination of an application, not its approval.

Where a development application has been lodged and is subsequently withdrawn by an applicant and a request for refund of the planning fees made, the following refund guidelines will apply:

- Where Council has determined an application: no refund.
- Where a request for withdrawal is made within one (1) week of the Ordinary Council Meeting where the application will be determined: no refund.
- At any stage prior to one (1) week before the Ordinary Council Meeting where the application will be determined: 50% refund.

OTHER MATTERS

Council will have regard to the *Town Planning (Local Government Planning Fees) Regulations 2000* and subsequent amendments for matters not covered by this Policy.

3.5 Residential Development on Farming Zoned Lots/Locations Without Frontage to Dedicated and Constructed Public Roads

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3 - Cl. 8.7</i>			
Council Adoption:	Date:		Resolution #:	10.03.09.04
Last Amended:	Date:	Jun 2013	Resolution #:	10.06.13.03
Review Date:	May 2019			

Objective:

This policy is made to ensure that occupants of a residential development are assured of reasonably safe and secure access to all services and amenities available to the wider community. This policy supersedes all other policies relating to residential development on farming zoned lots/locations without frontage to dedicated and constructed public roads.

Policy:

Within the 'Farming' zone of the Shire of Brookton, Council will only give consideration to the approval of a Residential land use, including a dwelling, when the provisions of Clause 5.6 of the Shire of Brookton Town Planning Scheme No.3 and any other relevant provisions of that Scheme and the Shire of Brookton Local Planning Strategy have been complied with and/or have been paid proper regard, as determined by Council.

To comply with Clause 5.6(c) of the Shire of Brookton's Town Planning Scheme No 3, which states Council shall "require such other arrangements are made for permanent access as shall be to the satisfaction of the Council" the following are minimum acceptable access requirements: -

At the applicant's cost, a carriageway access easement shall be created and registered for the purpose of providing permanent access to the subject property, to the satisfaction of the Shire of Brookton.

ADVICE NOTE:

Compliance with this policy is not required where direct road frontage is achieved through the creation of a battle-axe lot via subdivision and amalgamation or access is provided through compliance with Clauses 5.6(a) and 5.6(b) of the Shire of Brookton's Town Planning Scheme No. 3

3.6 Outbuildings

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3 - Cl. 8.7</i>			
Council Adoption:	Date:		Resolution #:	10.03.09.04
Last Amended:	Date:	Jun 2013	Resolution #:	10.06.13.03
Review Date:	May 2019			

Objective:

To provide a guide for the assessment and determination of applications for planning approval for outbuildings (sheds/garages) in all zones.

1. BACKGROUND

Under the Shire of Brookton's Town Planning Scheme No. 3 except where specifically exempt, Planning Approval is required for a shed (outbuilding) in all zones.

The Shire's Town Planning Scheme has no criteria under which an application for an outbuilding is to be determined. As such, the objective of this policy is to give clarity as to what the Council may approve.

2. OBJECTIVES OF THE POLICY

The primary objectives are to:

- 2.1 To limit the impact of outbuildings by specifying such things as maximum areas and height, location, material colour, landscaping and the like;
- 2.2 To ensure aesthetic and amenity impacts on neighbouring properties are considered when determining outbuilding proposals.

3. POLICY

- 3.1 Outbuildings that comply with all of the criteria corresponding to the relevant zone in Table 1 of this Policy may be approved subject to compliance with other relevant clauses of this Policy, as set out below.
- 3.2 Outbuildings that do not comply with all of the criteria corresponding to the relevant zone in Table 1 of this Policy will be referred to Council. Such proposal is deemed an 'Oversize Outbuilding' for the purpose of lodging an application for planning approval.
- 3.3 Ablution facilities within outbuildings will only be approved in accordance with this policy for 'Farming' zoned allotments of 10 hectares or more in area to support on farm agricultural activities. In all other circumstances an application for planning approval is to be submitted with accompanying justification to be considered and determined by Council on merit.

- 3.4 Setbacks to lot boundaries shall be in accordance with the Shire of Brookton Town Planning Scheme No.3 and the *Residential Design Codes*, where applicable.
- 3.5 Under this policy “Sheds” are defined as outbuildings with a floor area greater than 10m². Outbuildings with a floor area of 10m² or less do not require Planning Approval or Building Permit.
- 3.6 The construction of an outbuilding on vacant land within the Residential, Rural Town site, Rural Residential and Rural Smallholdings will not be permitted without an application for the construction of a residence having been approved and construction having commenced.
- 3.7 Sea containers shall generally only be approved as outbuildings in the Farming zone. Where a sea container is proposed to be used as an outbuilding the onus is on the applicant to demonstrate the exterior finish will not have a detrimental impact on the amenity of the property or surrounding area.
- 3.8 Within the Residential, Rural Town site, Rural Residential and Rural Smallholding Zones, as well as on lots of less than 2ha in the Farming Zone, outbuildings other than a carport or garage will not be permitted in the area between the house and the front boundary of the property. Front setbacks for carports and garages in the ‘Residential’ zone will be subject to the *Residential Design Codes*.

CRITERIA					
Zone	Maximum Total area of all outbuildings on the lot (m ²)	Maximum individual area of proposed outbuilding (m ²)	Maximum Wall height (m)	Maximum Roof height (m)	Design / Location
Residential R10 and above	75	75	3.0	4.0	Where the outbuilding: (a) Is not a sea container; (b) Is not closer to the primary street alignment than 50% of the required setback for the relevant density coding specified in Table 1 of the R-Codes; (c) Walls and roofs are constructed of Colorbond, masonry or the like (excludes zincalume); and (d) Is not constructed prior to the commencement of construction of a residence.
Residential below R10	100	75	3.0	4.0	
Rural Residential, Rural Town site & Rural Smallholding	200	150	3.0	4.0	Where the outbuilding: (a) Is not a sea container; (b) Walls and roofs are constructed of Colorbond, masonry or the like (excludes zincalume); and (c) Is not constructed prior to the commencement of construction of a residence
Farming below 1 hectare	100	75	3.0	4.0	Where the outbuilding: (a) Is not a sea container; (b) Walls and roofs are constructed of Colorbond, masonry or the like (excludes zincalume); and (c) Is not constructed prior to the commencement of construction of a residence
Farming between 1 – 10 hectares	200	150	3.0	4.0	Where the outbuilding: (a) Is not a sea container; (b) Walls and roofs are constructed of Colorbond, masonry or the like (excludes zincalume); and
Farming above 10 hectares	NA	1,000	8	9	An Outbuilding may be approved incorporating an ablution facility to support on farm agricultural activities.

3.7 Tree Cropping

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Brookton Town Planning Scheme no. 3</i>		
Council Adoption:	Date:		Resolution #: 10.02.09.06
Last Amended:	Date: Aug 2017	Resolution #:	
Review Date:	May 2019		

Objective:

The objective of this Local Planning Policy to:

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications
- To align the grant of planning approval by Council with industry guidelines and standards as specified in relevant codes of practice and other documents and ensure a consistent approach to the establishment of Tree Cropping as an acceptable land use;

This policy aims to be consistent and complementary with existing regulations and not to place additional undue burden on landowners and investors wishing to pursue tree crop development.

Policy:

1. Background

Tree crops have the potential to become an important land use in medium to low rainfall agricultural areas in Western Australia (WA). Landholders and private investors are looking to capitalise on emerging opportunities for farm forestry in these regions, diversify income streams and to gain the on-farm environmental benefits that integrated tree cops can provide. Given the increasing opportunities and interest in tree crop development, it is timely for local governments to ensure that these developments are adequately supported and addressed in local planning.

A body of legislation, policy and guidelines relevant to tree crops already exists and a range of government agencies and other stakeholders are involved in regulating and managing tree crop issues.

Additional background information relating to tree crops is provided in the report, Opportunities and Issues Associated with Farm Forestry in the South East Avon Low Rainfall Region.

2. Definitions

Applicant

An Applicant is defined as the person or entity (e.g. company or organisation) responsible for management of the tree crop. The Applicant does not have to be the owner of the trees or the land on which trees are planted (e.g. the Applicant could be a third party management agency). The Applicant is responsible for ensuring adherence to this policy and other relevant legislation and regulations.

Tree crop

For the purpose of application of this policy a tree crop is defined as:

- Trees planted with the intent of producing commercial products. Commercial products include all wood and non-wood products that can be sold to a third party. Wood products are produced when trees are harvested, such as woodchips or sawlogs, while non-wood products include products such as environmental services; and
- Trees under the management of one Applicant with an aggregate area greater than 10 hectares in the Shire of Brookton

Landowner

A Landowner is defined as the person or entity that holds the title to the land.

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 Management Plan includes the following components:

- Establishment plan;
- Plantation Management plan; and
- Fire Management plan.

Code of Practice

Code of Practice for Timber Plantations in Western Australia 2006, produced by Forest Industries Federation WA, Forest Products Commission Australian Forest Growers, or as revised.

Guidelines for Plantation Fire Protection

Guidelines for Plantation Fire Protection 2001, produced by the Fire and Emergency Services Authority WA, or as revised.

3. Areas of application

This policy applies to land zoned “Farming” in the Shire of Brookton Town Planning Scheme No.3.

4. Application and approval requirements

4.1. When is an application required?

A Tree Crop Development Application must be submitted and approved prior to the commencement of a tree crop development.

A Development Application is required when an applicant has an aggregate area of tree crops which is 10 hectares or greater.

A Tree Crop Development Application can cover multiple tree crop developments, which may be on different titles, provided they are under the management of one Applicant.

4.2. Tree Crop Development Application requirements

In addition to Shire requirements for Development Applications, a Tree Crop Development Application is to contain the following three parts:

1) Registration, which must contain the following information:

- Title details of the subject land;
- Name of the Landowner(s);
- Name of the Applicant (tree crop manager);
- Address and contact details of the Applicant;
- Area (hectares) to be planted and species to be planted; and
- Signatures of the Applicant and the Landowner(s).

2) Management Plan:

- A checklist of information that should be included in a Management Plan is provided in Attachment 2. The checklist is based on the guidelines in the Code of Practice.
- The Management Plan must address the policy measures described in Section 6 of this Policy.

3) Map which should show the following:

- Location of tree crops;
- Access roads;
- Structures and buildings;
- Natural features including native vegetation and water courses; and
- Other relevant information such as hazards or significant features.

4.2.1. Modification to Tree Crop Development Application

An Applicant with an existing Tree Crop Development Application approval may modify the existing application, including the addition of new tree crops or expansion of existing tree crops. Additional areas of tree crops may therefore be managed under existing Management Plans, without the need for the Applicant to prepare a new Management Plan for every new tree crop development. However the Applicant must ensure that the management measures in an existing Management Plan are relevant to new tree crops and the sites on which they will be developed, and meet the requirements of this policy.

If this is not the case the Applicant is required to submit a modified or new Management Plan.

If an Applicant transfers management responsibilities to another organisation they are required to notify the Shire and provide details of the new managing entity.

4.3. Assessment of applications

Tree Crop Development Applications should be submitted to the Shire and will be assessed against the Shire of Brookton Town Planning Scheme No.3, this policy and the relevant industry standards and guidelines – refer to Policy Statement 4.2 above.

5. Additional policy measures

The following policy measures must be addressed in the Management Plan.

5.1. General tree crop management

The Shire encourages all tree crop developments to be undertaken with appropriate consideration to the specifications and guidelines in the Code of Practice and Guidelines for Plantation Fire Protection.

The Code of Practice provides management goals and operational guidelines to tree managers to “ensure tree crop operations in WA are conducted in a manner that is in accordance with accepted principles for good plantation management, while recognising that a primary aim of tree crops is to be economically competitive and sustainable”.

5.2. Access and roading

When planning tree crop developments, Applicant’s should consider how tree crops will be accessed for management, harvesting and removal of products (if applicable). Potential access roads should be identified on a Map to be lodged with the Development Application.

The harvest and haulage of tree crop products results in ‘wear and tear’ of local roads and other transport infrastructure and the Shire is seeking to minimise adverse effects on local roads within its control, and therefore may impose a financial road contribution to be applied at the time of harvest as a condition of Development Approval.

5.3. Fire management

A fire management plan must be included as part of the overall Management Plan.

Any Fire Management Plan must be consistent with Guidelines for Plantation Fire Protection 2001, produced by the Fire and Emergency Services Authority of WA, or as revised. Should the Fire Management Plan not be consistent with the guidelines then the application for Development Approval may be refused.

5.4. Subdivision

Any established tree crop development ~~shall~~ will not be accepted as justification for an application for subdivision, nor any proposed tree cropping or an approved application for tree cropping on any land be deemed a precursor to subdivision of 'Farming' zoned land.

3.8 Signage within Zoned and/or Reserved Land

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Town Planning Scheme No. 3 – Cl. 6.2 – Control of Advertisements</i>		
Council Adoption:	Date:		Resolution #: 10.02.11.01
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To enhance the amenity and character of all areas within the Shire of Brookton through the provision of acceptable standards of development for advertisements.

Policy:

Signage is considered to have a major impact on the amenity of the Shire, particularly in relation to roadside advertising. Except where specifically exempt under the Shire of Brookton’s Town Planning Scheme No. 3 (TPS 3) or lawfully erected prior to the gazettal of the Scheme, under Clause 6.2 of TPS 3, all advertisements within the Shire of Brookton require the prior approval of Council. This policy is to provide guidance for the location and desired standards when applications for planning approval are being considered.

1. This policy is for all signage that is visible from outside the property, complex or facility concerned, either from private land or from public places or streets.
2. Should the application be on or adjacent to a Main Road reserve, approval from Main Roads WA is also required.
3. Signs denoting property and/or owner name and/or property address do not require approval.
4. Exempted advertisements, as detailed in Appendix No. 6 of TPS 3 do not require Planning Approval.
5. Where an advertisement proposal requires approval, including those that form a component of a development application, the applicant shall complete and lodge a control of advertisements form contained in Appendix No. 5 of TPS 3 in addition to an application for Planning Approval.
6. All advertisements shall comply with the criteria contained in Table 1 of this policy.
7. Approval for the continuation of approved signage requires that a request shall be made to the Shire in writing, prior to planning approval expiring.
8. Temporary candidate signage associated with a local, state or federal election is exempt from this policy and the provisions of the Shire of Brookton Town Planning Scheme No.3.

Location	Sign Purpose	Maximum Allowable Signage
All Locations	All Advertising	<ul style="list-style-type: none"> • Signage must be complementary to its surroundings. • Any signage which in the opinion of Council is

		distractive to motorists will not be approved.
Within Main Roads Road Reserve	Local Government or Community Organisation	<ul style="list-style-type: none"> • Maximum surface of 4.5m². • Additional approval is required from MRWA. • Should the organisation cease to operate, all relevant signage must be removed.
	Commercial Advertising	<ul style="list-style-type: none"> • Not supported
Adjacent to Main Roads Road Reserve	All Advertising	<ul style="list-style-type: none"> • Maximum surface of 4.5m². • All signage must comply with the setback requirements contained in Table 2 of TPS 3. • Consideration must be given to the grouping of signage. • Should the business cease to operate, all relevant signage must be removed by the applicant or landowner.
Road Reserve (Non Main Road)	Private and commercial advertising.	<ul style="list-style-type: none"> • Signage must be specific to an event and time period. Ongoing approval shall not be granted.
	Local Government or Community Organisation	<ul style="list-style-type: none"> • Signage must be specific to an event and/or time period.
Residential Zone	Home Business – Signage does not require approval if compliant with policy	<ul style="list-style-type: none"> • Flashing or illuminated signs shall not be approved. • Maximum surface of 1m². • Signage must relate to the business being conducted from the same property. • Should the business cease to operate, all relevant signage must be removed by the applicant or landowner.
	Domestic Advertising (Garage Sale Etc.) –	<ul style="list-style-type: none"> • Maximum surface of 1m². • Advertising must relate to the property upon which the signage is placed. • All signage approval shall be limited to a maximum of two months after which a new approval must be sought and granted.
Rural Residential Zone	All Advertising	<ul style="list-style-type: none"> • Flashing or illuminated signs shall not be approved. • Maximum surface of 4.5m². • Advertising must relate to the property upon which the signage is placed.
Rural Town site Zone	All Advertising	<ul style="list-style-type: none"> • Flashing or illuminated signs shall not be approved. • Maximum surface of 1m². • Advertising must relate to the property upon

		<p>which the signage is placed.</p> <ul style="list-style-type: none"> • Should the business cease to operate, all relevant signage must be removed by the applicant or landowner.
Farming Zone	All Advertising	<ul style="list-style-type: none"> • Maximum surface of 4.5m². • Consideration must be given to the grouping of signage.
Commercial Zone	All Advertising	<ul style="list-style-type: none"> • Maximum surface of free standing signs to be 5m². • Advertising must relate to the property upon which the signage is placed. • Consideration must be given to the grouping of signage. • All signage approval shall be limited to the business for which approval has been granted. For any change of business, a new approval must be sought and granted.
Industrial Zone	All Advertising	<ul style="list-style-type: none"> • Maximum individual surface of 6m². • Maximum total area of signage 15m². • Advertising must relate to the property upon which the signage is placed. • Consideration must be given to the grouping of signage. • All signage approval shall be limited to the business for which approval has been granted. For any change of business, a new approval must be sought and granted.

3.9 Developer Contributions for Road and Footpath Upgrading relating to Subdivision of Land

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>		
Council Adoption:	Date:		Resolution #: 10.02.11.01
Last Amended:	Date: Aug 2017	Resolution #:	
Review Date:	May 2019		

Objective:

- To provide a basis for seeking financial contributions to the upgrading of the road and footpath network as a result of the subdivision process.
- To provide a basis for seeking financial contributions to the upgrading of the road and footpath network as a result of development proposals.
- To ensure consistency in the recommendations made to the Western Australian Planning Commission on subdivision applications.
- To provide clear and consistent advice to the community on the Shire's expectations for road and footpath upgrading.

Purpose

This policy sets the basis for seeking contributions for the upgrading of the Shire's road and footpath network as a result of the subdivision or development of land. The policy will allow a consistent approach to be applied to all subdivisions and relevant development and will provide guidance on Council's decision making. The policy will also provide certainty to the community in estimating the costs of the subdivision and development process.

Definitions

'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, footpath, reservation, median strip and traffic island thereon.

'Footpath' shall mean any land or thoroughfare used by pedestrians and/or cyclists and shall include pathways, dual use paths and any other walkway designed for this use.

Statutory powers

This Policy relates to determinations made by the Western Australian Planning Commission under the *Planning and Development Act 2005*. This Act gives the Commission the power to require developer contributions as part of the subdivision of land.

The objectives of the policy are:

- To promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;

- To ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided through the subdivision of land;
- To ensure consistency and transparency in the system for apportioning, collecting and spending development contributions; and
- To ensure the social well-being of communities arising from, or affected by development.

This Policy adopts and implements these principles for seeking developer contributions as part of the subdivision process.

Policy:

1. All applications for subdivision made within the Shire of Brookton, where there is an identified nexus between the requirements for a road and/or footpath upgrade, will be subject to the provisions of this policy. This policy does not supersede or influence any other requirement for developer contributions as part of the subdivision approval process toward other facilities or infrastructure, such as public open space, community facilities, etc.
2. In making recommendations to the Western Australian Planning Commission on applications for subdivision where at least two additional lots will be created from the parent lot/s, the Council will consider seeking a financial contribution to be made towards the upgrading of the road and/or footpath network.
3. Contributions towards the upgrading of the road and footpath network will be based on the standards contained in Table No 1 of this policy. The standards will be reviewed as part of Council's periodic review of the Shire of Brookton's Policy Manual. Thereby allowances can be made for changing community expectations.
4. The road and footpath upgrading contribution will be a pro-rata calculation of 50% of the road/footpath as contained in Table No 1, based on the per kilometre / per metre frontage of the parent lot/s to the road. 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 rights of entry.
5. If a subdivision requires that the created lots be provided with constructed road access that does not currently exist, this policy shall not supersede any requirements for the developer to pay the full construction costs to provide this road access.
6. Nothing in this policy shall prohibit Council from seeking the construction of a footpath network within a subdivision at the developer's expense.
7. In terms of the expenditure of the financial contributions made as part of the subdivision of land, the following principles shall apply:
 - a) The upgrading of the road network shall comply with the Shire's Works Program; and
 - b) The upgrading of any footpath network shall occur within three (3) years following the completion of all subdivisions affecting a particular area, or prior to this date as determined by Council.

8. The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the subdivision.
9. This Policy does not apply to main roads.

**TABLE NO.
1**

		Standard		
Zone	Road Width (metres)	Road Surface	Kerbing/ Drainage	Comment
Residential R5 and above	6	Prime and seal	Yes	The sealing coat will be laid one year after the laying of the prime coat
Residential R2.5 and below	6	Prime and seal		The sealing coat will be laid one year after the laying of the prime coat
Rural Town site	6	Prime and seal		The sealing coat will be laid one year after the laying of the prime coat
Commercial	As appropriate	Asphalt	Yes	
Industrial	7	Asphalt	Yes	Kerbing to be provided if appropriate
Rural Residential	7	Prime and seal	Yes	Kerbing to be provided if appropriate
Farming	9.6	Gravel – Standard Roads 150mm thick Heavy Routes 300mm thick		A sealed road standard may be required in specific circumstances.
Footpaths where identified in strategy or structure plan	1.6	Brick Paving – 75mm Road Base Hot Mix – 100mm Road Base		

All construction shall be to Austroads standards or in compliance with drawings submitted by an appropriately qualified engineer and approved by the Shire.

3.10 Stocking Rates – Rural Townsite, Rural Residential and Rural Smallholding Zone Land

Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	<i>Town Planning Scheme No.3 Planning and Development (Local Planning Schemes) Regulations 2015</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

PURPOSE

The purpose of this policy is to provide a guide for the assessment and determination of applications for Planning Approval involving the keeping of livestock on properties zoned *Rural Townsite*, *Rural Residential* and *Rural Smallholding*, within the Shire of Brookton.

It is not intended that this policy be applied rigidly, but that each application be examined on its merits, with the objectives and intent of the policy the key for assessment.

OBJECTIVES

The objectives of the policy are to:

- Ensure that livestock keeping is undertaken in a sustainable manner;
- Ensure that the keeping of livestock does not have a significant negative impact on the natural environment;
- Ensure that the keeping of livestock does not impact detrimentally on the health and/or amenity of adjoining landowners.

BACKGROUND

As a result of their size, certain types of properties necessarily invite rural lifestyle and associated land uses inclusive of low key stabling and training of horses, rearing and agistment of animals, etc. An assessment of these types of land uses in the subject area meet the definition of a '*Rural Pursuit*' as per the Shire of Brookton Town Planning Scheme No. 3.

The Shire recognises that the majority of landowners manage their properties in a sustainable manner, however, the keeping of livestock on smaller properties requires a higher level of management than broad acre farming due to the higher density of animals and closer proximity of neighbouring landowners which results in a higher potential for both environmental and amenity impacts. The Shire recognises that unsustainable land management practices often lead to land degradation problems such as soil erosion, dust nuisance, odour, water pollution and damage to vegetation.

This *Stocking Rates Policy* endeavours to guide Council when considering applications for planning approval when livestock is going to be kept, as part of a *Rural Pursuit* Land Use, on properties in the specific zones. It also enables Council to appropriately condition planning approvals for '*Rural Pursuit*' land uses, so as to protect the amenity of the locality.

APPLICATION OF POLICY

The policy is only applicable to land zoned *Rural Townsite*, *Rural Residential* and *Rural Smallholding* within the Shire of Brookton. In terms of the Shire of Brookton Town Planning Scheme No 3, a '*Rural Pursuit*' land use is not permitted on any *Residential Zoned* property.

BASIS FOR POLICY

The Stocking Rates Guidelines of the Department of Agriculture and Food of Western Australia (*Stocking Rate Guidelines for Rural Small Holdings, 2000*), have been used as the basis for this policy. These guidelines provide a scientifically sound and practical means by which the appropriate stocking rate for land within the subject area can be determined, and provide guidelines for the assessment of applications for the stocking of land.

STOCKING RATES

Definition of Stocking Rate:

For the purposes of this Policy, stocking rates are defined and shown as Dry Sheep Equivalents (DSE) which is the number of adult sheep (wethers) that can be sustained on each hectare all year round.

Stocking rates are the number of stock, e.g. sheep, cattle, horses, emus or other type of animal that can consistently be kept on a piece of pasture all year round with minor additional feed and without causing environmental degradation. Environmental degradation can include wind and water erosion, tree decline, increasing levels of nutrients in groundwater and waterways, the spread of weeds into adjoining bushland and soil structure decline.

Stocking rates are largely based on the amount of pasture that each particular type of animal will consume, but are also influenced by feeding patterns, animal weight, foot structure and activity.

BASE STOCKING RATE & ANIMAL EQUIVALENTS

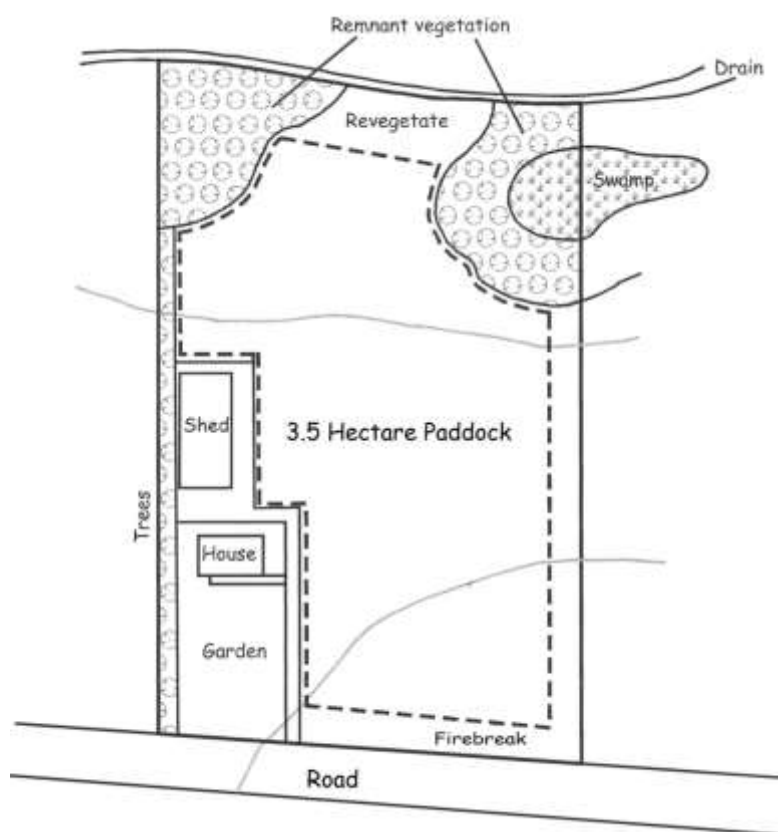
The base stocking rate is the number of DSE that would apply to a property with the lowest level of pasture management in an average year. The recommended base stocking rate should:

- Provide enough feed to maintain animals in good condition;

- Avoid soil erosion by providing enough pasture cover to protect the soil throughout the year (at least 30% ground cover – hay, sawdust, etc.);
- Be sustainable through average years.

In consultation with the *Department of Agriculture and Food of Western Australia*, a Base Stocking Rate for the Shire of Beverley (and by extension the Shire of Brookton), has been determined to be **5 DSE per hectare**. This Base Stocking Rate has been determined taking due cognisance of amongst others the annual average rainfall and length of the growing season.

Figure 1. Example Site Plan (not to scale)



Key Elements of example site plan – calculating the DSE for the above property:

- Parent Lot = 4.5 ha;
- Fencing the remnant vegetation, including a small swamp;
- Revegetating a 30 metre buffer to a seasonally flowing stream;
- Exclusion of house, shed, tracks and garden area (inclusive of fire break for shed and house);
- Leaves 3.5 ha of useable paddocks.

Calculated DSE:

5 DSE (Base Stocking Rate) x 3.5 ha (available paddock area) = **17.5 DSE**

FENCING

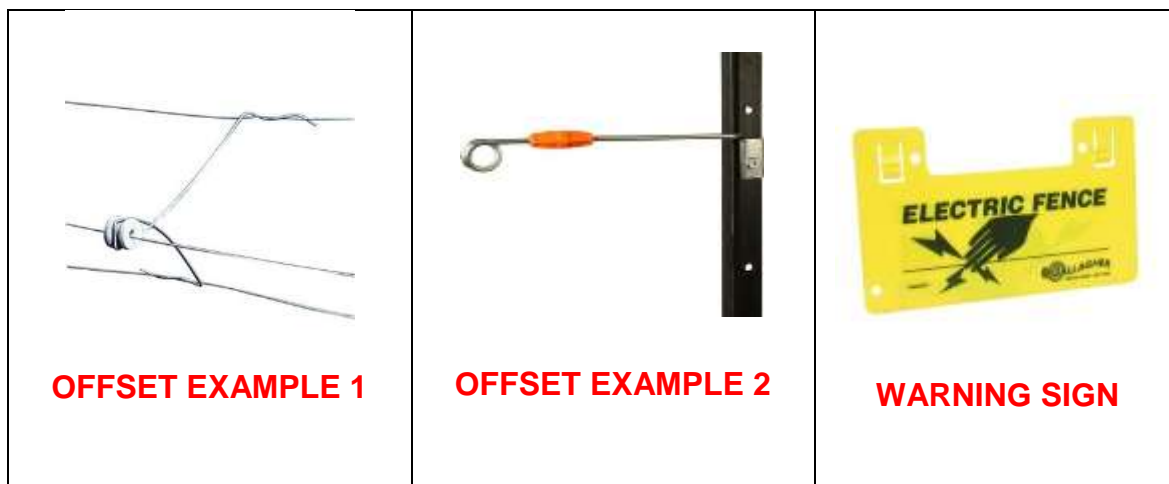
Appropriate fencing shall be made a Condition of Planning Approval for the keeping of livestock, with the following standards given as a guideline:

- SHEEP AND SMALL STOCK: 5 - 7 strand/line ring-lock, or similar;
- CATTLE: 7 strand/line with electric fence*;
- HORSE: 7 strand/line ring-lock or similar with 'sighter' strands or electric*;

**Non-lethal electric fencing systems shall be installed and operated as per the relevant Australian Standard (ASNZ 3014), and shall be installed so as to be on the inside of the subject property, and offset from the fence, with appropriately spaced warning signs, as shown in the samples in Figure 2:*

Figure 2.

SAMPLE OFFSET ELECTRIC FENCE CONFIGURATION & WARNING SIGN



MANAGING WIND EROSION RISK

Responsible grazing management is required, especially over summer, to maintain sufficient ground cover to reduce the risk of wind erosion. The ideal level of ground cover to minimize wind erosion is for about 50% of the soil surface to be covered by grass and pasture plant residues. At least 30% of the ground cover needs to be anchored to prevent soil being moved downwind during strong wind events. Grazing has to be managed so that it does not detach all of the pasture residues and the critical level of ground cover percentage is 30%. Once the amount of ground cover falls below 30% then wind erosion is likely to occur. Livestock should be removed from all paddocks once ground cover falls to 30%. In the case of horses, they should

then be kept in a stable or small yard and hand fed to substitute for paddock feed. These paddocks should not be grazed again until new green pasture starts growing and ground cover is more than 30%.

REQUIREMENT FOR A PROPERTY MANAGEMENT PLAN

Council will only consider applications for Planning Approval for a Rural Pursuit land use in excess of the Base Stocking Rate, where applicants submit a Property Management Plan which demonstrates that pasture improvement, nutrient and waste management methods are addressed.

Where it is proposed to keep livestock in excess of the base stocking rate, the following measures should be incorporated into the property management plan (where applicable):

- Drainage management practices that prevent direct runoff to watercourses or dams;
- Yards or pens should be sheeted with compacted soil, sand or sawdust if located on clay soils and should be regularly cleaned;
- Adequately fenced vegetation belts capable of effectively separating environmental features such as watercourses, from areas of intensive stocking;
- Manure should be regularly collected;
- Supplementary feeding as a means of reducing grazing pressure;
- Areas of remnant vegetation, wetlands and watercourses should be fenced to exclude livestock;
- Where stables or other structures are proposed to be constructed for the housing of livestock, they must be located and managed so as not to detrimentally impact on the amenity of neighbouring residences;

Further to the above, the following information is required in the Property Management Plan:

Site plan of the property drawn to scale, indicating:

- Location of pasture areas, stables and yard areas/arenas;
- Fencing (including fencing of environmentally sensitive areas);
- Watercourses, wetlands, dams and areas prone to waterlogging;
- Existing vegetation;
- Manure Storage/composting area.

A written statement shall be provided that addresses the following (where applicable):

- The number and type of stock;
- Stabling practices;
- Collection, storage and disposal of manure, including fly management and odour control;
- Nutrient management plan;
- Pasture management techniques, including type and condition of pasture, rotation of pasture;
- Fertiliser application rates;
- Irrigation;
- Dust control;
- Weed control;
- Water availability and use;
- Soil type.

CONCLUSION

Where the keeping of animals results in challenges due to land degradation, nutrient enrichment/leaching, animal welfare or public nuisance, Council may require further reduction in the number of stock kept on a particular property. When Planning Approval is granted, the period of planning approval might be limited, at the Shire's discretion.

ANIMAL EQUIVALENTS FOR THE CALCULATION OF STOCKING RATES

Type of livestock	Weight (kg) and animal type	Dry Sheep Equivalent (DSE)
Sheep	50 kg Wether, ewe	1.0
	40-45 kg Lambing ewe (ewe and lamb)	1.5
	75 kg Rams	1.5
Cattle	425 kg Milking cow	10.0
	425 kg Dry cows, yearling, steer or heifer	8.0
	300 kg Yearling, heifer	6.0
	200 kg Smaller cattle (Dexter, Lowline)	4.0
	750 kg Bull, cow with calf	15.0
	Cow with young calf	10.0
Horses	450 kg Light	10.0
	1000 kg Draught	20.0

	250 kg Pony	5.0
Goats	30-35 kg Dry Angora	0.7
	35-40 kg Cashmere goat	1.0
	50-60 kg Dry milk goat	1.5
	Milking goat	2.0
Deer	120 kg Red deer	2.2
	50 kg Fallow deer	1.0
Other	55-120 kg Ostrich average (assumes half introduced feed)	1.4
	55 kg Emu average (assumes half introduced feed)	0.7
	150-210 kg Llama	3.0
	60-70 kg Alpaca	0.8

Note: Where a particular livestock is not mentioned in the table Council will determine the DSE

CALCULATION OF DSE FOR A PROPERTY

The following section describes how the DSE for a specific property can be calculated for the purposes of applying for Planning Approval for a 'Rural Pursuit' land use.

4. INFRASTRUCTURE POLICES

4.1 DrumMuster Process

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:	Aug 2017	Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To ensure equity and consistency for community groups involved in fundraising through the DrumMuster.

Procedure:

In recognition of their past efforts to revitalise the DrumMuster program in the Shire of Brookton, Council nominates Kweda Golf Club as its DrumMuster inspectors by default and for every second collection.

Community groups can apply to provide inspectors for the remaining collections. All inspectors must have attended the accredited Agsafe training.

4.2 Private Property Access and Crossovers

Policy Owners:				
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To provide direction to staff when receiving requests for access to private property.

Procedure:

ACCESS TO PROPERTY ON LAND OUTSIDE OF THE TOWNSITE BOUNDARY:

Council will provide culvert access or other appropriate access to property within the Shire and outside of the town site boundary, where it is considered necessary, appropriate or practicable, subject to:

- Access to provide owner with access from a Council owned road or property to the owner's property.
- Only one access per location will be provided.
- Any additional access required on a location or on locations that are contiguous to a location where Council has provided access, to be at the owner's expense.

ACCESS TO PROPERTY ON LAND WITHIN THE TOWN BOUNDARY:

Council will provide culvert access or other appropriate access to property within the town site, where it is considered necessary, appropriate or practicable to do so, subject to:

- Access to provide owner with access from a Council owned road or property to the owner's property.
- One access per lot will be provided subject to an approved building being constructed on the lot or planning approval and building license issued for the construction of an approved building on the lot
- Any additional access or access to vacant land to be at the owner's expense.

TOWNSITE LOT CROSSOVERS:

On application by the owner of land adjoining a Council road/street/way Council will contribute 50 % toward the construction of standard crossover, subject to the following:

- A standard crossover is deemed to be constructed to a maximum width of 6m to a hot mix seal standard or equivalent. Crossover to be constructed from the edge, or as near as practicable to the edge of a sealed road or the anticipated edge in the event the road is unsealed, to the owner's property boundary.
- Any extra width required on the crossover to be at the owner's expense.
- Additional cost for crossovers being constructed in brick paving, concrete or other similar material to be at the cost of the owner.

- Only one crossover per lot will be contributed to where there is an approved building on it. Crossovers on vacant land to be at the owner's expense.
- Additional crossovers to be at the owner's expense.

4.3 Slasher & Rotary Mower Ban

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Bush Fires Act 1954</i>			
Council Adoption:	Date:	Oct 2016	Resolution #:	13.10.16.01A
Last Amended:	Date:	Aug 2017	Resolution #:	
Review Date:	May 2019			

Objective:

The objective of this policy is to provide for the safety of residents and firefighters during the prohibited fire season.

Policy:

1. A ban on the use of slashers and rotary mowers shall apply from 1 December to 28 February during the hours of 6:00am to 6:00pm and from 6:00pm on the day a Total Fire Ban is imposed, unless the use is;
 - a. On a property within a townsite of any size that is reticulated or irrigated; or
 - b. On a property outside of the townsite that needs to be slashed or mowed and is irrigated or reticulated, and is less than 1 hectare in area.
2. The ban will be advertised as part of the Shire's Notes in the Brookton Telegraph, on the Shire website and Facebook page during November, December, January and February; and
3. The Shire's Chief Bush Fire Control Officer be advised immediately of the decision to impose the ban.

4.4 Use of Council Equipment and Machinery for Bushfire Control

Policy Owners:			
Policy Origin:			
Statutory Environment:			
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2019		

Objective:

To guide the use of council equipment when fighting bushfires.

Procedure:

All Council equipment and machinery is available for usage in controlling bushfires within or bordering the district. Equipment and machinery is to be utilised only by regular operators of such equipment or machinery.

Application of this policy is at the discretion of the Shire President, CEO or Chief Bush Fire Control Officer.

4.5 Expenditure Limit – Bush Fire Control Officers

Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2019			

Objective:

To control authorisation of Shire expenditure relating to the control of bushfires in the Shire of Brookton.

Policy:

The Chief Bush Fire Control Officer and registered Bush Fire Control Officers in charge of combating bush fires may commit up to \$500 of Shire funds for sustenance and fuel as considered necessary when attending to a bush fire under their control, without first having to obtain authorisation from the Shire President or the Chief Executive Officer, and subject to the following:

- a) The expenditure is limited to purchases from the following retail businesses:
 - Brookton IGA
 - Stumpy's Gateway (BP) Roadhouse
 - Brookton (Liberty) Roadhouse
 - Gill Rural Traders / Brookton Mitre 10
 - Brookton Deli
- b) The Chief Bush Fire Control Officer or registered Bush Fire Control Officer is to sign for the goods in a legible manner or conversely obtain receipt from the retailer to be presented to the Shire Administration within the week following the bush fire incident.
- c) The purchase of food is limited to bottled water, fruit, sandwiches and/or bread rolls, tea bags, instant coffee, sugar and milk. The purchase of other food stuffs is not covered by this policy.
- d) The Shire will not accept purchases that do not accord with provisions a) to c) above, unless otherwise authorised by the Shire President or the Chief Executive Officer.

4.6 Undeveloped Road Reserves

Policy Owners:	Principal Works Supervisor		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995, Part 3 – Functions of Local Governments, Division 1 – General, Section 3.1 General function.</i>		
Council Adoption:	Date:	Resolution #:	226/06
Last Amended:	Date:	Resolution #:	
Review Date:	May 2019		

Objective:

This policy is designed to discourage existing properties that consist of multiple titles being sold as separate titles and placing an expectation on the Shire to provide road access.

Policy:

The Shire of Brookton will not construct a road in an undeveloped road reserve where all adjoining land is owned or controlled by the one entity or farming enterprise.

Where a property is owned as a single entity that requires a road to be constructed in an undeveloped road reserve then the property owner shall:

1. Make a request in writing to Council;
2. Pay the cost of construction to the Shire or engage an approved contractor to undertake the works; and
3. Construct the road to a minimum 2wd access (driveway) standard to the Shire's satisfaction.

In determining whether land is owned or controlled by the one entity or farming enterprise Council will have regard to whether the property is contiguously rated.

4.7 Weather Related Road Closures

Policy Owners:	Chief Executive Officer & Principal Works Supervisor		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995, Part 1 – Introductory matters, Section 1.7; Part 3 – Functions of Local Governments, Division 1 – General, Subdivision 5 – Certain Provisions about Thoroughfares, Section 3.50; Local Government (Functions and General) Regulations 1996, Part 2 – Thoroughfares.</i>		
Council Adoption:	Date:		Resolution #: 10.08.08.02
Last Amended:	Date: Aug 2017		Resolution #:
Review Date:	May 2019		

Objective:

To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire's asset.

Policy:

Unless otherwise stated, Council shall practice its rights and obligations to partially or wholly close, and subsequently re-open, any road under its responsibility in accordance with provisions of the *Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996*.

Specifically, Council may close unsealed roads to all vehicles greater than 3 tonnes gross when conditions arise where damage to the structure and or surface of the road is likely to occur. This would usually occur in winter after grading and when 10mm or more of rain is forecast.

Rain events greater than 10mm may require unsealed roads to be closed until road conditions are suitable, as determined by the Chief Executive Officer or Principal Works Supervisor under Delegated Authority.

Notifications of weather related road closures will be made to adjoining Shires, and notices will be posted at the Shire Administration Offices, the notice board of the Brookton Community Resource Centre and the Shire/s website and Facebook page (As per Notice of Road Closure proformas)

Restricted Access Vehicle (RAV) permit holders with current Letters of Approval from the Shire, local carriers and any other interested parties will also be notified of weather related road closures by facsimile or SMS text message. A media release will be sent to media outlets.

Where Council is required to issue a local public notice, this shall be done in accordance with Section 1.7 of the *Local Government Act, 1995*. Where a road closure inadvertently exceeds a period of twenty-eight (28) days, the Council shall meet its obligations under Sections 1.7 & 3.50(4) of the *Local Government Act 1995*

and Section 4, Part 2 of the Local Government (Function and General) Regulations, 1996.

4.8 Restricted Access Vehicles

Policy Owners:	Chief Executive Officer & Principal Works Supervisor		
Policy Origin:			
Statutory Environment:	<i>Road Traffic Act 1974; Road Traffic (Vehicle Standards) Rules and Regulations 2002</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:	Aug 2017	Resolution #:
Review Date:	May 2019		

Objective:

To regulate Restricted Access Vehicles (RAV's) movements on local roads in the Shire of Brookton.

Main Roads WA (MRWA) to take over full responsibility for managing and enforcing all RAV approvals on Shire roads.

Policy:

- MRWA to assess and upgrade all current RAV 3 local roads to RAV 4
- MRWA to retain all Type A and B Low Volume (LV) conditions as they currently apply to local roads.
- Applicants seeking to operate (RAV) on local roads are to be advised as follows:
 - Approval is only valid on the Shire of Brookton local roads listed on the Permit Network 4 Permitted Road Table published on the MRWA website
 - Applicants are required to view the MRWA website to familiarise themselves with the LV conditions and abides by them.

4.9 Waste Management

Policy Owners:	Environmental Health Officer Principal Works Supervisor			
Policy Origin:	Strategic Community Plan (2013-23) Strategy 2.4.1 -Update and implement the Shires Waste Management Plan. Strategy 2.4.2 -Develop community based waste management initiatives and opportunities.			
Statutory Environment:	<i>EPA (Rural Landfill) Regulations 2002</i>			
Council Adoption:	Date:	Jun 2016	Resolution #:	13.06.15.02
Last Amended:	Date:	Dec 2016	Resolution #:	13.12.16.01
Review Date:	May 2019			

Outcomes:

1. An increase in the proportion of material recovered from the waste stream and a reduction in the proportion of waste destined for landfill.
2. The State Government supports the financial viability of actions that divert waste from landfill and recover it as a resource.

Objective:

1. To facilitate, encourage and promote economically sound, environmentally safe and efficient waste management practices, endorsed and supported by the community.
2. To maintain waste management services for public and private property that supports the policy directions of the State Government and other relevant agencies to reduce, re-use, recycle and safe disposal.
3. To communicate the message for behaviour change and promote its adoption and acknowledge the success of individuals and organisations.
4. To encourage an increase in recycling activities while still maintaining a landfilling operation.

Scope:

Refuse Facility (Reserve 24588, Lot 7857)
Domestic Waste Collection
Recycling
Green Waste Disposal
Street Litter

Policy Statement:

Waste Management is a major responsibility of the Shire and is significant from both a social and environmental perspective for the community.

The Shires waste management practices and recycling initiatives attempt to reduce the environmental impact of waste production by encouraging recycling and attempting to measure our progress in terms of the increase in recycling rates.

The Shire is supportive of the requirement for producers to take a greater responsibility for their commodities, so that there will be less waste to deal with and the environmental impacts of waste will be reduced. This is often called 'Extended Producer Responsibility' (EPR) or 'Life Cycle Responsibility'.

Other waste management initiatives that Council will support, include:

- Container Deposit Legislation (CDL).
- A state and industry funded e-waste scheme.
- Brookton Townsite Residential Bulk Rubbish Pickup Service (with operational conditions for the service and / or fees and charges determined from time to time by the CEO / Council respectively).

Rules determined by the CEO effective 1 January 2017 include;

The Brookton Townsite Residential Bulk Rubbish Pickup Service is provided free of charge to residents only, and delivered to their residence upon request for a week and then removed. Staff maintain a register of which residents utilise the service.

The service is advertised in the Brookton Telegraph and on Facebook from time to time and placed on the Council's Website and as a service that residents can avail themselves of.

There are two different types of bins available;

- 1 x Green Waste Bin (1 available)
 - 1 x Bulk Waste Bin (2 available)
- The bins are only available to properties within the Brookton Townsite and to properties zoned Residential, or Rural Residential and / or utilised for Residential purposes or Community Groups;
 - The bins are not to be used for general household (putrescible) waste;
 - The bin will generally only be placed at the relevant house for a week at a time however for operational reasons it may need to be there longer;
 - Council maintains a waiting list on a first come, first serve basis for the relevant bin type;
 - Residents are only permitted to utilise the free service once per financial year per type of bin – additional request in each financial year are only permitted if a \$50 plus GST payment in advance is made.
 - The provision or removal of bins will not interfere with operational requirements of the Outside Crew requiring the loader.

The Council adopted fee and charge for the service in 2017/18 is \$Nil for the first service in any financial year and \$50 plus GST for any subsequent request in that year.

In addition to the above, the Council will also focus on waste education and other initiatives to reduce the impact of waste on the environment and to reduce the financial burden of waste management.

Related Corporate Documents:

Shire of Brookton Refuse Facility – Waste Management Plan 2014
Brookton Townsite Residential Bulk Waste Bin Service Flyer

5. REGIONAL POLICES