



Shire of Brookton Council Policies

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Version: Inclusive of the following amendments

- *Ordinary Council Meeting 15 September 2016*

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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.

The Policy Manual compliments the separate document entitled the CEO's *Management Policy & Procedure 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.

COUNCIL POLICIES

Title:	1.1 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:		Resolution #:
Review Date:	May 2017		

Objective:

To detail the timing of the Ordinary meetings of Council.

Policy:

The Ordinary meeting of Council shall be held 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.

Title:	1.2 Council Committees – Terms of Reference			
Policy Owners:	Chief Executive Officer			
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:	September 16	Resolution #:	13.09.16.02
Review Date:	May 2017			

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 of Senior Employees.

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

Council **delegates its authority** and power 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.

Notewell: refer also Council Policy No. 1.10 CEO Performance and Salary Review.

Title:	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: 21/3/2013	Resolution #:	
Review Date:	May 2017		

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 matters that will be considered by Council; and
2. Can raise and discuss a broad range of matters of strategic and operational significance.

Council Briefing Forums are convened for a number of reasons, including but not limited to:

- The complexity of some items listed on the Council Agenda for the next or following meetings of Council;
- Elected members may require further information to be provided by staff;
- Elected members may need the opportunity to put questions to staff;
- Convening elected members as a group to provide information, is more efficient and effective than meeting staff on an individual basis;
- Providing elected members with the opportunity to have input into the development and review of strategic issues such as Strategic Plans, Council Policies and the like;
- Providing elected members with the opportunity to raise operational issues for the attention of staff;
- Giving staff the opportunity to seek comment and feedback from elected members on relevant matters; and
- Giving staff the opportunity to inform elected members of matters they have been dealing with.

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 four sections:

1. 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.

2. Structural Reform

For the purpose of ensuring that Councillors are provided with up to date information on structural reform.

To facilitate discussion on regional initiatives and resource sharing with other Councils in the region.

3. Future Council Agenda Items

For the purpose of ensuring that Councillors are more fully informed on matters prior to formal consideration at the next ordinary Council meeting.

This section of the CBF must only involve the provision of information by staff and/or the seeking of information of staff by Councillors.

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

4. General Business

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.

Title:	1.4 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:		Resolution #:
Review Date:	May 2017		

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.

A suitable gift may be purchased, the value of the gift to be up to and not exceeding the following:

- Councillors - \$200 per each completed 4-year term or pro-rata amount for shorter period.
- Additional allowance of \$100 per each completed 4-year term or pro-rata amount for shorter period for Deputy President.
- Additional allowance of \$200 per each 4-year term or pro-rata amount for shorter period for President.

Notewell: Review or discussion on this Policy will require prior exemption from the Minister for Local Government and Communities.

Title:	1.5 Media			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

To detail the communication protocol when dealing with members of the media.

Policy:

The Shire President and CEO are the elected and non-elected spokespersons for Council. No other Councillor or employee is authorised to provide statements to the media unless authorised by the Shire President or CEO.

Title:	1.6 Conferences Meetings 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:		Resolution #:	
Review Date:	May 2017			

Objective:

To encourage Council members to attend appropriate 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:

Each Councillor is entitled and encouraged to attend the annual WALGA Local Government Week Convention held during August. Council will pay for all conference and accommodation costs as well as all breakfasts and two evening meals for Councillors and partners. Other costs incurred will be the responsibility of the Councillor.

Councillors can elect to have personal expenses relating to attending conferences, meetings or seminars deducted from their annual sitting fees.

Title:	1.7 Australia Day Awards			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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.

Title:	1.8 Training – 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:		Resolution #:	
Review Date:	May 2017			

Objective:

To encourage newly elected Councillors to make a commitment to undertake training aimed at assisting them to successfully carry out their roles and 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 and recommendations on which training courses they should attend.

Councillors 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.

Title:	1.9 Staff Selection – 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 2017			

Objective:

To assist the CEO with the selection of senior employees.

Policy:

Deputy Chief Executive Officer

The CEO shall prepare a short list of candidates, conduct the interviews and appoint the successful candidate. The CEO shall invite members of the Employment Committee to sit on the interview panel.

This position has been designated as a senior position under Section 5.37(1) of the Local Government Act 1995.

Principal Works Supervisor

The CEO shall prepare a short list of candidates, conduct the interviews and appoint the successful candidate. The CEO shall invite members of the Employment Committee to sit on the interview panel.

This position has been designated as a senior position under Section 5.37(1) of the Local Government Act 1995.

Title:	1.10 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:		Resolution #:
Review Date:	May 2017		

Objective:

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

Policy:

Employment Committee shall conduct the CEO’s performance and salary package review and have the **power** to amend his/her salary package. Review to be conducted annually in April/May prior to the budget meeting.

Notewell: refer also Council Policy No. 1.2 Council Committees – Terms of Reference.

Title:	1.11 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 2017		

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.

Title:	1.12 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 2017		

Objective:

The objective of this policy is to detail the circumstances in which Council will undertake legal proceedings or 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.

Title:	1.13 Habitual or Vexatious Complainants			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	13.12.12.08
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 Senior Management Team, 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 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 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. Employees 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.

Title:	1.14 New Business Incentives			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	There is no Legislation covering this Policy.			
Council Adoption:	Date:		Resolution #:	13.04.09.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 may 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 Council stating full particulars of the proposed new business.

Title:	1.15 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:		Resolution #:	12.06.09.04
Last Amended:	Date:	19 November 2015	Resolution #:	14.11.15.02
Review Date:	May 2017			

Objectives:

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.
- Principal Works Supervisor is authorised to use Council provided Corporate Credit Card for Council approved expenditure within a credit limit of \$2,000 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.

Title:	1.16 Buy Local			
Policy Owners:	Chief Executive Officer, Principal Works Supervisor, Deputy CEO, Shire Planner and Community Services Manager			
Policy Origin:				
Statutory Environment:	<i>Local Government (Functions and General) Regulations 1996 Part 4A</i>			
Council Adoption:	Date:	April 2016	Resolution #:	13.04.16.03
Last Amended:	Date:	April 2016	Resolution #:	13.4.21.1
Review Date:	May 2017			

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;
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.

Title:	1.17 Fees and Charges for Community Facilities & Active Reserves			
Policy Owners:	Deputy CEO			
Policy Origin:				
Statutory Environment:	<i>Local Government Act 1995 s. 6.16</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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. The school can apply to Council annually for these fees to be donated back to the school.
10. Clubs requiring exclusive use of facilities will do so under a lease arrangement and will be responsible for the full maintenance and upgrade of their facilities. Lease fees will be determined outside the scope of this policy. Clubs within this category that receive financial support from Council will need to demonstrate that they generate sufficient funds to cover the maintenance and repayments by providing annual financial reports.
11. Categories of users are:
 - Commercial - are activities run by private companies or 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. Note that the local school will be considered as a community group. See policy 1.19 Brookton District High School and P&C
 - *(added to replace the table that was included in the Hall Hire policy)*

Notewell: refer also Policies 1.18 Hall Hire and 1.29 Waiving and/or Discounting of Hire Fees and Charges.

Title:	1.18 Hall Hire			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>n/a</i>			
Council Adoption:	Date:		Resolution #:	13.07.11.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

The Hall Hire Policy provides the framework for the management of Council’s Memorial Hall and WB Eva Pavilion hire program.

The policy aims to ensure that a range of user groups have fair and equitable access to Council’s community facilities.

Policy:

1. The CEO is **delegated with the authority** to deal with and make decisions pertaining to special requests and those uses which are not explicitly covered in this policy.

A bond will be charged for all users of the facility.

2. Damage & cleaning:

- Any damage to or loss of equipment, or cleaning required, will be charged to the Hirer as per the current replacement or repair cost of equipment, plus 15%;
- 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%;

Notewell: refer also Policy 1.29 Waiving and/or Discounting of Hire Fees and Charges

Title:	1.19 Brookton District High School and P&C		
Policy Owners:	Community Services Manager		
Policy Origin:			
Statutory Environment:	<i>Local Government Act 1995</i>		
Council Adoption:	Date:		Resolution #: 13.12.12.05
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

Objective:

To recognise the value of maintaining a positive and effective working relationship with the Brookton District High School (BDHS) and the P&C for the overall benefit of the community.

To ensure that a fair, equitable and transparent arrangement is in place for identifying the level of Council’s support of the Brookton District High School (BDHS) and P&C.

Policy:

Council provides facilities for overall community benefit and as such subsidises the use of these facilities to a substantial level in support of this expectation.

Brookton District High School bookings will attract the following discounts:

- Memorial Hall Community Group rate
- WB Eva Pavilion Community Group rate
- Sound equipment 50% of Charges
- Recreation Oval 50% of Daily Charge
- Hard Courts 50% of Daily Charge

Council provides in-kind support to community groups to assist their volunteer base and reduce the cost of their operations in support of this expectation.

To support the BDHS and P & C to deliver the best possible educational outcomes for the students, the Council will;

- Provide sand and other basic materials that can be sourced locally and without disruption to its normal operations free of charge subject to the approval of the CEO or PWS.
- Provide various in-kind support on an ad-hoc basis free of charge subject to the approval of the CEO or PWS.
- **Swimming Pool use for in-term classes? Others?**

Title:	1.20 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 2017			

Objective:

This policy is designed to prevent existing properties that consist of multiple titles being sold as separate titles and placing an expectation on the Shire to provide road access. Such an expectation would place a financial burden on existing ratepayers while the financial benefit would accrue to the seller of the property.

Policy:

The Shire of Brookton will not construct a road in an undeveloped road reserve where:

1. All adjoining land is owned or controlled by the one entity or farming enterprise; or
2. The road reserve was undeveloped at 1 July 2005.

Where a property owner 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 Council or engage an approved contractor; and
3. Construct the road to a standard approved by Council.

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.

Title:	1.21 Weather Related Road Closures			
Policy Owners:	Chief Executive Officer and 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:		Resolution #:	
Review Date:	May 2017			

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 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 published in the next edition of the Brookton Telegraph. (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 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 local public notice, the issue of local public notice shall be in accordance with Section 1.7 of the Local Government Act. Where a road closure inadvertently exceeds a period of twenty-eight (28) days, the Council shall meet its obligations under S1.7 & 3.50(4) of the Local Government Act 1995 and S4, Part 2 of the Local Government (Function and General) Regulations 1996.

Title:	1.22 Restricted Access Vehicles		
Policy Owners:	Chief Executive Officer and 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:		Resolution #:
Review Date:	May 2017		

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.

Title:	1.23 White Street Precinct			
Policy Owners:	Shire Planner			
Policy Origin:	Strategic Community Plan 2013-23 Goal 3: Built Environment & Infrastructure			
Statutory Environment:				
Council Adoption:	Date:	16/4/2015	Resolution #:	13.04.15.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Outcomes:

To provide a guiding statement of what Council intentions are in relation to the future developments on the subject precinct.

Objective:

1. To provide direction and guidance to the community and other interested parties
2. To enhance the landscaping and aesthetics of the Brookton Highway street frontage
3. To provide for developments and uses that maximise the benefits for current and future generations

Scope:

The subject precinct is located within Reserve 43158, which is zoned Recreation and is vested in the Shire under a Management Order for the purposes of recreation, health, tourism and civic and community purposes. The area is in the North East corner of the Reserve bounded by the Brookton Highway, White Street and Whittington Street. The precinct includes the existing developments of:

- the swimming pool and its surrounds;
- the redundant bowls club (building and greens – currently occupied by the Men’s Shed);
- the redundant tennis club (building and courts);
- the redundant basketball courts (lighting)
- the redundant fire brigade training track (lighting and water pumping infrastructure)
- three senior citizens villas owned by the Brookton Senior Citizens Homes Inc.; and
- the shire offices and car park.

Policy Statement:

The Council is committed to achieving “*A built environment and infrastructure that supports a thriving community*” as detailed in the Strategic Community Plan.

Council will pursue the following outcomes identified under this Goal within the Strategic Community Plan:

- Assets and infrastructure that supports long term community needs
- Shire buildings and facilities that meet current and future community needs
- Appropriate development which is diverse in nature and protects local heritage.

Given the White Street Precinct's strategic location adjacent to the Brookton Highway, on the Perth side of the town site, the area is considered to be a major element of the entrance statement for Brookton.

The enhancement of the landscaping and aesthetics of the precinct area, especially adjacent to the Brookton Highway, is considered a priority development. This may also include the upgrading, rationalisation of parking areas and the provision of a "Nature Play" area.

Council will develop a strategy to gradually de-commission or re-vitalise the redundant infrastructure that currently exists in the precinct area. The priority for this strategy will be those unused assets that would detract from any landscaping works that are proposed.

There are a number of community, sporting and cultural events/activities held on the Reserve and the precinct area could play an important part in complimenting these uses, e.g. the Old Time Motor Show.

Acknowledging that the Reserve is vested in the Shire for the purposes of recreation, health, tourism, civic and community uses and that there is no specific direction in our Strategic Plans, it is appropriate that Council be open to consider any developments for this precinct that fit within the purposes stated in the Management Order.

Title:	1.24 Economic Development			
Policy Owners:	Community Services Manager			
Policy Origin:				
Statutory Environment:				
Council Adoption	Date:	16/4/2015	Resolution #:	13.04.15.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Outcome:

The Shire is seen as a welcoming and attractive place to develop and expand new and existing business.

Objective:

To define the Council's role in economic development and to guide staff in the level of assistance the Shire will provide to business.

Policy Statement:

The Shire of Brookton has a key role in the local and regional economy. The community has highlighted economic development as a priority and Council is committed to achieving "*A strong and sustainable local economy*" as detailed in the Strategic Community Plan.

Council will pursue the outcomes identified within the Strategic Community Plan:

- A diverse and strong economic base
- Appropriate infrastructure that supports sustainable economic development
- Viable businesses with opportunities for local employment
- Availability of land for housing and industrial development

Council recognises that agricultural activity is the key economic and social driver of the community. Council is committed to sustainable economic development and aims to continue to grow our economic base.

The Shire will need to be adaptive in its approach. We will be a regional leader and involve our citizens in the decision making process.

COUNCIL'S ROLE

The Shire will influence economic growth through advocacy, facilitation, planning, service provision and having the capacity and tools to enhance the local economy.

Council will provide a positive climate to encourage business development and will form strategic alliances with other local governments, community groups and local businesses.

Council will assist business by:

- Taking a facilitative approach with applications
- Providing statistical and general information
- Providing assistance and advice obtaining Government grants
- Providing links to business networks
- Supporting business and employment support programmes

A 'project of local significance' may warrant additional support as determined by the Chief Executive Officer. A project of local significance is one that:

- has a long-term commitment to the Shire
- will have significant flow on effects
- Will add diversity to the Shire's economic base
- Will add value to the existing economic base
- Will add services to the community.

Where a project is declared a project of local significance, the CEO may appoint a senior staff member as a liaison officer to assist navigation of the approvals processes.

The level of support offered will reflect the level of benefit the community may derive from the investment.

IMPLEMENTATION

- The policy will guide the development and implementation of a local Economic Development Plan.
- The policy will be publically available via the website, and will be provided to businesses seeking to invest in the area.
- All sections of the organisation will be made aware of the Policy and the priority placed on it.
- Council will measure, monitor and report on progress towards sustainable economic development.

RELATED CORPORATE DOCUMENTS

- Sub-regional Economic Development Plan
- Town Planning Scheme

Title:	1.25 Councillor iPads			
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:	September 2015	Resolution #:	12.09.15.05
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

To define the provision of iPads ownership for new Councillors.

Policy Statement:

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

In order to comply with the legislation surrounding Councillor reimbursements and allowances, the iPad 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 purchase the device and plan on behalf of the Councillor. Once the technical setup is completed the iPad/Sim card will then be transferred into the name of the Elected Member. The cost will be calculated from the date of purchase until the ownership and any plans have been transferred to the Councillor. This cost will then be deducted in one payment from the meeting and travel allowances payable to the Councillor.

Title:	1.26 Social Media Policy			
Policy Owners :	Community Services Manager			
Policy Origin:				
Statutory Environment:	Local Government Act 1995			
Council Adoption:	Date:	September 2015	Resolution #:	13.09.15.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 Shire of Brookton, 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.

Title:	1.27 Aged Care			
Policy Owner:	Community Services Manager Chief Executive Officer			
Policy Origin:	Strategic Community Plan 2013-23 Outcome 1.6 – Quality of Life for Aged & Disabled			
Statutory Environment:	<i>Nil</i>			
Council Adoption:	Date:	July 2015	Resolution #:	13.07.15.01A
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 residents ability 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.

Title:	1.28 Disability Access and Inclusion			
Policy Owner:	Community Services Manager			
Policy Origin:	Strategic Community Plan 2013-23 Outcome 1.6 – Quality of Life for Aged & Disabled			
Statutory Environment:	<i>Western Australia Disability Services Act</i> <i>Western Australia Equal Opportunity Act (1984)</i> <i>Disability Discrimination Act 1992</i>			
Council Adoption:	Date:	2013	Resolution #:	
Last Amended:	Date:	July 2015	Resolution #:	13.07.15.03A
Review Date:	May 2017			

Outcomes:

1. The Shire of Brookton's functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability.
2. There is a culture of inclusion shared by people of all ages and abilities.

Objective:

That the Brookton Shire is accessible for and inclusive of people with disability, their families and carers.

Policy:

The Shire of Brookton is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers

The Shire of Brookton interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

The Shire of Brookton:

- recognises that people with disability are valued members of the community who make a variety of contributions to local social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life;
- believes that people with disability, their families and carers should be supported to remain in the community;
- is committed to consulting with people with disability, their families and carers and disability organisations in addressing barriers to access and inclusion;

- will ensure its agents and contractors work towards the desired outcomes in the DAIP;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability; and
- is committed to achieving the seven desired outcomes of its DAIP, these are:
 1. People with disability have the same opportunities as other people to access the services of, and any events organised by, the Shire of Brookton
 2. People with disability have the same opportunities as other people to access the buildings and other facilities of the Shire of Brookton.
 3. People with disability receive information from the Shire of Brookton in a format that will enable them to access the information as readily as other people are able to access it.
 4. People with disability receive the same level and quality of service from the staff of the Shire of Brookton.
 5. People with disability have the same opportunities as other people to make complaints to the Shire of Brookton.
 6. People with disability have the same opportunities as other people to participate in any public consultation by the Shire of Brookton.
 7. People with disability have the same opportunities as other people to obtain and maintain employment within a public authority

Title:	1.29 Waiving and/or Discounting of Hire Fees and Charges			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	Local Government Act 1995 – S6.12(1)(b)			
Council Adoption:	Date:	18.2.16	Resolution #:	13.02.16.02
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

To provide guidance to the Chief Executive Officer in the hiring and use of Council buildings, facilities and/or plant for fundraising/charitable/community events and functions.

Policy:

The following criteria must be met prior to consideration of the waiving or discounting of any hire charges:-

1. The organisation making the application must be based in the Shire of Brookton or have representation at a local level.
2. The event being undertaken must be for the benefit of local residents.
3. If the event is for a fundraising activity, a local organisation must be the recipient or a registered charity.

Examples of annual functions are, but not limited to:-

1. Annual Seniors Dinner.
2. Locally based Organisation Annual fundraiser.

Examples of major milestone events are, but not limited to:-

1. A Church Centenary Celebration.
2. Brookton DHS 30th Anniversary School/Student Reunion.
3. A Sporting Body/Club milestone (i.e. 75th anniversary of formation).

The CEO is **delegated authority** to determine the suitability of the application for the use of Council owned/managed facilities and plant. Maximum funding per applicant is \$250.

The CEO is to provide Council with details of delegations made in accordance with this policy as part of the monthly Council Briefing Forum.

Notewell: refer also Policies 1.18 Hall Hire and 1.29 Waiving and/or Discounting of Hire Fees and Charges.

Title:	1.30 Waste Management			
File No:				
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:	EPA (Rural Landfill) Regulations 2002			
Council Adoption:	Date:	June 16	Resolution #:	13.06.15.2
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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.

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

STATUTORY POLICIES

Adopted pursuant to the relevant Act.

Title:	2.1 OHS Bullying in the Workplace		
Policy Owners:	Chief Executive Officer		
Policy Origin:			
Statutory Environment:	Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments		
Council Adoption	Date:		Resolution #: 13.06.08.04
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

Objective:

To enable all employees to work in an environment free from bullying.

Policy:

The Shire of Brookton considers workplace bullying unacceptable and will not tolerate it under any circumstances. Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

The Shire of Brookton believes all employees should be able to work in an environment free from bullying. Managers and supervisors must ensure employees are not bullied.

The Shire of Brookton has grievance and investigation procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially. The Shire of Brookton encourages all employees to report workplace bullying. Managers and supervisors must ensure employees who make complaints or witnesses are not victimised. Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

The contact person for bullying at this workplace is the Deputy Chief Executive Officer.

Title:	2.2 OHS Contractor Management			
Policy Owners:	Chief Executive Officer, Principal Works Supervisor, Shire Planner and Community Services Manager			
Policy Origin:				
Statutory Environment:	Occupational Safety and Health Act 1984, and 2005 amendments Occupational Safety and Health Regulations 1996, and 2005 amendments			
Council Adoption:	Date:		Resolution #:	13.06.08.04
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

To acknowledge that Shire of Brookton has the same Occupational Safety and Health obligations to contractors and sub-contractors as it does to its employees.

Policy:

The Shire of Brookton recognises the complications that may be introduced by outsourcing some of its functions and relying on contractors. The presence of contractors and sub-contractors has the potential to create greater risks in the workplace/worksites, which can be attributed to a number of reasons, including;

- unfamiliar work sites,
- less training and supervision than regular employees,
- pressure of time, and
- long working hours.

The Shire of Brookton acknowledges that it has the same Occupational Safety and Health obligations to contractors and sub-contractors as it does to its employees. As the Principal, the Shire of Brookton understands that the duty of care to contractors/sub-contractors cannot be contracted out, and will ensure that all contractors/sub-contractors are protected from risk of injury or ill health while on its premises or when carrying out their designated duties.

Title:	2.3 OHS Equal Employment Opportunity			
Policy Owners:	Chief Executive Officer, Principal Works Supervisor, Shire Planner 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:		Resolution #:	
Review Date:	May 2017			

Objective:

To acknowledge that the Shire of Brookton has the responsibility to protect employees against harassment and discrimination in the workplace and to effectively manage breaches of policy in a fair and equitable manner.

Policy:

The Shire of Brookton shall comply with the WA Equal Employment and Opportunity Act (1984).

The Shire of Brookton recognizes that the WA Equal Employment Opportunity Act (1984) is concerned with:

- The recognition and acceptance of the equality of all persons regardless of gender, race, religious or political convictions, impairments or ages.
- The elimination of discrimination on the basis of the grounds covered in the Act.

SCOPE

This policy applies to whole organisation.

RESPONSIBILITY

The Shire of Brookton has the responsibility to protect employees against harassment and discrimination in the workplace and to effectively manage breaches of policy in a fair and equitable manner.

Employees

All employees are subject to relevant state and federal laws governing Equal Employment Opportunity (EEO).

It is unlawful for a person to subject or threaten to subject another person to any detriment where that person has made a complaint or proposes to make a complaint under the Act.

Managers / Supervisors Responsibility

Managers and Supervisors must:

- Handle complaints and grievances consistent with the policy objectives;
- Take prompt action re these issues;
- Seek advice where appropriate;
- Ensure confidentiality;
- Monitor issues / resolutions; and
- Assist with access to counselling where appropriate.

Title:	2.4 OHS Injury Management and Rehabilitation			
Policy Owners:	Chief Executive Officer, 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 2017			

Objective:

To assist in the timely and effective injury management of Shire employees.

Policy:

Taken from the “Municipal Workcare Scheme Injury Management Policy and Procedural Manual 2006”.

Responsibilities of the Employer:

- To make provision for the injury management and rehabilitation of all workers who have sustained a compensable work related illness, injury or disability.
- To treat all workers with dignity and respect.
- To guarantee that all information is treated with sensitivity and confidentiality.
- To return the injured worker to the fullest capacity for gainful employment of which they are capable.

With this in mind the “Key Principles of Injury Management”, as identified by WorkCover, will be adopted, which are:

- Recognition that employers and injured workers are the primary stakeholders within the workers’ compensation system.
- Maintenance in or a safe return to work is the expected outcome.
- Medical practitioners and employers play a central decision making role in the return to work of injured workers.
- The focus of all services should be workplace based.
- The injury management process should be transparent, cost efficient and effective.
- Early intervention and pro-active injury management is critical in achieving return to work goals.

- When vocational rehabilitation is required, all parties are involved in a process that is transparent and requires joint decision-making.

To assist in the timely and effective injury management of employees, the employer has appointed an employee to the role of Workplace Injury Management Coordinator as part of their duties, to implement and monitor the injury management and rehabilitation procedures. This appointment is in the knowledge that Municipal Workcare Scheme employs a dedicated Injury Management Advisor to assist and guide this individual. Further to this, the Scheme's claims Team Leader, appointed to the employer, is available to discuss any issues related to the management of the worker's claim.

Title:	2.5 OHS Noise		
Policy Owners:	Chief Executive Officer, Principal Works Supervisor		
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 2017		

Objective:

To identify and reducing all noise hazards in the workplace.

Policy:

The Shire of Brookton is committed to identifying and reducing all noise hazards in the workplace. The Organisation will, so far as is practicable, ensure that noise to which a person is exposed at the workplace does not exceed the exposure standard for noise (Occupational Safety and Health Regulation 3.46), namely an exposure equivalent to 85 dB(A) for 8 hours a day or a peak noise of 140 dB(C). If there is an exposure to machinery and equipment over 85dB(A) there shall be a regularly updated and maintained “Noise Exposure (Machinery and Equipment) Register”.

It is mandatory to refer to the “Noise Procedure” for the Management of noise in the workplace.

It is mandatory that everyone exposed to high noise levels at the workplace shall have a base line hearing test at time of employment and annual testing thereafter, and recorded on their personal file, which is stored in a secured location.

Title:	2.6 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 2017			

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.

Title:	2.7 Risk Management			
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 AS/NZS 4360: 2004 Risk Management Local Government Audit Regulations - 17</i>			
Council Adoption:	Date:		Resolution #:	13.06.08.04
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

- To implement the Risk Management Standard AS/NSZ 4360
- To define the organisation's tolerance to risk and communicate it throughout the organisation
- To communicate with the community about the organisation's approach to risk.
- To protect the reputation of the organisation
- To develop a Risk Management Plan that is aligned to the Strategic Planning process.

Policy:

The purpose of risk management is to develop a culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It also is designed to reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control.

Risk management is a key process in developing the strategic direction of the organisation.

The key drivers for risk management are Management's responsibility for due diligence as good corporate governance practice and the due diligence requirements by the insurance industry which impacts on the cost of insurance.

The Shire of Brookton is committed to managing risk in the organisation and will implement the AS/NZ 4360: 2004 Risk Management, as the minimum standard.

It is understood by the organisation that Risk Management is the systematic application of management policies, procedures and practices to the tasks of establishing the context, identifying, and analysing, evaluating, treating, monitoring and communicating risk.

Scope

This policy covers all the operations of the organisation including corporate governance, strategic Planning, Internal and External Communications, Information Technology, Resource Management Financial and human resources as well as operational risks such as legal compliance, business risks, Tenders and contract management, Project Management, Asset Management, Infrastructure Management and Emergency Preparedness and Response.

Responsibilities

Managers and/or Directors are responsible for:

- Ensuring that a Risk Management Policy has been developed, adopted and communicated throughout the organisation
- Ensuring that the CEO has implemented the Risk Management Standard AS/NZS 4360.
- Reviewing the Risk Management Policy and Plan annually.
- Annual performance review of the risk management implementation with the CEO.

CEO is responsible for:

- The full implementation of AS/NZS 4360 throughout the organisation.

Management are responsible for:

- Identifying and assessing all the potential risks in their area of responsibility.
- Collating, assessing, treating and reporting of all areas and tasks under their responsibility.

Employees must:

- Comply with the organisation's Risk Management Policy and Procedure.
- Attend the risk management training.
- Actively participate in the risk management program and organisational performance review and evaluation program.
- Actively participate in the organisation's continuous improvement program

Reporting

Will provide a report to Management on the Risk Management Standard AS/NZS 4360 implementation and review outcomes.

Documentation

Will ensure that all risk management processes are fully recorded throughout the organisation.

Title:	2.8 OHS Visitor Management			
Policy Holders:	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 2017			

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.

Visitors are not permitted to wander around workplaces unaccompanied. All visitors are to report to the front counter (where applicable) or to the appropriate supervisor before entering any workplaces/sites.

Prior to being authorised to enter a workplace, all visitors must be provided with workplace specific induction on the nature of hazards within the workplace and must be instructed in emergency evacuation procedures. It is important that the promotion of a safety culture within the workplace is transferred to the visitor by way of instruction and induction training.

Staff members are to accompany all visitors at all times. Visitors are restricted from entering all high hazard areas.

It is essential to ensure that the work environment allows safe access/egress of visitors at all times. This can be achieved by ensuring that all walkways remain clear of obstacles.

Title:	2.9 OHS Volunteer Management		
Policy Owners:	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 2017		

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.

Title:	2.10 OHS Fitness for Work		
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 AS/NZS 4360: 2004 – Risk Management</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

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 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 a blood alcohol test. If a blood alcohol level is deemed to be 0.05 and over, employees will be sent home without pay for the remainder of the day. As the employee will be over the legal limit to drive, alternative transport will be required.

If the blood alcohol level is under 0.05, employees will be prohibited from operating machinery, plant or equipment until a blood alcohol content of 0.00 is reached. Sedentary duties will be offered until then.

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

Title:	2.11 Purchasing			
Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor, Shire Planner and Community Services Manager			
Policy Origin:				
Statutory Environment:	Local Government (Functions and General) Regulations as amended			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	February 16	Resolution #:	13.02.16.03
Review Date:	May 2017			

Objectives:

- 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.

Policy:

Amount of Purchase	Policy
Up to \$2,000	Direct purchase from suppliers requiring verbal quotation(s).
\$2,001 - \$29,999	Where practical, obtain at least three verbal or written quotations.
\$30,000 - \$149,999	Where practical, obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$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*”.

Title:	2.12 Access to 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:		Resolution #:	13.04.09.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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.

Title:	2.13 Elected Members Records			
Policy Owners:	Chief Executive Officer			
Policy Origin:				
Statutory Environment:	<i>State Records Act 2000</i>			
Council Adoption:	Date:		Resolution #:	13.04.09.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 meeting the above criteria are passed to Council to be registered as part of Council's correspondence registration process into the current registration system.

Title:	2.14 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 #:	13.03.14.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

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

The policy applies to charges levied against you or your property including water charges (see clause 4) if applicable. Tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

Policy:

1. What is Financial Hardship?

You will be considered to be in financial hardship if paying an amount to the Shire will affect your ability to meet your basic living needs – in short, if you have the intention but, due to exceptional circumstances, are not able to pay.

Financial Hardship may, for example, be caused by

- spousal separation or divorce
- loss of a spouse or loved one
- physical or mental health issues
- a chronically ill family member

2. Identifying customers in financial hardship

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask a financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we may refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment we will advise you of the outcome.

3. Payment plans

If we determine that you are in financial hardship, we will offer you more time to pay the amount in question or a payment plan. We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting conditions of the plan, we will consider your capacity to pay and any other relevant issues. We will ensure that you are accessing any applicable pensioner and/or senior rebates. It may be appropriate to use a Centrepay option as part of the payment plan.

If appropriate, we will review and revise your extension of payment plan.

We do not have to, but may, offer a payment plan to a customer who has had 2 payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension of payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the landowner.

4. Waste Water Service Charges

This section only applies to charges levied against you for water services (sewerage). The content of this section is governed by the Water Services Act 2012 and associated Water Services Code of Conduct.

- We will not charge you any fees or interest as part of your arrangement. However, if the arrangement is not honoured fees and interest will be charged and backdated if applicable.
- If you are in financial hardship, we will consider reducing the amount you owe us.

5. Debt reduction and collection

We will also not commence or continue proceedings to recover your debt;

- while we are assessing whether or not you are in financial hardship, or
- if you are complying with your payment plan or another payment arrangement you have made with us.

If you do not comply with your payment plan or other payment arrangement we may commence debt recovery proceedings. When collecting your debt, we or any third party we engage will comply with part 2 of the ACCC and ASIC's Debt Recovery Guidelines for Collectors and Creditors.

The Shires has a Debt Recovery Procedures policy which can be found on the Councils website (Policy 4.10 of the policy manual)

We may outsource the debt to a debt collection agency; additional fees may apply in this instance.

You may be entitled to a rebate on your rates if you are currently in receipt of

- A pension and hold a Pensioner Concession Card (Centrelink or Veteran Affairs), State Concession Card or hold a Commonwealth Seniors Health Card AND a WA Seniors card OR
- A WA Seniors card only.

Please contact our office if you feel you are eligible for a rebate.

6. Useful information

- We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill,
- You may pay your rate notice by internet transfer, Centrepay, BPoint, Credit Card payment over the phone, in person by cheque, cash or EFTPOS.
- If you feel you may need financial counselling services we suggest you contact the Financial Counsellors Association of WA. It provides a free confidential service. Its contact details are

Financial Counsellors' Association of WA
Phone (08) 9325 1617
Email afm@financialcounsellors.org
Website www.financialcounsellors.org
Financial Counselling Helpline 1800 007 007

A list of the Shires Fees and Charges can be found on its website www.brookton.wa.gov.au

7. Complaints handling

The Shire has adopted a complaints handling policy which can be found at its website www.brookton.wa.gov.au. This policy outlines how complaints are handled by the Shire and the actions you may take if you feel your complaint has not been handled correctly.

An unresolved complaint may be arbitrated by an independent third party such as the Government Ombudsman or the Energy and Water Ombudsman.

The Government Ombudsman contact details are

Phone 1800117000
Email mail@ombudsman.wa.gov.au
Postal Ombudsman Western Australia
PO Box Z5386
St Georges Terrace Perth WA 6831

The Energy and Water Ombudsman contact details are

Phone 1800 754 004
TIS 131 450
TTY 133 677
Email energyandwater@ombudsman.wa.gov.au
Postal Energy and Water Ombudsman Western Australia
PO Box Z5386
St Georges Terrace Perth WA 6831

8. Approval and review

This policy was adopted by the Council on March 20, 2014; it has been approved by Economic Regulation Authority. Any Policy amendments are included in the annual Policy Manual review which is conducted in June.

We will review the policy every year to ensure it remains up to date and relevant.

9. Our Contact Details

Address 14 White Street, Brookton
Postal PO Box 42 - Brookton WA 6306
Phone 9642 1106
TIS 131450
TTY 133 677
Fax 9642 1173
Email mail@brookton.wa.gov.au
Website www.brookton.wa.gov.au

Title:	2.15 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:		Resolution #:	13.03.14.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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 water services.

It does not relate to complaints that must be legally addressed in another manner such as the State Administrative Tribunal or under the Whistle-blowers Protection legislation. Anonymous complaints are not considered under this policy.

A complaint is defined as a grievance a customer may have against the quality of a service, program or process of the Shire.

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

Procedure:

The complaints process is outlined in the following steps

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/>

Title:	2.16 Liquidity Management Strategy			
Policy Owners:	Chief Executive Officer, Deputy CEO			
Policy Origin:				
Statutory Environment:	<i>Aged Care Act 1997 Fees and Payments Principles 2014</i>			
Council Adoption:	Date:	February 2016	Resolution #:	12.02.16.05
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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.

Title:	2.17 Investment Management Strategy			
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:		Resolution #:	
Review Date:	May 2017			

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 framework 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*. The Chief Executive Officer may in turn delegate the day-to-day management of the Shire of Brookton's investment to Baptistcare. When delegated to Baptistcare the term 'Officers' will apply to the responsible officers at Baptistcare who are delegated to perform the relevant functions.

Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of the Shire of Brookton's investment portfolio. This policy requires officers to disclose any conflict of interest to the Chief Executive Officer.

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 1995 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 Banking Act 1959. 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.

Title:	2.18 Discrimination, Harassment and Bullying Policy			
Policy Owners:	Chief Executive Officer, Deputy CEO, Principal Works Supervisor, Shire Planner 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:	April 2016	Resolution #:	12.04.16.04
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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. Indirect discrimination can occur where a practice or requirement is imposed upon all employees; however a high proportion of employees with an attribute cannot comply with, or are affected by, that practice or requirement. The Local Government acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

The Shire of Brookton and its employees acknowledge they are subject to State and Federal equal opportunity and anti-discrimination legislation. 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 of 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

Title:	2.19 Grievances, Investigations and Resolutions Policy			
Previous No:	Chief Executive Officer			
File No:				
Statutory Environment:	<i>Equal Employment Opportunity Act 1984, Sex Discrimination Act 1984, Occupational Safety and Health Act 1984</i>			
Council Adoption:	Date:	April 2016	Resolution #:	12.04.16.04
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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

Title:	2.20 Grievances, Investigations and Resolutions Procedure			
Previous No:	Chief Executive Officer			
File No:				
Statutory Environment:				
Council Adoption:	Date:	April 2016	Resolution #:	12.04.16.05
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

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

Procedure:

The following procedure, based on the principles outlined in the Grievances, Investigations & Resolution Policy, is to be used in the resolution of any complaint. A complaint should be dealt with internally in the first instance where reasonable and practicable. The aim of this procedure is to resolve the complaint as quickly and confidentially as possible.

First step – Self Resolution

A Complainant should attempt to resolve the issue directly with the person(s) concerned in the first instance. The Complainant should identify the specific conduct which has caused offence, explain the impact of that conduct on them, and request that the conduct stops. In some circumstances, the Respondent may be unaware that their behaviour offends the Complainant. These actions should be taken as soon as possible.

If the Complainant is not comfortable attempting to resolve the issue directly with the Respondent, if their attempts to resolve the issue are unsuccessful or if the issue is deemed sufficiently serious, the Complainant should seek guidance from a senior manager on the options available to the Complainant. If the Chief Executive Officer is the Respondent of the complaint the Complainant may approach the Shire President and/or the Deputy Chief Executive Officer. The Complainant has the choice whether to proceed with their complaint at that stage and the complaint can be withdrawn at any stage. If a complaint is withdrawn and the Shire of Brookton deems that matter to be sufficiently serious, it may continue to investigate the complaint even if it has been withdrawn.

Informal Complaint Procedure

A complaint can be dealt with on an informal basis where:

- the allegations are not deemed sufficiently serious, for example interpersonal conflict or potentially amount to a minor breach of some Local Government policies, procedures and guidelines (Policies));
- the Complainant is reluctant to lodge a formal complaint; or
- the Complainant and the Respondent work together closely on a regular basis and the preservation of the employment relationship is paramount.

The informal complaint procedure may be approached as follows:

- The Complainant should approach their direct manager or in the alternative, another Manager, to outline their concerns, the desired outcome and any ideas for resolution of the complaint.
- The Complainant's manager or other Manager will explain the various options open to the Complainant for the resolution of the complaint.

If the Complainant chooses to proceed with the complaint, management can either:

- arrange for a mediation between the Complainant and the Respondent; and/or
- meet with the Complainant and the Respondent separately to discuss the issues and explore possible solutions; and/or
- write to the Complainant and the Respondent to obtain further information about the complaint and to explore potential solutions.

If the matter is resolved to the satisfaction of all parties, the matter will be concluded.

If the matter is not resolved, the manager and senior management will determine whether any further action is required. All meetings with the Complainant and the Respondent should be documented and any correspondence between the parties should be retained on a confidential basis.

Formal Complaint Procedure

A complaint should be dealt with through the formal complaint procedure where:

- it complaint involves sufficiently serious allegations, including but not limited to, sexual harassment, discrimination, criminal conduct, breaches of Local Government policies or breach of the Local Government Act 1995 (WA);
- the complaint involves a particularly sensitive or personal matter; or
- a formal complaint procedure is deemed appropriate in the circumstances by the manager.

Submitting a Formal Complaint

A formal complaint should be made in writing and include the following information:

- the Complainant's name and contact details;
- details of the specific incident or issue being complained about;
- if the complaint is about a person(s), the identity of the Respondent/Respondents and their relationship to the Complainant;
- the names of any witnesses who were present during the specific incident or who have first-hand knowledge of the issue being complained about;
- the outcome the Complainant is seeking; and
- any action that has already been taken in an effort to resolve the issue.

Preliminary Inquiry

Before commencing a formal investigation, the relevant Manager or Deputy Chief Executive Officer are able to conduct a preliminary inquiry if further information about the complaint is required to determine the level of seriousness involved.

The purpose of a preliminary inquiry is to:

- obtain details about the complaint and assess the seriousness of the allegations;
- determine the level of factual dispute;
- assess whether there is sufficient evidence to proceed to a formal investigation; and
- determine whether the Shire of Brookton should proceed with an investigation or refer the matter to an external authority. It may be appropriate to refer a matter to an external authority where the alleged conduct is potentially of a criminal nature, potentially breaches the Local Government Act 1995 or may need to be dealt with by the Corruption and Crime Commission.

Full Investigation

If deemed necessary, the relevant Manager or Human Resources may require a formal investigation to be conducted. The Shire of Brookton can elect to appoint a person from outside the Shire of Brookton to conduct the formal investigation or an appropriate Shire of Brookton employee may conduct the investigation (the Investigator).

The role of the Investigator is to collect information about the complaint and make findings about whether any allegations are able to be substantiated. The Investigator is responsible for ascertaining facts, reviewing documentation, interviewing parties and making a determination about whether any further action against the Respondent is warranted. The depth and scope of the investigation will depend on the nature of the complaint, however, as a general guide the following should be covered by the investigation report:

- the circumstances of any allegations made;
- a list of allegations made by the Complainant, the Respondent's response to the allegations and whether any of the allegations are substantiated;
- outline where any policies or legislation have been breached;
- evidence stemming from the complaint include any documentation such as emails; letters and signed witness statements; and
- any mitigating circumstances that have been presented through the investigation on behalf of the Respondent.

Outcome and Action

The outcome of the investigation will dictate whether any disciplinary action may be warranted. Whether any disciplinary action is required will be at the discretion of the relevant line manager in consultation with senior management. Any disciplinary action will be taken in accordance with the Disciplinary Policy.

Substantiated Complaints and Potential Outcomes

Outlined below are some examples of actions that may be taken after a formal complaint is investigated and outcomes have been substantiated.

- apology from the Respondent to the Complainant (written or oral/verbal);
- agreement from the Respondent that the behaviour will not be repeated;
- a Respondent can be issued with a verbal or written warning;
- transfer, demotion or termination of the Respondent's employment;
- counselling of the Complainant and/or Respondent;
- implementation of a training program; or
- changes to the Shire of Brookton's Policies.

Frivolous or Vexatious Complaint

If a complaint is found to be deliberately vexatious or malicious after an investigation, the employee making that complaint may be subject to disciplinary action, including but not limited to, termination of employment.

Other Resources

An investigation into a complaint may require the Shire of Brookton to utilise resources from outside the organisation to help resolve the situation, including:

- an Employee Assistance Program (EAP);
- use of an independent investigator; or
- use of an independent mediator.

Variation to this Procedure

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

PLANNING POLICIES

Adopted pursuant to the Planning and Development Act 2005 and Local (Town) Planning Scheme No.3.

Title:	3.1 Relocated Second Hand Buildings			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3 Building Act 2011</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:	March 2013	Resolution #:	
Review Date:	May 2017			

Objective:

The primary objectives of this policy are 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 Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

This policy supersedes Town Planning Scheme Policy No.1 – Second Hand Dwellings/Buildings, which is hereby revoked.

1.2 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.

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 may:

- Approve the application; or
- Approve the application with conditions; or
- Refuse the application.

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 or the approval is extinguished.

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 by Council:

- 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 required to be sought and issued prior to relocation commencing.

3.4 Advertising

Council will require any application for a relocated second-hand building 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

Council's Building Surveyor will be 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 by the Building Surveyor.

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 shall 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 will 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 by Council 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 will include:

- 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;
- The planting and ongoing maintenance of suitable landscaping to ensure the relocated building looks established on the new location;

- The connection to reticulated water (or appropriate potable water supply where reticulation is not provided), and an appropriate effluent disposal system;
- All plumbing and electrical wiring to meet the current BCA requirements and Australian Standards; and
- 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 is to be lodged with the Shire. Bank or other guarantees are not acceptable. This money will be refunded where the following requirements have been satisfied:

- The relocated second-hand building is transported to the site and stumped, joined, all walls external and internal made good, all doors and windows in working order and all external surfaces repainted to the satisfaction of Council's Building Surveyor, and the building complies with the relevant provisions of the Building Codes of Australia;
- All drains and plumbing are completed and the site cleared of debris including any broken wall cladding;
- Landscaping being planted to Council's satisfaction; and
- Any other conditions on the planning approval having been addressed.

5.2 Return of Bond

The time for completion of all work is six (6) months from the relocation of the building. The external paintwork or appearance of the building in addition to the necessary works required to make the building habitable are to be completed to the satisfaction of the Shire Planner and Building Surveyor prior to occupation of the building if this occurs within the six (6) month period.

5.3 Forfeiture of Bond

Failure to comply with all or any conditions placed by Council on the planning approval will result in forfeiture of the bond in total or in part and removal of the building unless otherwise determined by Council.

5.4 Bond Agreement

By payment of the bond to Council, the applicant has confirmed that they agree to the conditions of return of the bond and accept Council's reservation to withhold return payment of the bond until it is satisfied that all conditions of planning approval have been fully met.

6. APPLICATION AND INSPECTION FEES

The following fees are payable at the time of application:

- Planning Application Fee – in accordance with Council’s current Town Planning Fees Policy.
- Building Inspection Fee (prior to relocation) – in accordance with the current Schedule of Fees and Charges.
- Building Permit Fee in accordance with current Building fees and charges, including BCITF Levy (if payable).

Title:	3.2 Development Requirements for Rural Subdivision		
Policy Owners:	Chief Executive Officer, Shire Planner		
Policy Origin:			
Statutory Environment:	<i>Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

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.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

Road Construction

The following outlines the construction requirements for roads to be constructed 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 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 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 to provide constructed 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 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 will be permitted. 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 restrictive covenant is to be placed on the titles of each lot created notifying each subsequent landowner of the existence of the Fire Management Plan.

Title:	3.3 Garden Sheds – Planning Approval and Building Permit			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

The purpose of this policy is to provide certainty in relation to approval requirements, if any, for minor prefabricated garden sheds.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

No Planning Approval or Building Permit is required for one (1) prefabricated garden shed with a floor area of 10m² or less, wall height of 1.8m and ridge height of 2.1m per lot, providing that it complies with the various site requirements of Council's Policy No. 8.12 'Outbuildings'.

Title:	3.4 Residential Development on Low Lying Lands			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

The purpose of this policy is to provide direction when considering and evaluating development applications affected by probable flood events.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

All building applications and plans pertaining to land subject to water inundation shall be endorsed with the following:

“This land is subject to water inundation. The required minimum pad level has been calculated taking this into account; however Council accepts no responsibility for water inundation caused by extraordinary events.”

Title:	3.5 Temporary Dwellings on Land during Construction of a Building		
Policy Owners:	Chief Executive Officer, Shire Planner		
Policy Origin:			
Statutory Environment:	<i>Health Act 1911 Caravan Parks and Camping Grounds Regulations 1997 Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

Objective:

Under Section 144 of the Health Act 1911 a building not originally constructed or erected as a dwelling may only be occupied with the consent of the local authority.

The aim of these guidelines is to provide information on the process of obtaining approval to occupy on a temporary basis a building that is not considered to be habitable e.g. a shed or a caravan.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

TEMPORARY ACCOMMODATION APPROVAL

- Temporary accommodation approval will only be issued in areas **zoned agricultural and rural residential.**
- Temporary accommodation approval will only be granted for a **maximum of twelve months.**
- Temporary accommodation approval will only be granted for the occupation of a **shed or a caravan.**

TEMPORARY OCCUPATION OF A SHED

Under the Building Code of Australia a “shed” is classified as a Class 10a non-habitable building.

An application to occupy a shed on a temporary basis must include the following details:

1. An application for a building permit including a plan of the dwelling and the shed, site plan details and specifications for the dwelling and the shed.
2. A signed agreement (see copy attached) stating that habitation of the shed will cease after the expiration of the approval period and all habitable fixtures and equipment will be removed from the shed.
3. An application for the installation of an approved effluent disposal system.

Approval to occupy a shed on a temporary basis will be granted for a maximum of twelve months and is subject to compliance with the following conditions:

1. The provision of adequate facilities within the shed.
2. The installation of an approved effluent disposal system.
3. An approved building permit for the dwelling and the shed.
4. Provision of a potable water supply.
5. The installation of smoke alarms in accordance with the Building Code of Australia.

Approval checklist for temporary occupation of a shed:

- Building permit application form
- Building permit application fee
- 3 copies of plan details
- Site plan details
- 2 copies of specifications
- Septic tank application form
- Signed temporary accommodation agreement

TEMPORARY OCCUPATION OF A CARAVAN

The *Caravan Parks and Camping Grounds Regulations 1997 r.11(2)(c)* enables the Local Authority to approve a person who is an owner/builder camping in a caravan on land that the person owns or has a legal right to occupy, for a period of up to twelve consecutive months. This is limited to camping in connection with the construction of a dwelling on the land while a building permit issued to that person in respect of the land is in force

In the *Caravan Parks and Camping Grounds Act 1995*, a “caravan” is defined as a vehicle that is fitted or designed for habitation.

An application to occupy a caravan on a temporary basis must include the following details:

1. A building permit application for an ablution facility containing a toilet and bathroom including a plan of the dwelling, site plan details and specifications for the dwelling and the ablution facility.
2. A signed agreement (see copy attached) stating that habitation of the caravan will cease after the expiration of the approval period.
3. An application for the installation of an approved effluent disposal system.

Approval to occupy a caravan on a temporary basis will be granted for a maximum of twelve months and is subject to compliance with the following conditions:

1. The provision of adequate facilities within the ablution facility.
2. The installation of an approved effluent disposal system.
3. An approved building permit for the dwelling and the ablution facility.
4. Provision of a potable water supply.

Approval checklist for temporary occupation of a caravan:

- Building permit application form
- Building permit application fee
- 3 copies of plan details
- Site plan details
- 2 copies of specifications
- Septic tank application form
- Signed temporary accommodation agreement

Title:	3.6 Sewerage Connection		
Policy Owners:	Chief Executive Officer, Shire Planner		
Policy Origin:			
Statutory Environment:	<i>Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

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.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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.

Title:	3.7 Temporary Transportable Offices and Associated Buildings			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

The aim of this policy is to expedite the approval process for the placement of temporary offices and associated buildings on land outside of the Brookton Town site.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

1. Background

Companies undertaking work in the Shire often require temporary transportable offices and associated buildings. The time frames for the completion of these contracts are limited and the delay in obtaining Council approval for the placement of temporary buildings can impede progress.

2. Location

This policy applies to temporary offices and associated buildings that are to be placed outside of the Brookton Town site. The buildings are to be setback a minimum of 100 metres from any road.

3. Design

The buildings must be specifically designed as transportable buildings and comply with the Building Code of Australia. Buildings with amenities and toilet facilities must be connected to an appropriate waste disposal system, to the satisfaction of the Shire.

If no facilities are included in the building, alternative toilets and amenities must be provided on site in accordance with the Shire requirements.

4. Duration

The maximum duration of approval is 3 months at the end of which the buildings must be removed from the Shire of Brookton. Buildings must be readily removable at all times, i.e. they must be able to be removed within 24 hours' notice to do so.

5. Authority

That authority is **delegated** to the Chief Executive Officer to grant planning approval for the placement of temporary offices and buildings under the provisions of the Shire of Brookton Town Planning Scheme No. 3 in accordance with this policy.

Title:	3.8 Town Planning Fees Refund		
Policy Owners:	Chief Executive Officer, Shire Planner		
Policy Origin:			
Statutory Environment:	<i>Town Planning (Local Government Planning Fees) Regulations 2000 Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

Objective:

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

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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.

Title:	3.9 Fencing Design and Construction for Brookton Town site		
Policy Owners:	Chief Executive Officer, Shire Planner		
Policy Origin:			
Statutory Environment:	<i>Town Planning Scheme No. 3</i>		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2017		

Objective:

The aim of this policy is to establish guidelines for the acceptable standard of fencing within the Brookton Town site. By establishing fencing standards, the friendly and interactive streetscape of the Brookton Town site can be maintained and enhanced. The Policy is also a reference document for residents wishing to construct a fence.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Policy:

Traditionally, fences in country towns have been low stone, concrete or masonry walls, low timber picket or link mesh fences and similar fencing styles. These fences have clearly established the boundaries of the property. The low style fences have encouraged interaction between the streetscape and homes, and have fostered community spirit and awareness.

In recent years owners of properties in the Perth Metropolitan Area and country towns have constructed high walls and fences around their properties including along street fronts. Fences of this style are usually erected for reasons of privacy, security, road noise and protection from headlights.

High front walls should be avoided where possible as they disrupt the streetscape and compromise security. Generally it is considered that a house is more secure if it is visible from the street rather than hidden behind a high wall or fence. Large blank solid walls may also attract graffiti and anti-social behaviour, as they have the often (unintended) effect of closing in the public space itself and possibly inviting undesirable curiosity from passers-by.

CONSTRUCTION

Construction Materials

The only fencing materials permitted are masonry, timber, concrete, wrought iron, steel, link mesh, and corrugated fibro cement, although Council may consider approving the use of other materials. However, sharp objects such as glass, nails, barbed wire, steel spikes or the like must not be used unless the specific written permission of Council is obtained prior to any construction.

Construction requirements

- Fences generally must not exceed 1.8 metres in height.
- Front fences and fences on boundaries to public spaces should not have solid panels exceeding 750mm in height and the overall height is not to exceed 1.8m.
- Council will only consider front walls with solid panels between 750mm and 1400mm in height for approval where homes face roads classified as District Distributor or higher in the Functional Road Hierarchy or the property adjoins incompatible land uses.
- Council will only consider applications for solid walls above 1400mm and up to 1800mm for acoustic mitigation and, where at the front of a dwelling, such fence should be set back from the front boundary and take up as little of the property width as practicable. This clause relates specifically to noise mitigation of habitable rooms.

Fences on corner lots

Walls or fences on corner lots are to be truncated (standard 8m truncation) or reduced to no higher than 650mm to ensure adequate sight lines are provided for vehicular traffic.

Fences on secondary streets

Fences or walls to secondary streets between the primary street alignment and front setback are treated as though facing the primary street to maintain the streetscape.

A formal building permit is generally not required for the construction of a fence within the Brookton Shire unless:

1. The fence is part of a retaining wall that could affect the structural integrity of the building.
2. The location of the fence impacts on the requirements of the Building Code of Australia's access, egress, ventilation or lighting requirements.
3. The lot on which the fence is proposed is a public building as defined under the Health Act 1911 and Health (Public Building) Regulations 1992.

4. The fence is part of a development proposal to satisfy the provisions of the Town Planning Scheme and Residential Planning Codes.

APPLICATIONS FOR PLANNING APPROVAL TO CONSTRUCT A FENCE

All fencing proposals not in general accordance with the fencing requirements set out under this Policy shall be subject to Council's Planning Approval. All applications must be accompanied by 2 copies of the site plan indicating the position of the proposed fence, its height, the proposed materials to be used and its proximity to access ways on the lot and adjoining lots.

For fences of masonry construction: drawings, specifications and structural details must accompany the application and may require a building licence.

Title:	3.10 Residential Development on Farming Zoned Lots/Locations Without Frontage to Dedicated and Constructed Public Roads			
Policy Owners:	Chief Executive Officer, Shire Planner			
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:	June 2013	Resolution #:	10.06.13.03
Review Date:	May 2017			

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.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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

Title:	3.11 Outbuildings			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Clause 8.7 - Shire of Brookton Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	10.05.11.03
Last Amended:	Date:		Resolution #:	10.06.13.04 10.06.14.02
Review Date:	May 2017			

Objective:

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

1. AUTHORITY TO PREPARE AND ADOPT A PLANNING POLICY

The Shire of Brookton, pursuant to Clause 8.7 of the Shire of Brookton Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Outbuildings throughout the Shire of Brookton.

This policy supersedes Council’s previous Outbuildings Policy, which is hereby rescinded.

2. 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, this policy is required to give certainty as to what the Council shall approve.

3. REQUIREMENT FOR PLANNING APPROVAL

3.1 Determination

Council’s Town Planning Scheme No.3 requires Council to give its discretionary consent to sheds on all zoned land within the Shire. All applications for the construction of sheds and other outbuildings will be assessed against this policy prior to a decision being made under the provisions of the Scheme.

In determining the application Council may:

- Approve the application; or

- Approve the application with conditions; or
- Refuse the application, giving reasons for the refusal.

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 or the approval is extinguished.

3.2 Need for a Building Permit

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

3.3 Advertising

Council may require any application for an outbuilding to be advertised in accordance with Clause 7.2 of its Town Planning Scheme if deemed necessary.

4. INFORMATION TO BE SUPPLIED WITH APPLICATION

Application for the construction of an outbuilding under this policy is to be made by completion of an Application for Planning Approval form, signed by the owner(s) of the land. To enable timely determination of the application, the following information shall be provided:

- Purpose of the outbuilding, such as private workshop, storage shed, etc.
- Area of outbuilding in square metres;
- Height of outbuilding from natural ground level to the top of the wall, or bottom of eave, as appropriate;
- Height of roof ridge (or highest point of the roof) from natural ground level;
- Details on the cladding material to be used for roof and walls, including colour;
- A scaled site plan of the property showing distance of the proposed outbuilding from property boundaries, existing structures and effluent disposal systems;
- A sketch elevation of the front and sides of the outbuilding, showing height of the wall and roof ridge from natural ground level;
- Details of any trees to be removed to allow construction of the outbuilding; and
- Any other information Council may reasonably require to enable the application to be determined.

5. APPLICATION OF THE POLICY

This policy applies to all zoned land situated within the Shire of Brookton.

6. OBJECTIVES OF THE POLICY

The primary objectives are to:

- 6.1 Provide certainty for landowners of the building requirements within the Shire by ensuring that all development issues are considered when applying for Planning Approval, including that the Rural Nature of the Shire is maintained;
- 6.2 To limit the impact of outbuildings by specifying such things as maximum areas and height, location, material colour, landscaping and the like;
- 6.3 To adequately screen large buildings so as to not destroy the rural ambience and setting, to achieve and maintain a high level of rural amenity;

- 6.4 To allow sufficient scope for the siting of buildings sympathetic with landscape features, distant from neighbouring properties and important roads;
- 6.5 To ensure outbuildings are not used as de-facto dwellings; and
- 6.6 To ensure aesthetic and amenity impacts on neighbouring properties are considered when determining outbuilding proposals.

7. POLICY

- 7.1 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.
- 7.2 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.
- 7.3 Ablution facilities within outbuildings shall not be approved unless the outbuilding is associated with an existing or substantially commenced dwelling to reduce any occurrence of the outbuilding becoming a de-facto house. If the outbuilding is used in association with a commercial business, ablution facilities maybe permitted at Council's discretion.
- 7.4 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.
- 7.5 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.
- 7.6 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.
- 7.7 Sea containers shall generally only be approved as outbuildings in the Farming and Industrial zones. 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.

7.8 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 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	Outbuildings within 75 metres of a road boundary are to be constructed of Colorbond, masonry or similar approved material (excludes zincalume)
Commercial	400	200	5.0	7.0	a) Outbuildings to be constructed of Colorbond, masonry or similar approved material (excludes zincalume); b) Outbuildings shall be sympathetic to the streetscape; and c) Outbuildings shall reflect the heritage values of any associated building or adjacent properties.
Industrial	400	200	5.0	7.0	a) Outbuildings visible from a street to be generally constructed of Colorbond, masonry or similar approved material. Zincalume may be approved at Council's discretion; b) No outbuildings shall be constructed in the front setback area; c) Outbuildings shall only be approved if they are a component of an approved Industrial land use.

Title:	3.12 Tree Cropping			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Shire of Brookton Town Planning Scheme no. 3</i>			
Council Adoption:	Date:		Resolution #:	10.02.09.06
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

The objectives of this Local Planning Policy are to:

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications, in particular ensuring consistency across the five Shires;
- Allow local governments to keep track of tree crop developments, which will assist in promoting the region to potential processors;
- Demonstrate that SEAVROC local governments support and promote tree crops as a land use in the General Agriculture Zone;
- Encourage tree crop developers to adhere to industry guidelines and standards as specified in relevant codes of practice and other documents; and
- Identify specific issues that local governments wish to see addressed in the planning and development of tree crops.

Any tree crop development shall not be 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

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.

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.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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 crops 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.

The South East Avon Voluntary Regional Organisation of Councils (SEAVROC) member local governments, which are the Shires of Brookton, Beverley, York, Quairading and Cunderdin, wish to maximise the benefits and opportunities associated with tree crops, such as new industry development and regional investment, while minimising any potential negative impacts. They also recognise that having consistent policy across the region can facilitate planning approvals and provide landowner and investor confidence.

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 40 hectares in any one Shire in the Shires of Beverley and York and an aggregate area greater than 10 hectares in the Shires of Brookton, Cunderdin and Quairading.

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 'General Agricultural' or "Farming" in the Local Planning Schemes of the Shires of Brookton, Beverley, York, Quairading and Cunderdin.

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.

In the Shires of Beverley and York an application is required for all tree crop developments greater than 40 hectares in size. If an Applicant has tree crops with an aggregate area of less than 40 hectares within any one Shire an application is not required. However, the Applicant is required to submit a Tree Crop Development Application when new tree crop developments will result in the total aggregate area exceeding 40 hectares.

In the Shires of Brookton, Cunderdin and Quairading 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 in which the development will occur.

Assessment of Tree Crop Development Applications is to have regard to the application requirements and policy measures described in Sections 5.2 and 6 of this Policy.

5. Additional policy measures

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

5.1. General tree crop management

The Shires encourage 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 the Map.

The harvest and haulage of tree crop products results in ‘wear and tear’ of roads and other transport infrastructure and the Shires are seeking to minimise adverse effects on local roads within their control.

The future locations of processing facilities in or near the SEAVROC region are currently unknown, and it is therefore difficult to prepare a transport strategy prior to commencement of tree crop development.

5.3. Fire management

A fire management plan must be included as part of the overall Management Plan (see Attachment 2).

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 will normally be refused.

Title:	3.13 Patios, Verandas and Carports			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Clause 8.7 of Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	10.02.10.03
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objective:

This Policy is made with the objective of removing the requirement for planning approval for patios, verandas, carports and other structures associated with an existing dwelling, in specified zones, that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 3 (TPS 3) or their successors.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

Background:

In zones where a single dwelling is designated as a “P” (permitted) use under TPS 3 it is unclear if development approval is required for minor ancillary structures such as patios, verandas, rain water tanks and carports. In all other zones approval is required regardless of how minor the development is.

At its 19 February 2009 meeting Council resolved that:

“All patios, verandas, carports and other structures proposed to be associated with an existing single dwelling, which comply with the requirements of Town Planning Scheme No. 3, are considered ancillary to the single dwelling and as such no further Planning Approval is required”

This policy is to formalise Council’s resolution.

Application of Policy:

The policy applies to relevant development in the Residential, Rural Residential, Rural Town site and Farming zones, where a single dwelling has been approved and constructed. In all other zones Planning Approval is required.

Policy

As Planning Approval has already been granted for the dwelling where required, it is considered such approval encompasses minor attached and/or associated structures that comply with scheme and Residential Design Code requirements.

Where development ancillary to an existing single dwelling, such as patios, verandas and carports is proposed, no planning approval is required provided the proposed development complies with:

1. The Shire of Brookton's Town Planning Scheme No. 3 and its successors;
2. The Residential Design Codes 2008 and its successors; and
3. All other relevant Council policies.
4. The structure shall not be finished with zincalume and/or untreated or unpainted timber or metal, unless it matches the existing built form.

If, in the opinion of Council or the Shire Planner under **delegated authority**, the structure is of such a scale, bulk or style that it is likely to disturb the amenity and/or character of the area, then the structure will not be considered minor and planning approval will be required.

All building licence applications for the construction of patios, verandas, carports and other structures proposed to be attached to, or associated with an existing dwelling, will be assessed against this policy. Should planning approval be required, determination will be made under the appropriate provisions of the Scheme.

In determining an application, Council or the Shire Planner under **delegated authority** may:

- Approve the application with or without conditions; or
- Refuse the application.

Notwithstanding that planning approval may not be required, a building licence is required to be sought and issued by Council's Building Surveyor prior to construction commencing.

Title:	3.14 Signage within Zoned and/or Reserved Land			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Town Planning Scheme No. 3 – Cl. 8.7</i>			
Council Adoption:	Date:		Resolution #:	10.02.11.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

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.

Authority to Prepare and Adopt a Planning Policy

The Shire of Brookton, as enabled under Clause 8.7 of its Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding Relocated Second-hand Buildings throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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. Approval for the continuation of signage approval **may** be granted by the Shire Planner under **delegated authority** and does not require a new Application for Planning Approval as prescribed under Clause 7.1 of the Shire of Brookton's 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 distracting to motorists shall not be approved.
Within Main Roads Road Reserve	Local Government or Community Organisation	<ul style="list-style-type: none"> • Maximum surface of 4.5m². • Should the organisation cease to operate, all relevant signage must be removed.
	Commercial Advertising	Not allowed
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.
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. • Should the business cease to operate, all relevant signage must be removed.
	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 which the signage is placed... Should the business cease to operate, all relevant signage must be removed.
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.

Title:	3.15 Developer Contributions for Road and Footpath Upgrading			
Policy Owners:	Chief Executive Officer, Shire Planner			
Policy Origin:				
Statutory Environment:	<i>Clause 8.7 of Town Planning Scheme No. 3</i>			
Council Adoption:	Date:		Resolution #:	10.02.11.01
Last Amended:	Date:		Resolution #:	
Review Date:	May 2017			

Objectives

- 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.

Authority to prepare and adopt a planning policy

The Shire of Brookton, pursuant to Clause 8.7 of the Shire of Brookton Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding subdivision and development contributions for road and footpath upgrading throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

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.

Where a development proposal requires the upgrading of the road and/or footpath network, Council may require developer contributions under Clause 7.5.1 of the Shire of Brookton's Town Planning Scheme No. 3.

This Policy has regard to the information contained within the Western Australian Planning Commission's State Planning Policy 3.6 – Development Contributions for infrastructure. 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;
- 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 and development process.

Policy

1. All applications for subdivision or development approval 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 or development 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. When determining a development application, if in the opinion of Council the development generates the requirement for a road and/or footpath upgrade, the Council will seek a financial contribution to be made towards the upgrading of the road and/or footpath network.
4. 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.
5. 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.

6. 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.
7. Nothing in this policy shall prohibit Council from seeking the construction of a footpath network within a subdivision at the developer's expense.
8. 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.
9. 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 or development.
10. 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.

SIGNIFICANT ACCOUNTING POLICIES

Title:	4.1 Significant Accounting Policies			
Policy Owners:	Chief Executive Officer, Deputy CEO			
Policy Origin:				
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	10.02.11.01
Last Amended:	Date:	September 16	Resolution #:	12.09.16.02
Review Date:	May 2017			

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.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

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

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;
- and
- (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	not depreciated	not depreciated
pavement	15 to 100 years	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 and 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.

g) **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:

Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

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)	AASB 2010 -7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010)	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).

[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]

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

	Title	Issued / Compiled	Applicable ⁽¹⁾	Impact
(iii)	AASB 2011 - 7 Amendments to Australian Accounting Standards arising from the Consolidation and Joint Arrangement Standards [Not-For-Profit entities] [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]	December 2012	1 January 2014	Consequential changes to various standards arising from the issuance of AASB 10, 11, 12, 127 and 128. It is not expected to have a significant impact on Council.
(iv)	AASB 2012-3: Amendments to Australian Accounting Standards - Offsetting Financial Assets and Financial Liabilities [AASB 132]	June 2012	1 January 2014	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. This Standard is not expected to significantly impact the Council’s financial statements.

(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	<p>This standard makes amendments to AASB 136 and includes requirements to disclose additional information when present value techniques are used to measure the recoverable amount of impaired assets.</p> <p>It is not expected to have a significant impact on Council.</p>
(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	<p>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.</p> <p>It is not expected to have a significant impact on Council.</p>
(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 January 2015]	December 2013	Refer Title column	<p>Part A of this standard makes various editorial corrections to Australian Accounting Standards.</p> <p>Part B of this standard deletes references to AASB 1031 in various Australian Accounting Standards in advance of the withdrawal of AASB 1031.</p> <p>Part C of this standard makes consequential amendments to AASB 9 and numerous other standards and amends the permissions around certain applications relating to financial liabilities reissued at fair value.</p> <p>As the bulk of changes related either to editorial or reference</p>

changes it is not expected to have a significant impact on Council.

Notes:

⁽¹⁾ Applicable to reporting periods commencing on or after the given date.

(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.