2024-2026 COUNCIL POLICY MANUAL

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Shire of Dardanup

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EXECUTIVE

POLICY NO:
Exec CP001 – HONORARY SHIRE FREEMAN STATUS

GOVERNANCE INFORMATION			
Procedure Link:	PR003 - Honorary Shire Freeman Status	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		EXEC7	OCM	24/05/05	Res: 177/05	**Synopsis**	Policy created.
	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
Version	2	CP001	OCM	31/08/16	Res: 225/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP001	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP001	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	Exec CP001	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

To guide the Council in bestowing the title of Honorary Freeman to formally recognise outstanding and meritorious service of an individual to the community of the Shire of Dardanup.

3. POLICY

The following shall be taken into account when consideration is given to granting the honour and bestowing the title of Honorary Freeman of the Shire:

1. It shall not be restricted to Councillors.

2. It may be awarded to a Councillor in office where the Council considers that the criteria as described in Clause 5 has been met.

3. The length of service as a Councillor is not in itself a criterion.

4. Preference shall be given to a person who performs in a voluntary capacity, but this should not preclude the award to a person whose dedication and contribution is significantly above that expected from that occupation.

5. The contribution to the welfare of the community must involve one or more of the following criteria:-

   (a) Significant contribution to the person's time in serving members of the Community for the improvement of their welfare.

   (b) The promotion and attainment of Community services in which a real personal role and contribution is made.

   (c) Whilst difficult to define, the contribution must be outstanding in that it can be seen to stand above the contributions of most other persons.

3.1 Assessment of Nomination

The Council will assess the eligibility of the nominated person and the extent to which he or she meets the selection criteria and make a resolution.

The deliberation of the Council decision will take place Behind Closed Doors.

3.2 Entitlements

The Shire will:

3.2.1 Award the title at a Special Meeting of Council, followed by a reception.

3.2.2 Issue a press statement announcing the awarding of the title.

3.2.3 Present the endorsed nominated person with a certificate attesting his or her quality and bestowing the title of Honorary Freeman of the Shire of Dardanup.

3.2.4 Cause the name of the Honorary Freeman to be engraved or listed on the Shire's Board of Past and Present Freemen.

3.2.5 Any person to whom the title of Honorary Freeman of the Shire has been conferred may designate themselves 'Honorary Freeman of the Shire of Dardanup', and shall be invited to all subsequent formal civic functions conducted by the Shire.

3.3 Withdrawal or Declining of Nomination

3.3.1 The Shire may, by written notification to the person awarded, withdraw the title of Honorary Freeman at any time without having to provide any justification for doing so.

3.3.2 A nominated person may decline at any time, without having to provide any justification for doing so, his or her nomination for the title of Honorary Freeman.

3.3.3 A person holding the title of Honorary Freeman may at any time, without having to provide any justification for doing so, renounce the title.

3.3.4 The deliberation of the Council decision will take place Behind Closed Doors.

Shire of Dardanup

POLICY NO:-

Exec CP003 – ACTING CHIEF EXECUTIVE OFFICER

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		EXEC10	OCM	19/01/12	Res: 02/12	**Synopsis**	Policy created.
	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted – Procedure Prepared
Version	2	CP003	OCM	31/08/16	Res: 225/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP003	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP003	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP003	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

When the Chief Executive Officer takes annual or other Leave the Chief Executive Officer is to appoint the Deputy Chief Executive Officer in the first instance; or if the Deputy Chief Executive Officer is unavailable, one of the Directors in the second instance, as Acting Chief Executive Officer.

To enable the CEO to select the most appropriate officer at the time to be Acting CEO, taking into account the workload at the time and availability of the Director. If none of the Directors are available the Chief Executive Officer may appoint one of the Managers.

3. REFERENCE DOCUMENTS

Local Government Act 1995 5.36, 5.39C and 5.42

4. POLICY

That the Chief Executive Officer be authorised to appoint any of the Directors (or in special circumstances, a Manager) to be Acting Chief Executive Officer during the absence of the Chief Executive Officer on leave.

The Shire President and Council is to be provided with prior notice of the appointment when possible, or as soon as practicable.

In the event that the Chief Executive Officer cannot delegate the appointment of the Acting Chief Executive Officer position, the Council will authorise the appointment.

In the event that no Directors are available the Chief Executive Officer may appoint one of the Managers, or an external suitably qualified person to be the Acting Chief Executive Officer.

Appointment by the CEO or Council is to be in writing.

Shire of Dardanup

POLICY NO:
Exec CP011 – TOURISM POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		EXEC23	OCM	09/02/00	Res: 057/00	**Synopsis**	Policy created.
Version	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
Version	2	CP0011	OCM	23/11/16	Res: 297/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP011	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP011	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	7	Exec CP011	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

The Objectives are:

a) To recognise tourism as a social and economic force and as a potential major employer within the Council's area.

b) To foster and create a community awareness of the benefits of tourism within the Council's area.

c) To promote the name "Ferguson Valley" as a marketing identifier and use of the Ferguson Valley Logos where appropriate.

d) To foster the managed development and promotion of Gnomesville as a tourist attraction.

e) To ensure that Council will guide and influence the development of tourism in the district.

f) To provide the basic facilities and infrastructure sufficient to encourage development.

g) To ensure that facilities within the area are adequate to cater for visitors and residents.

3. POLICY

3.1. Council will work closely with, Ferguson Valley Marketing (Inc.) and other relevant Tourism and Government Departments, in all aspects of tourist development.

3.2. Council will endeavour to provide an adequate annual budget allocation for tourism expenditure.

3.3. Council will endeavour to assist (financially and by other means) tourist organisations or events which have the potential to develop tourism in the South West, subject to annual budget submissions.

3.4. In the formulations of its planning regulations, Council will have regard to the requirements of tourism development.

3.5. Council, in its review of planning instruments, ie. Strategic Plans, Town Plans and Development Plans, will take into consideration policies on tourism and other leisure related issues.

3.6 In the preparation of local laws and regulations, Council will have regard to their impact on tourism and the balanced development of the Council's area.

3.7. Council will encourage tourism product development and investment throughout the area and will facilitate the development application process.

3.8. Council will demand a high standard of design and aesthetics in all forms of tourist development.

3.9. Council will consider the welfare of the whole community when supporting tourism development and the provision of facilities.

3.10. When considering tourism developments, Council will consider the social, cultural, economic and environmental impact of the proposal within the area.

3.11. Council will ensure that where sensitive environmental historic or cultural areas exist, these areas will be adequately protected in relation to development or usage.

3.12. Council will support the provision of facilities sufficient to cater for destination and day trip visitors to appropriate areas within its boundaries.

3.13. Council will assist in seeking financial involvement from other sources wherever possible in the provision of tourist facilities.

3.14. Council will encourage the landscaping of residential and commercial centres within Council's area.

3.15. Council will, where practicable support the establishment of National Parks, enhancement of specific natural features, conservation areas of outstanding beauty, and recognise items of heritage significance.

4. REFERENCE DOCUMENTS

Local Government Act 1995 6.2 and Financial Regulations 1996 .

POLICY NO:
Exec CP012 – LEGAL REPRESENTATION – COSTS INDEMNIFICATION

GOVERNANCE INFORMATION			
Procedure Link:	PR017 - Legal Representation - Cost Indemnification	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		EXEC24	OCM	22/11/00	Res: 594/00	**Synopsis**	Policy created.
Version	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
	2	CP0012	OCM	23/11/16	Res: 297/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP012	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP012	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	Exec CP012	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

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

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

Each case will require a written agreement between the Shire of Dardanup and the member or employee establishing the conditions as referred in this policy.

The objectives are as follows:

a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.

b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.

c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

3. POLICY

3.1 General Principles

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

b) The local government may provide such assistance in the following types of legal proceedings:

i) proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
ii) proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (eg refusing a development application) or where the conduct of a

member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions)]; and

iii) statutory or other inquiries where representation of members or employees is justified.

c) The local government will not support, except in exceptional circumstances any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

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

e) The local government will not provide financial support for legal advice or legal representation to a member or employee (past or present) in any action brought against the Shire of Dardanup by that member or employee (past and present).

3.2 Applications for Financial Assistance

a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.

b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.

c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO). The matter is to be considered confidential and is to be considered behind closed doors.

d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the *Local Government Act 1995*.

e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of $10,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the *Local Government Act 1995*. Prior to release of funds in an urgent situation a signed legal agreement is to be in place to require the member or employee (past and present) to repay the funds if the matter is found not to comply with this policy.

f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

3.3 Repayment of Assistance

a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.

b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.

c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

4. REFERENCE DOCUMENTS

Local Government Act 1995, Section 5.42
Form 9 - Application Form - Legal Representation

Shire of Dardanup

POLICY NO:
Exec CP020 – CIVIC FUNCTIONS

GOVERNANCE INFORMATION			
Procedure Link:	PR034 - Civic Functions	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		**EXEC43**	OCM	13/08/14	Res: 251/14	**Synopsis**	Policy created.
Version	1	**CP0020**	OCM	25/01/17	Res: 02/17	**Synopsis**	New Council Policy Document endorsed
Version	2		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP020	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP020	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	Exec CP020	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

To specify the basis upon which the Council may hold Civic Functions.

The aim of this policy is to give guidance for the Shire President, in respect to section 2.8(1)(c) of *the Local Government Act 1995*:

> *2.8. Role of mayor or president*
> *(1) The mayor or president*
> *(c) carries out civic and ceremonial duties on behalf of the local government;*

The intent of this policy is to specify when Council will hold civic functions and how they should be conducted.

A Civic Function may take the form of a civic function, civic welcome, an official opening of facilities or civic event.

In certain circumstances the Shire President on behalf of Council may wish to recognise outstanding community service or other significant achievements by an individual or group by holding a Civic Function. Elected members may request that the Shire President consider hosting a civic function that aligns with this policy or submit a request to Council to host a function.

Civic functions may be conducted for:

- Exceptional achievement in sport, the arts, charitable endeavours, and community service.
- Commemorative events that celebrate significant occasions of importance to the local community.
- Official Delegations recognising overseas or interstate delegations.
- Community Acknowledgement – exceptional voluntary service by groups and individuals, over and above Civic Recognition Awards.
- Commemorative – events that happen that impact on the local community.
- Celebratory – exceptional achievement in sports, the arts, fund-raising, community participation or signing of significant agreements/accords with State/Federal Governments etc.
- Opening of Council facilities.
- The Council shall determine whether a Civic Function is to be held for any other purpose not currently covered by this policy.

3. POLICY

- Requests for civic functions must be made in writing to the Shire President of the day. The Shire President will then either approve or decline the request based on the criteria above, and the available budget.

- An elected member may submit a request for a civic function to Council.

- Honorary Freeman is to be invited to all Civic Functions as per Council Policy Exec CP001 – Honorary Shire Freeman Status.

4. REFERENCE DOCUMENTS

Local Government Act 1995 S 2.8(1)(c)

POLICY NO:
Exec CP021 – CONSULTANT LIAISON

GOVERNANCE INFORMATION			
Procedure Link:	PR035 - Consultant Liaison	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		EXEC44	OCM	05/11/14	Res: 346/14	**Synopsis**	Policy created.
Version	1	CP021	OCM	25/01/17	Res: 02/17	**Synopsis**	New Council Policy Document endorsed
Version	2		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP021	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP021	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP021	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

Within the General Terms of Contracts that the Shire of Dardanup has from time to time with suppliers, the Principal is stated as the Shire of Dardanup represented by the Chief Executive Officer, or a representative appointed by the Chief Executive Officer. This Policy is to ensure that Councillors, and members of committees and advisory / working groups do not contact suppliers and/or contractors to discuss the projects subject of the contract.

The Shire of Dardanup has a number of standing committees that assist Council in investigation and recommendations for action.

Council also has a policy of creating committees and advisory groups to deal with specific projects and to deal with the development of strategic policy to help the Council meet the Shires objective to develop the social and built fabric of the community.

Some committees and advisory / working groups include community stakeholders to assist the Council in planning and implementing strategic projects.

The policy objective is to give guidance to members of committees and advisory / working groups to ensure that contractual arrangements with consultants are not compromised.

3. POLICY

- All contact with consultants, service providers and suppliers are to be through the Chief Executive Officer, or the Chief Executive Officer's representative appointed in writing.

- Councillors, members of a committee or advisory or working group of Council tasked with the development of a project are not to contact consultants, service providers and suppliers without prior approval from the Chief Executive Officer, or the Chief Executive Officer's representative appointed in writing.

- For Councillors a breach of this policy may be considered to be a breach of the Rules of Conduct 19 - Prohibition against involvement in administration.

- For a member of a committee, advisory and/or working group a breach of this policy may result in a request to Council to have the member removed from the relevant group.

- The following is to be included in Committee, Advisory and / or Working Group Terms of Reference and Meeting Agendas immediately following the Affirmation of Civic Duties and Responsibility.

> *"Committee members acknowledge that only the Chief Executive Officer or a member of the Shire of Dardanup staff appointed by the Chief Executive Officer is to have contact with consultants and suppliers that are appointed under contract to undertake the development and implementation of projects.*

The exception to this Policy is when there is a meeting of the committee or advisory group with the consultant and the Chief Executive Officer or the Chief Executive Officer's representative is present.

Members of committees acknowledge that a breach of this Policy may result in a request to Council to have them removed from the committee."

4. REFERENCE DOCUMENTS

2024 - Adopted Elected Member Code of Conduct

POLICY NO:
Exec CP026 – SOCIAL MEDIA

GOVERNANCE INFORMATION			
Procedure Link:	PR059 - Social Media	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		CORP16	OCM	16/10/13	Res: 325/13	**Synopsis**	Policy created.
Version	1	CP026	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	2	Exec CP026	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP026	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP026	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. POLICY OBJECTIVE

This policy details legislative obligations and establishes protocols applicable to the Shire of Dardanup's official communications with our community, to ensure the Shire of Dardanup is professionally and accurately represented and to maximise a positive public perception of the Shire.

3. POLICY SCOPE

This policy applies to:

3.1 Communications initiated or responded to by the Shire of Dardanup (including Eaton Recreation Centre and Shire of Dardanup Library Services) with our community.

3.2 Council Members when making comment in either their Shire of Dardanup role or in a personal capacity about matters relevant to the Shire.

3.3 Employees making comment in either their Shire of Dardanup role or in a personal capacity about matters relevant to the Shire.

4. POLICY STATEMENT

4.1 Official Communications

The purpose of the Shire of Dardanup's official communications is to Inform, Engage, Connect and Empower our community to actively participate in decisions ensuring our projects and services are closely aligned with our community's expectations. *[Communications Plan 2021]*

This includes:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the Community.
- Promoting Shire of Dardanup events and services.
- Promoting Public Notices and community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire.
- Receiving and responding to community feedback, ideas, comments, compliments, and complaints.

The Shire of Dardanup's official communications will be consistent with relevant legislation, policies, standards, and the positions adopted by Council. Our communications will always be:

- Accurate, timely and accessible and presented via a range of channels in a friendly, personable, and jargon-free style of writing so that it is both interesting and easy-to-understand.
- High quality and published regularly on a variety of topics and in a range of formats.
- Relevant to needs and expectations.
- Presented in a consistent and expected way. *[Communications Plan 2021]*

The Shire of Dardanup will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Websites and digital platforms.
- Newsletters in both email and printed formats.
- SMS.
- Brochures, fliers, posters, information sheets, advertising.
- Media releases prepared for the Shire President to promote specific Shire positions.
- Social media.
- Letters.
- Signs.
- Agendas and Minutes, Reports, Public Notices.
- Plans and strategic documents.
- Podcast / Radio Interviews. *[Communications Plan 2021]*

4.2 Speaking on behalf of the Shire of Dardanup

The Shire President is the official spokesperson for the Shire, representing the Local Government in official communications, including speeches, comment, print, electronic, radio / tv and social media. *[s.2.8(1)(d) of the Local Government Act 1995]*

Where the Shire President / Mayor is unavailable, the Deputy Shire President may act as the spokesperson. [*s.2.9 and s.5.34 of the Local Government Act 1995]*

The CEO may speak on behalf of the Shire, where authorised to do so by the Shire President. *[s.5.41(f) of the Local Government Act 1995]*

The provisions of the *Local Government Act 1995* essentially direct that only the Shire President, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire.

Communications by Council Members and employees, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the Shire of Dardanup into disrepute, *[Code of Conduct Division 3 Behaviour 8. Personal Integrity]*
- compromise the person's effectiveness in their role with the Shire, *[Shire of Dardanup, Code of Conduct for Employees and Shire of Dardanup Code of Conduct for Council Members, Committee Members & Candidates].*
- imply the Shire's endorsement of personal views *[s.2.8(1)(d) of the Local Government Act 1995]*.
- imply the Council Member or employee is speaking on behalf of the Shire, unless authorised to do so *[s.2.8(1)(d) of the Local Government Act 1995];* or
- disclose, without authorisation, confidential information *[s.5.93 of the Local Government Act 1995]*.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Dardanup *[State Records Act 2000 / Local Government Record Keeping Plan, s's 5.23(2) and 5.93 of the Local Government Act 1995].*

Council member communications must comply with the 0/124 and the *Local Government (Model Code of Conduct) Regulations 2021*.

4.3 Responding to Media Enquiries

All enquiries from the Media for an official Shire of Dardanup comment, whether made to an individual Council Member or Employee, must be directed to the CEO or a person authorised by the CEO (Communications Officer – Media). Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Dardanup.

Council Members may make comments to the media in a personal capacity – refer to clause 7.1 below.

4.4 Website

The Shire of Dardanup will maintain an official Shire website and Eaton Recreation Centre website, as our community's online resource for access to official communications.

4.5 Social Media

The Shire of Dardanup uses social media to facilitate interactive information sharing and to provide responsive feedback to our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire of Dardanup maintains the following Social Media accounts:

- Social networks, including - Facebook, LinkedIn, and Google+.
- Media Sharing networks, including – Instagram, YouTube, and Podcasts.
- Apps (applications), including – Facebook Messenger.

The Shire of Dardanup may also post and contribute to social media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions, and feedback from our community however, we expect participants to behave in a respectful manner. There is no obligation on the Shire to respond to questions or comments on the social media platform, and comments may be turned off, where the communication is intended for information purposes only. The Shire will moderate its Social Media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false, or misleading.
- Promotional, soliciting, or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.
- Content that violates intellectual property rights or the legal ownership of interests or another party; and
- Any other inappropriate content or comments at the discretion of the Shire.

Where a third-party contributor to a Shire of Dardanup social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

4.5.1 *Shire President / Mayoral Social Media Official Accounts*

The Shire of Dardanup supports the Shire President in using official social media account/s to assist the Shire President in fulfilling their role under section 2.8 of the *Local Government Act*, to speak on behalf of the Local Government. The content will be administered and moderated in accordance with this policy.

These official Shire of Dardanup accounts must not be used by the Shire President for personal communications.

4.5.2 *Use of Social Media in Emergency Management and Response*

The Shire of Dardanup will use the following channels to communicate and advise our community regarding Emergency Management:

- Website
- Facebook
- SMS

4.6 Record Keeping and Freedom of Information

Official communications undertaken on behalf of the Shire of Dardanup including on the Shire's Social Media accounts and third-party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000.* These records are also subject to the *Freedom of Information Act 1992*.

Council Member communications that relate to their role as a Council Member are subject to the requirements of the Shire's Record Keeping Plan and the *State Records Act 2000.* Council Members are responsible for transferring these records to the Shire's administration. Council Member records are also subject to the *Freedom of Information Act 1992*.

4.7 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, texted, or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Council Members and Shire Employees should ensure their personal or private communications do not breach the requirements of this policy, the Elected Member Code of Conduct, the Code of Conduct for Employees , and the *Local Government (Model Code of Conduct) Regulations 2021*.

4.7.1 *Council Member Statements on Shire Matters*

A Council Member may choose to make a personal statement publicly on a matter related to the business of the Shire of Dardanup.

Any public statement made by a Council Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Dardanup.
2. Be made with reasonable care and diligence *[Model Code of Conduct Reg.4(1)(a)]*.
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination, or harassment laws.
4. Be factually correct *[Model Code of Conduct Reg.6(a) and 8(1)(b)].*
5. Avoid damage to the reputation of the local government *[Model Code of Conduct Reg.4(1)(e)(d)]*.
6. Not reflect adversely on a decision of the Council *[Shire of Dardanup, Code of Conduct for Employees 3.12].*
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Model Code of Conduct Reg.9(d)], [Shire of Dardanup, Code of Conduct for Employees and Shire of Dardanup Code of Conduct for Council Members, Committee Members & Candidates].*
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee, or community member *[Model Code of Conduct Regs. 9(c) and 20(4)(b), [Shire of Dardanup, Code of Conduct for Employees and Shire of Dardanup Code of Conduct for Council Members, Committee Members & Candidates]*.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO. Councillors should note, that even when a statement is made in personal capacity, it does not preclude the media from reporting on it as being a statement from a Councillor of the Shire of Dardanup, and therefore it is recommended that assistance be sought.

Comments which become public, and which breach this policy, the Elected Member Code of Conduct, the Code of Conduct for Employees, or the *Local Government (Model Code of Conduct) Regulations 2021*, may constitute a minor breach of the *Local Government Act 1995 [refer s.5.105]* and may be referred for investigation.

POLICY NO:-
Exec CP031 – PASSING OF EX SHIRE COUNCILLORS

GOVERNANCE INFORMATION			
Procedure Link:	PR002	**Council Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		EXEC5	OCM	27/03/98	Res: 323/98	**Synopsis**	Policy created.
Version	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
	2	CP031	OCM	23/11/16	Res: 297/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP031	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP031	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP031	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

As a sign of recognition and respect to past Councillors the Council wishes to acknowledge to the family of the deceased their respect and high regard for the deceased and to express openly these signs of honour and sympathy.

To be respectful toward the people that have committed many long hours of community service and to show the families that the people still remember the commitment made for the community by their loved ones.

3. POLICY

On receiving advice that a past Councillor of the Shire of Dardanup has passed away, the Chief Executive Officer is authorised to fly the Shire Flags at half-mast on the day of the deceased person's funeral as a sign of respect to the deceased and their family.

On receiving advice that a past Councillor of the Shire of Dardanup, or his/her partner, has passed away, the Chief Executive Officer shall forward a sympathy card to the surviving partner and or family of the deceased on behalf of the Shire President, Councillors and Staff.

POLICY NO:
Exec CP080 – AUSTRALIAN CITIZENSHIP CEREMONIES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History			OCM	13/02/98	Res: 201/98	**Synopsis**	Policy created. 13/02/1998
Version		DEV5	OCM	10/05/12	Res:	**Synopsis**	Revised Policy Adopted 10/05/2012
Version	1	CP080	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	2	SDev CP080	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP080	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP080	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive Development

2. PURPOSE OR OBJECTIVE

The purpose of this policy is to ensure that Australian Citizenship Ceremonies conducted by the Shire are carried out in accordance with the Australian Citizenship Ceremonies Code. This Code adheres to the *Australian Citizenship Act 2007* and outlines the legal and procedural requirements for conducting such ceremonies. Additionally, this policy aims to foster a welcoming environment for new Australian citizens by recognising their important milestone and promoting the Shire of Dardanup (the Shire) as a supportive and caring entity.

3. POLICY

In alignment with the Australian Citizenship Ceremonies Code and the Shires commitment to community and citizen engagement, the following provisions apply to Australian citizenship ceremonies conducted by the Shire:

3.1 Presentation of Gifts

- The Shire will present an appropriate gift to all conferees who complete their Australian citizenship ceremony at the Shire.
- The value of the gift will be up to $20, ensuring it is a meaningful token of recognition for their new status as Australian citizens.

3.2 Ceremony Conduct

- The Shire President, acting as the “Presiding Officer,” will officiate the citizenship ceremony, administer the oath or affirmation of allegiance, and present new citizens with their certificates from the Commonwealth.
- Conferees will also receive a gift from the Shire, acknowledging their significant achievement.

3.3 Presiding Officers

- The authorisation to act as a Presiding Officer for Australian citizenship ceremonies is granted by the Australian Government Minister responsible for citizenship matters and is specific to the individual or position.
- The Shire of Dardanup official Presiding Officers are:
    - Shire President, Cr T Gardiner
    - Deputy Shire President, Cr E Lilly
- Presiding Officers do not have the authority to appoint a proxy. If the designated Presiding Officer is unavailable, the ceremony cannot be conducted by an unauthorised individual.

4. RESPONSIBILITIES

- The Shire President and Deputy Shire President are responsible for officiating citizenship ceremonies as authorized Presiding Officers.
- Shire staff will coordinate the procurement and preparation of gifts and ensure that all ceremonial items are ready and available for each citizenship ceremony.

5. REVIEW AND AMENDMENTS

- This policy will be reviewed annually to ensure compliance with any changes in legislation or guidelines.
- Amendments to this policy will be made as necessary to reflect updated practices or changes in the Australian Citizenship Ceremonies Code.

5. REFERENCE DOCUMENTS

Australian Citizenship Ceremonies Code
Australian Citizenship Act 2007

POLICY NO:
Exec CP088 – FORUMS OF COUNCIL – CONCEPT FORUMS, AGENDA FORUMS AND WORKSHOPS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	New	OCM	27/11/19	Res: 335-19	**Synopsis**	Policy created and endorsed.
Version	2	Exec CP088	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP088	OCM	29/09/21	Res: 297-21	**Synopsis**	Amended and Adopted by Council
Version	4	Exec CP088	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP088	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

Local government forums range from a once-only event to discuss and explore a particular issue, to a number of sessions to address matters such as a specific project; or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

3. POLICY

3.1 Concept Forums

Background

Concept forums involve Council members and employees meeting to propose, discuss and formulate philosophies, ideas, strategies, and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some-time away from being presented to Council for decision.

In discussing such issues, employees are looking for general guidance from the Council members as they research the matter and draft the report. Council members and employees are also looking to present ideas and concepts for future consideration. If the response is favourable employees can proceed with their research and eventual report on the matter.

Examples of the type of issues concept forums may cover include –

- Current matters of a local or regional significance.
- Matters relating to the future development of the local government.
- Significant revenue-raising requirements or expenditure needs.
- The development of internal strategic, planning, management, and financial documents.
- Development of the selection criteria and performance.
- Objectives for the Chief Executive Officer (CEO).
- Reports from Advisory Groups, Community Engagement Outcomes or other non-formal activities involving Councillors or employees.

Behind Closed Doors:

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive, or impractical and never adopted.

Managing Concept Forums:

Unless otherwise determined by the Chief Executive Officer in consultation with the Shire President, Concept Forums are generally held on the Wednesday afternoon following the Ordinary Meeting of Council.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available, the Council members' present shall choose a person who shall preside over the Concept Forum so as to ensure the guidelines as addressed in this policy are adhered to.

A general record should be kept of the Concept Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received, or adopted at a later date.

Conduct at Concept Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Model Code of Conduct) Regulations 2021* and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Employees, in relation to their conduct at Concept Forums.

The forums shall run in a formal manner with all questions being directed through the Chair.

Project Updates:

The Chief Executive Officer shall cause presentations to be made in relation to the following:

a) Presentations on achieving major projects; progress updates regarding major projects.
b) New Ideas - Concept Forums are a place for which new ideas and projects are to be discussed.

Councillor Reports

At every Concept Forum each Councillor may raise issues that have arisen since the last meeting. This may include discussions that have come from ratepayers/electors or third parties that require further information, clarification on employee's actions to date or general information.

Managing Conflicts of Interest

No Council member or staff member shall raise any matter at a Concept Forum for which they have or may perceive to have a Financial or Proximity Interest.

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and the *Local Government (Model Code of Conduct) Regulations 2021.*

It is noted that this is above and beyond the scope of the legislation, however, is required to ensure a high level of governance and transparency.

Members shall make verbal and written disclosures of interest to the Chief Executive Officer at Concept Forums.

If a member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member may then be asked to depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting.
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)

Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

3.2 Agenda Forums

Background

For proper decision-making, Council members should have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for Council members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary Council meetings.

The complexity of many items means that Council members may need to be given information additional to that in an employee's report and/or they may need an opportunity to ask questions of relevant employees.

Many local governments have determined that this can be achieved by the Council members convening as a body to become better informed on issues listed for Council decision. Such assemblies have been termed Agenda Forums. It is considered they are much more efficient and effective than Council members meeting employees on an individual basis for such a purpose with the added benefit that all Council members hear the same questions and answers. To protect the integrity of the decision-making process it is essential that Agenda Forums are run with strict procedures.

Managing Agenda Forums

Agenda Forums will be held on the Wednesday preceding the Ordinary Council meeting. Preference will be for a start time of 4.30pm. Agenda Forums will allow for questions on any item or items that are on the agenda that are considered to be complex and may require further clarification. Alternatively, to Agenda Forums, Councillors could send an email to the Executive Support Officer to seek further information or clarification with regards to an item. When sending such an email it is requested that all Councillors be copied into the original email and will also be copied into the reply.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available, the Council members present shall choose a person who shall preside over the Agenda Forum so as to ensure the guidelines as addressed in this policy are adhered to.

Agenda Forums shall not be open to the public and therefore no debate on the items shall be entered into during the Agenda Forum. There shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.

The purpose of the Agenda Forum is to allow questions in relation to the item or to request further information from the Chief Executive Officer in relation to the item in a collective environment. Where questions are 'Taken on Notice', answers will be distributed to all Councillors prior to the Council meeting.

A Councillor may still choose to raise issues associated with the agenda independently through the Chief Executive Officer or another Senior Officer as defined in the Shire of Dardanup's Code of Conduct.

A general record should be kept of the Agenda Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received, or adopted at a later date.

Conduct at Agenda Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Model Code of Conduct) Regulations 2021* and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates, in relation to their conduct at Agenda Forums.

The forums shall run in a formal manner with all questions being directed through the Chair.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and the *Local Government (Model Code of Conduct) Regulations 2021.*
It is noted that this is above and beyond the scope of the legislation, however, is required to ensure a high level of governance and transparency.

Members shall make verbal and written Disclosures of Interest to the Chief Executive Officer at Agenda Forums.

If a member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member may then be asked to depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting.
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)

Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

3.4 Workshops

Background

Council Workshops are held to 'workshop' matters prior to presentation to Council. They are not to be confused with Concept or Agenda Forums.

Council Workshops may be convened on an occasional basis as a forum for information exchange and discussion between Council Members and Council employees and if appropriate, other relevant stakeholders. A Workshop provides an opportunity for employees or engaged consultants to provide a detailed presentation on specific matters/projects.

Workshops can be called by a resolution of Council, or at the request of the Shire President or the Chief Executive Officer and may be conducted as required.

Managing Workshops

The preferred scheduling of Workshops is on a Wednesday that is not prior to a Council meeting. Debating, collective decision making or revelation of one's intention on how they will vote at a future Council or Committee Meeting is not permitted. Expressing an opinion or seeking clarification on matters under discussion generally, however, is appropriate and welcome.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available, the Council members present shall choose a person who shall preside over the Workshop so as to ensure the guidelines as addressed in this policy are adhered to.

Discussion is limited to the subject on the Workshop Agenda.

A general record should be kept of the workshop noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received, or adopted at a later date.

Conduct at Workshops

Councillors and employees shall adhere to the provisions of the Local Government (Model Code of Conduct) Regulations 2021 and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Employees, in relation to their conduct at Workshops.

The Workshops shall run in a formal manner with all questions being directed through the Chair.

Quorum (non-technical):

To ensure integrity of information flow/guidance and to avoid repetition, there shall be a requirement that a minimum of four Council members are to be in attendance for a Workshop to proceed. If a non-technical quorum is unable to be achieved the forum is to lapse and may be reconvened again at another opportunity.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and the *Local Government (Model Code of Conduct) Regulations 2021.*

It is noted that this is above and beyond the scope of the legislation, however, is required to ensure a high level of governance and transparency.

Members shall make verbal and written Disclosures of Interest to the Chief Executive Officer at Agenda Forums.

If a member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member may then be asked to depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting.
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)
Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

3.5 Attendance Records

Elected member attendance at Council Meetings and Forums of Council including Concept Forums, Agenda Forums, Workshops and Official Functions to which all Councillors are invited, will be recorded at each Ordinary Council Meeting under Attendance and Apologies, and listed as Previous Attendance. Record to show all elected members names and record if they were Present, an 'Apology; had a Leave of Absence or Non-attendance' – Note, attendance records will be recorded in every Agenda.

4. REFERENCE DOCUMENTS

Local Government Operational Guidelines Number 05 – January 2004 - Council Forums.
Local Government Act 1995, Part 5, Division 6

POLICY NO:
Exec CP089 – ADVISORY AND /OR WORKING GROUPS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History							
Version	1		OCM	27/11/19	Res: 336-19	**Synopsis**	Policy Created and endorsed.
Version	2	Exec CP089	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP089	OCM	31/03/21	Res: 93-21	**Synopsis**	Amendment
Version	4	Exec CP089	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP089	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

The Advisory and/or Working Group policy seeks to establish a communication process between the Shire of Dardanup, stakeholders and/or community and to provide guidance for the establishment and operations of the Shires of Dardanup's Advisory and/or Working Groups.

3. DEFINITIONS

Financial Interest Has the same meaning as given by Section 5.60A of the Local Government Act 1995.

Proximity Interest Has the same meaning as given by Section 5.60B of the Local Government Act 1995.

Impartiality Interest Means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having interest arising from kinship, friendship, or membership of an association.

4. POLICY

- Advisory Groups and/or Working may be established by resolution of Council.

- Advisory Groups and/or Working will operate in accordance with the adopted Terms of Reference which provide:

  a) A clear statement of objectives and aims of the Advisory and/or Working Group.
  b) Membership representation; and
  c) Operational and administrative framework by which activities are to occur.

Terms of Reference

Advisory and/or Working Groups are to operate within the Terms of Reference approved by the Council and the following general administrative framework:

- The role of an Advisory and/or Working Group is to act in an advisory capacity, providing the Shire of Dardanup Administration and the Council with its views and/or proposals relevant to the Objectives for which the group was established.

- The Advisory and/or Working Group will only consider matters referred to it by the Council through its Terms of Reference.

- An Advisory and/or Working Group has no decision-making powers and does not have any authority to act on behalf of the Shire of Dardanup. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers, or do anything which is the responsibility of the Shire of Dardanup.

- Advisory and/or Working Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of an Advisory and/or Working Group are to be recorded in meeting notes and retained in the Shire of Dardanup record keeping systems.

- Advisory and/or Working Group members either collectively or individually are not authorised to speak on behalf of the Shire of Dardanup or provide comment to the media, in respect of any item under consideration, unless authorised by the Shire President.

Conflicts of Interest

- All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.

- If a member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.

- If a member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.

- The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.

- If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

Confidentiality and Privacy

- Members of the Advisory and/or Working Group may have exposure to confidential or personal information and if so, they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.

- Members of the Advisory and/or Working Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.

- Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.

- Should a breach of Confidentially be made by an Advisory and/or Working Group member, the Chief Executive Officer will remove the respective member from the Advisory and/or Working Group.

- Members are not to speak to the media in their capacity as Advisory and/or Working Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory and/or Working Group Member.

Role of Chairperson

- The Advisory and/or Working Group Chairperson is to be appointed by the Council.

- The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, one of the other Elected Members will assume the Chair for that meeting.

- The Chairperson shall ensure that the Advisory and/or Working Group operates in accordance with the Advisory and/or Working Groups Terms of Reference at all times.

Meeting Notes

- The Chief Executive Officer or the relevant Director having responsibility for the Advisory and/or Working Group, in liaison with the Advisory and/or Working Group Chairperson, shall be responsible to ensure the preparation and accuracy of the meeting notes.

- Items considered at the meeting will not be voted upon. The meeting notes of the Group will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion.

- Meeting notes of the meeting will be prepared by the Responsible Officer and distributed to members within ten (10) working days after the date of the meeting.

- Advisory and/or Working Group unconfirmed meeting notes will be reported to Council through the Council's Information Bulletin and placed on the Shire website.

- The meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest. The meeting notes shall also record the times any person who has made a disclosure, has departed and/or re-enters the meeting.

- Any items which have been dealt with by the Advisory and/or Working Group will not be implemented by the Shire of Dardanup Administration until a report has been submitted to Council for a decision.

Code of Conduct

- The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory and/or Working Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory and/or Working Group member.

5. REFERENCE DOCUMENTS

Community Engagement Framework
Council Policy Exec CP090 and Community Engagement

POLICY NO:
Exec CP090 – COMMUNITY ENGAGEMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History								
Version	1	CP090	OCM	27/11/19	Res:	334-19	**Synopsis**	Policy Created
Version	2	Exec CP090	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP090	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP090	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

This community engagement policy seeks to build a two-way communication process between the Shire of Dardanup and the community. It also aims to ensure effective public participation is offered to appropriate stakeholders on Shire of Dardanup projects and programs. Through engaging the community, the Shire of Dardanup would like to continue to build on the strong relationship with the community and to obtain the best possible results for the Shire and the community.

3. DEFINITIONS

Program Long term initiative (across financial years) that includes several elements or localities and has broad aims and objectives.

Project One off initiative, having specific objectives and focusing on a single element or locality.

Initiative A new service, facility, process, policy, asset, or plan.

Stakeholders Individuals or groups who are likely to be affected either physically or financially or with interest in, the project or program e.g. adjacent residents, ethnic groups, absent owners, community groups and sporting clubs.

4. POLICY

- Engagement and participation shall be considered for all Shire of Dardanup projects, programs, and initiatives.
- Community engagement shall be specifically planned within the development and implementation schedule of the given program, project, or initiative.
- Emphasis will be on ensuring the appropriate groups of stakeholders are engaged at the appropriate level so that Shire resources and services are in line with community needs, aspirations, and strengths.
- Officers will use the Community Engagement Framework to decide when and at what level community engagement should occur, and to ensure a coordinated and consistent approach across the organisation.

5. REFERENCE DOCUMENTS

Community Engagement Framework
Community Engagement 10 Steps Guide
Community Engagement Toolkit and Plan Template

COUNCIL POLICY NO:-
Exec CP201 – EXECUTION OF DOCUMENTS AND APPLICATION OF COMMON SEAL

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	New	OCM	20/01/21	Res: 08-21	**Synopsis**	Policy created.
Version	2	Exec CP201	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	2	Exec CP201	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive.

2. PURPOSE OR OBJECTIVE

To establish, in accordance with the requirements of Division 3 sections 9.49 and 9.49A of the Local Government Act 1995 (the Act):

- Protocols for affixing and administration of the Shire of Dardanup Common Seal; and
- Authority for the Chief Executive Officer to execute (sign) documents on behalf of the Shire of Dardanup.

3. POLICY

3.1 Policy Statement

The attachment of the Common Seal requires the accompanying signatures of both the Shire President, or in their absence the Deputy Shire President, and the Chief Executive Officer or the person acting in that position. In the absence of the requirement to affix a Common Seal, the Chief Executive Officer is empowered under the Local Government Act to authenticate a document. The requirement for the Common Seal to be affixed is therefore a question of balancing good governance with operational efficiencies.

3.2 Guidelines

The Chief Executive Officer may by general authority of Council, affix the Shire of Dardanup Common Seal to the below listed "Documents to which the Common Seal may be affixed under General Authority of Council":

1. Restrictive Covenants – under s.129BA of the *Transfer of Land Act 1893* and anydischarge or modifications of covenants;
2. Lodgement, modification and withdrawal of Caveats;
3. Lodgement, modification and withdrawal of Memorials;
4. Leases where Council has previously resolved to enter into including renewals, extensions or modifications of leases;
5. Deeds of Agreement, Development Contribution Deeds and Deeds of Release;
6. Licences;
7. Covenants and any discharge or modification of covenants;
8. Easements and the surrender or modification of easements;
9. Notifications on title and withdrawal or modification of notifications;
10. Rights of Carriageway agreements and withdrawal or modification of Rights of Carriageway agreements;

11. Reciprocal Access agreements and withdrawal or modification of Reciprocal Access agreements;

12. Management Statements and withdrawal or modification of Management Statements;

13. General Legal and Service Agreements;

14. Transfer of land documents where Council has previously resolved to either purchase or dispose of land or land is being transferred to the Shire of Dardanup for a public purpose;

15. Debenture documents for loans which Council has resolved to raise;

16. New Funding or Contracts of Agreement between the Council and State or Commonwealth Governments or Private Organisations for programs to which Council has previously adopted, or additions to existing programs, which in the view of the Chief Executive Officer are in accordance with the original intent of the adopted program;

17. Town Planning Schemes and Scheme Amendments;

18. Local Laws;

19. Documents of a ceremonial nature (where the affixing of the Common Seal is for posterity rather than as a legal requirement);

20. Any other documents arising from conditions of subdivision, survey strata, strata title or development approvals or provisions of a Structure Plan or Detailed Area Plan;

21. Any other documents stating that the Common Seal of the Shire of Dardanup is to be affixed.

3.3 Execution of Documents Where Common Seal Not Required

Council authorises the Chief Executive Officer to sign:

- Deeds, contracts, leases, licences, service agreements, funding agreements and other documents not requiring the use of the Common Seal, on behalf of the Shire of Dardanup.

- Documents that are created in the normal course of business to discharge the duties of an officer's position in a manner consistent with the Shire of Dardanup policies, procedures and relevant guidelines.

- Documents that relate to day-to-day routine communications or transactions that are necessary or appropriate to enable the Chief Executive Officer to carry out their functions under any delegation or authorisation from the Council and under any written law. This includes sub-sections 5.41(c) and (d) of the Local Government Act 1995, requiring the Chief Executive Officer to cause Council decisions to be implemented and manage the day to day operations of the local government.

3.4 Security and Process

The Chief Executive Officer is to have charge of the Common Seal and is responsible for the safe custody and proper use of it.

The Common Seal may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Shire President or in their absence the Deputy Shire President, and the Chief Executive Officer or an Acting Chief Executive Officer authorised by him or her.

The Administration is to record in a register each date on which the Common Seal was affixed to a document, the purpose of the document, and the number of copies sealed. A report listing the documents to which the Common Seal has been affixed is to be presented to the next Councillor Information Bulletin.

4. STATUTORY IMPLICATIONS

4.1 Common Law

Under common law principles originally, the Common Seal of a body corporate was the only legally recognised expression of an act of that body corporate and the affixing of the seal was sufficient to be legally binding. However these days, generally, this requirement is no longer in operation.

4.2 Agency Law

A body corporate has the legal capacity of a natural person and may act or express its intentions and enter into legal relations through authorised human agents. As such, a body corporate may enter into a contract regardless of whether or not the Common Seal is used to execute a document.

4.3 Corporations Law

Sections 126 and 127 of the Corporations Act 2001 address the use of a Common Seal. These provisions do not apply to local governments which whilst a body corporate, falls within the definition of "exempt public authority" in section 9 of that Act.

4.4 Local Government Act 1995

Section 2.5(2) of the Local Government Act 1995 stipulates that a local government is "a body corporate with perpetual succession and a Common Seal". Whilst it is clear that a local government, as a body corporate, has a Common Seal, there is no stipulated requirement for the use of the Common Seal in particular circumstances.

Section 9.49 stipulates that a document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its Common Seal if signed by the Chief Executive Officer or an employee of the local government who purports to be authorised by the Chief Executive Officer to so sign.

Section 9.49(A) stipulates that a document is duly executed by a local government if the Common Seal is affixed in accordance with the Act; or it is signed on behalf of the Local Government by a person authorised by resolution to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Shire of Dardanup

COUNCIL POLICY NO:

Exec CP202 – COMPLAINTS MANAGEMENT PROCESS - CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	24/02/21	Res: 31-21	**Synopsis**	Policy created.
Version	2	Exec CP202	OCM	24/11/21	Res: 377-21	**Synopsis**	Policy replaced and renamed
Version	3	Exec CP202	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP202	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP202	OCM	25/03/26	Res 39-26	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

To ensure that a Complaint received in relation to an alleged breach of Division 3 – Behaviour, of the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates is managed on the basis of –

- Confidentiality
- Timeliness
- Natural justice and due process
- Fairness and impartiality

Clause 15(2) of the Code of Conduct provides that the procedure for dealing with Complaints may be determined by the local government to the extent that it is not dealt with by the Local Government (Model Code of Conduct) Regulations 2021 (Regulations). This policy (Policy) meets this objective.

2.1 Scope

This Policy applies to Council Members, Committee Members, Candidates, Complaints Officers, and Complainants in respect to Complaints of an alleged breach of "Division 3 – Behaviour" of the Code of Conduct (Division 3 Complaints).

The management of Complaints related to Division 4 of the Code of Conduct is prescribed by the *Local Government Act 1995* and not by this policy. The CEO, or a senior officer nominated by the CEO, is the Complaints Officer for the purpose of Complaints related to Division 4.

3. DEFINITIONS

Act - means the Local Government Act 1995.

Behaviour Complaints Committee - means a committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 4.2.3 of this Policy.

Breach - means a breach of Division 3 of the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates.

Candidate - means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint - means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 4.3.2 of this Policy.

CEO - means the Chief Executive Officer of the Shire of Dardanup.

Code - means the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates.

Committee - means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member - means a Council Member, employee of the Shire of Dardanup or other person who has been appointed by the Council to be a member of an Advisory, Occasional or Standing Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint - means a complaint submitted under Division 3, Clause 11 of the Code of Conduct.

Complainant - means a person who has submitted a Complaint in accordance with this Policy.

Complaints Assessor – means an independent person appointed by the Complaints Officer to assess or manage a complaint in accordance with this policy and the Code of Conduct.

Complaint Documents - means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form - means the form approved under clause 11(2)(a) of the Code of Conduct [by Council resolution or by the CEO exercising delegated authority]. Code of Conduct Complaints Form

Complaints Officer - means a person authorised in writing [by Council resolution or by the CEO exercising delegated authority] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Complaints Officer is addressed in Part 4.2.1 of this Policy.

Council - means the Council of the Shire of Dardanup.

Council Member - means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding - means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Local Government Inspector – means a person authorised under the Local Government Act 1995 to investigate matters relating to local government, including matters relating to behavioural breaches of the Model Code of Conduct.

Minor breach - means a complaint made under Division 4 of the Code of Conduct.

Plan - means a Plan under clause 12(4)(b) of the Code, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Respondent – means a Council Member, Committee Member of candidate the subject of a complaint.

Response Documents - means the response provided by the Respondent to the Complaint and includes any supporting information or evidence that is supplied.

4. POLICY

4.1 Principles

4.1.1 Procedural fairness

The principles of procedural fairness and natural justice will apply when dealing with a Division 3 Complaint under this Policy. In particular:

- a Respondent will be afforded a reasonable opportunity to be heard before any findings are made.

- a Respondent will be afforded a reasonable opportunity to be heard before any Plan is imposed.

- the decision maker must be objective and impartial and must act in an unbiased manner and must not act in a manner likely to give rise to a perception of bias; and

- any findings made will be based on proper and genuine consideration of the evidence.

4.1.2 Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

4.1.3 Confidentiality

All Complaints must, as far as possible, be dealt with confidentially until such a time as they are required to be reported to Council in accordance with this Policy or are otherwise lawfully made public or disclosed. The Shire of Dardanup will take all reasonable steps to maintain confidentiality when dealing with a Complaint, in order to protect both the Complainant and Respondent.

Council Members, local government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

In order to allow the Respondent to understand and respond to the Complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides valid reasons why this should not occur. The Complainant's contact information will not be provided to the Respondent.

4.1.4 Accessibility

The Shire of Dardanup will ensure that information on how to make a complaint, including this Policy, is available at the Shire's Administration Building and on the Shire's website. The Shire will make information available in alternative formats if requested.

Any person wishing to make a Complaint may contact the Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

4.1.5 Perception of Bias

A reasonable perception of bias may arise by virtue of personal, financial, or family relationships, evidence of a closed mind or participation in the Complaint process (such as being a Complainant or Respondent).

Where a person's involvement in the decision-making process (whether at Council of Committee level) may reasonably give rise to a perception of bias on their behalf, they must recuse themselves.

4.2 Roles

4.2.1 Complaints Officer

The Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept Complaints and withdrawal of Complaints.

The Complaints Officer is not an advocate for the complainant or the respondent. The Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Complaints Officer does not determine behavioural breach complaints and does not make findings as to whether a breach has occurred. Determination of behavioural breach complaints is the responsibility of the Council or a Committee established by Council for that purpose.

The Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Complaints Officer will liaise with the local government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Complaints Officer will apply the Principles of this Policy.

4.2.2 Complaints Assessor

The Complaint Assessor is a person appointed by the Complaints Officer in accordance with Part 4.3.8 of this Policy to assist in the assessment of a complaint and the preparation of a complaint report for consideration by the Council or Behaviour Complaints Committee.

The Complaint Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor will liaise with the Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

Where a Complaints Assessor is not appointed, the Complaints Officer may undertake the assessment of the complaint and preparation of the complaint report.

The Complaints Assessor does not determine the complaint and may only provide findings, analysis or recommendations to assist the Council or Behaviour Complaints Committee in determining the complaint.

4.2.3 Behaviour Complaints Committee

A Behaviour Complaints Committee is a Committee of Council that may be established in accordance with s.5.8 of the Act for the purpose of dealing with Division 3 Complaints.

Where established, the Behaviour Complaints Committee is a Committee of Council, comprising all Council members. An appointed Committee member must recuse themselves if they are a Complainant or a Respondent.

The authority delegated to the Behaviour Complaints Committee will be specified by Council delegation and may include:

- Conditions to which the delegation is subject.
- Dismissing a Division 3 Complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a finding as to whether the conduct specified in a Complaint did or did not occur, and whether a contravention of the Code of Conduct has been established, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur (Finding) *[clause 12(3) of the Code of Conduct].*
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
    - To take no further action; or
    - To Prepare and implement a Plan to address the behaviour of the person to whom the Complaint relates.

4.3 Complaint process

4.3.1 Making a Complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct *[clause 11(1) of the Code of Conduct].*

A Complaint must be made within one (1) month after the alleged Breach *[clause 11(2)(c) of the Code of Conduct].*

A Complaint must be made by completing the Complaint Form in full and providing the completed forms to the Complaints Officer.

Save where this Policy otherwise provides, a Complaint will usually be determined by reference to the information provided by the Complainant and the Respondent.

A Complaint must:

- Be specific (including identifying the provisions of the Code of Conduct which the complainant alleges have been breached).
- Provide as much supporting evidence as possible to assist an investigation (including the grounds and circumstances of the Complaint). This may include Statutory Declarations and witness statements.
- Provide the name of the Council Member, Committee Member or Candidate who has allegedly breached the Code of Conduct.
- Provide the name and contact details of the complainant and the name and contact details of the person submitting the complaint (if different to the complainant).

Anonymous complaints will not be investigated by the Complaints Officer unless required by law.

Where a Complaint Form omits required details, the Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Complaints received outside the timeframe prescribed by the Model Code of Conduct cannot be accepted unless otherwise permitted under the regulations.

Where a Complaint is made more than 1 month after the alleged breach, the Complaints Officer will give the Complainant written notice that the Complaint cannot be made *[clause 11(2)(c) of the Code of Conduct].*

In accordance with section 5.105(3) of the Act, a complaint must be referred to the Local Government Inspector if the person who has been the subject of the complaint has, on at least 2 previous occasions, been found under a local governments adopted code of conduct (as defined in section 8A.2(1) of the Act) to have committed, on or after January 2026, a behavioural breach.

4.3.2 Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 4.3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with *[clause 15(1) of the Code of Conduct].*

4.3.3 Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint *[clause 14 of the Code of Conduct].*

A Complainant may withdraw a Complaint by advising the Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

4.3.4 Notice to Complainant

Within 7 days after receiving a Complaint, the Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint.

- outlines the process that will be followed and possible outcomes.
- explains the application of confidentiality to the complaint.
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Complaints Officer will advise the Complainant of the process in accordance with Part 4.3.6 of this Policy.

4.3.5 Notice to Respondent

Within 14 days after receiving a Complaint, the Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy.
- includes a copy of the Complaint Documents.
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes.
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 4.3.6 of this Policy.

4.3.6 Alternative Dispute Resolution

The Shire of Dardanup recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint.

Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.
To commence the process, the Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 4.3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Complaints Officer will resume the formal process required under this Policy.

Examples of Alternate Dispute Resolution include –

- negotiation with the assistance of the Complaints Officer or other appropriate person as intermediary.
- facilitation with a contracted service provider such as a mediator or conciliator.
- other mutually agreed process.

4.3.7 Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Complaints Officer may decide to progress those Complaints concurrently.

4.3.8 Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated, or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Complaints Officer may appoint a suitably qualified and experienced Complaints Assessor to assist in the assessment of a complaint and preparation of a complaint report.,

A Complaints Assessor may be appointed under the following circumstances –

- Where a complaint relates to a Council Member.
- Where a complaint relates to a Candidate who is elected as a Council Member; and
- Where internal resources are limited and/or the nature of the complaint requires specific expertise.

In appointing a Complaints Assessor, the Complaints Officer will have regard to the qualifications, experience, independence and any potential perception of bias associated with the appointment.
The Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

The Complaints Officer may determine that the complaint can be appropriately assessed internally and may undertake the assessment and preparation of the complaint report.

4.3.8A Referral to Department or Local Government Inspector

The local government may refer information relating to a complaint or alleged conduct of a council member to the Department of Local Government, Sport and Cultural Industries or to a Local Government Inspector for consideration or investigation in accordance with the *Local Government Act 1995.*

The local government will cooperate with any authorised investigation and provide access to relevant records or information as required by law.

4.3.9 Search of Local Government Records

The Complaint Assessor may request the Complaints Officer to search for any relevant records in the Shire of Dardanup's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the Shire of Dardanup Standing Orders Local Law 2014.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

4.3.10 Assessment of the Complaint

The Complaints Officer or where appointed, the Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 4.3.4 and Part 4.3.5 of this Policy.

The Complaints Officer or where appointed, the Complaints Assessor must ensure that the Respondent is provided with a reasonable opportunity to respond to the Complaint before forming any opinions or drafting the Complaint Report or recommendations.

4.3.11 Complaint Report

The Complaints Officer or where appointed, the Complaint Assessor will prepare a Complaint Report that will:

- outlines the process followed, including how the Respondent was provided with an opportunity to respond.
- include the Complaint Documents, the Response Documents, and any relevant Local Government Records as attachments; and

- include recommendations on each decision that may be made by the Local Government or a Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4.4of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaints Officer or where appointed, the Complaint Assessor will include the Complaint Report in the Agenda for a meeting of the Council or where established, the Behaviour Complaints Committee. The Complaints Officer or where appointed, the Complaint Assessor will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

The Complaint Report is provided to assist the Council or Behaviour Complaints Committee in determining the complaint and does not constitute a determination of the complaint.

4.3.12 Complaint Determination Meeting

The agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Local Government or the Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.
In accordance with Regulation 11(d)(a) of the Local Government (Administration) Regulations 1996, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the local government or the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.4.2 of this Policy.

If the Local Government or the Behaviour Complaints Committee dismisses a Complaint, the Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Local Government or the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.4.3 of this Policy.

If the Local Government or the Behaviour Complaints Committee finds that the alleged Breach did not occur, the Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Local Government or the Behaviour Complaints Committee finds that the alleged breach did occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4.4 of this Policy.

If the Local Government or the Behaviour Complaints Committee decides to take no further action, the Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Council or Behaviour Complaints Committee decides to prepare a Plan, it will first consult with the Respondent in accordance with clause 12(5) of the Code of Conduct. Council or the Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

4.3.13 Compliance with Plan Requirement

The Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Complaints Officer must provide a report advising the Council of any failure to comply with a requirement included in a Plan.

4.4 Decision Making

4.4.1 Objectives and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 4.1 of this Policy.

The determination of behavioural breach complaints rests solely with the Council or Behaviour Complaints Committee acting under delegation from Council.

4.4.2 Dismissal

The Local Government or the Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

(a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
(b) either —
    (i) the behaviour was dealt with by the person presiding at the meeting; or
    (ii) the Respondent has taken remedial action in accordance with the Shire of Dardanup Standing Orders Local Law 2014.

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

4.4.3 Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur *[clause 12(3) of the Code of Conduct].*

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4.4 Action

In deciding whether to take no further action, or prepare and implement a Plan, the Local Government or the Behaviour Complaints Committee may consider:

- the nature and seriousness of the breach(es).
- the Respondent's submission in relation to the contravention.
- whether the Respondent has breached the Code of Conduct knowingly or carelessly.
- whether the Respondent has breached the Code of Conduct on previous occasions.
- likelihood or not of the Respondent committing further breaches of the Code of Conduct.
- personal circumstances at the time of conduct.
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.4.5 Plan Requirement

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation.
- undertake counselling.
- undertake training.
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s).
- who is responsible for the actions.
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

6. LEGISLATION

Local Government Act 1995 – Section 5.104 Adoption of model code of conduct:
Local Government Act 1995 – Section 5.105 Breaches by council members
Local Government (Model Code of Conduct) Regulations 2021
Provisions relating to authorised persons and Local Government Inspectors

7. REFERENCE DOCUMENTS

Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates.

Attachment: Code of conduct - 'Complaint About Alleged Breach Form' Code of Conduct Complaints Form

Note:

Also refer to website for copy of Code of Conduct and Complaints Form:
https://www.dardanup.wa.gov.au/council/elected-members/code-of-conduct/

8. PUBLICATION

In accordance with section 5.104(7) of the *Local Government Act 1995,* the CEO will ensure that the Code of Conduct for Council Members, Committee Members and Candidates and the approved Behavioural Breach Complaint Form are published on the local government website.

COUNCIL POLICY NO:-
Exec CP203 – FLEET MANAGEMENT POLICY (PASSENGER AND LIGHT VEHICLES)

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	AP009

ADMINISTRATION INFORMATION								
Version:	1	New	OCM	27/07/2022	Res: 203-22	**Synopsis**	Policy created
Version:	2	Exec CP203	OCM	28/09/2022	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version:	3	Exec CP203	OCM	27/03/2024	Res: 62-24	**Synopsis**	Reviewed and Adopted by Council
Version:	4	Exec CP203	OCM	24/06/2026	Res: 144-26	**Synopsis**	Significant review to realign as a strategic policy only and transfer operational elements to AP009. Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE

To establish the strategic principles governing the provision, allocation, and management of the Shire of Dardanup's (the Shire) passenger and light vehicle fleet, ensuring cost efficiency, safety, environmental responsibility, and alignment with organisational service delivery needs.

3. OBJECTIVES

The Shire seeks to:

a. Ensure vehicles are fit for purpose, safe, and aligned to operational requirements
b. Optimise fleet costs through Whole of Life Cost (WOLC) decision-making
c. Provide equitable and transparent vehicle allocation frameworks
d. Support employee attraction and retention through appropriate vehicle or allowance options
e. Reduce environmental impact through the progressive transition to low and zero emission vehicles
f. Strengthen governance, compliance, and accountability in fleet management practices

4. SCOPE

This policy applies to:

- All Shire employees and authorised volunteers who operate vehicles in connection with Shire business (note: where the CEO is provided with a Shire vehicle, separate provisions apply under Council Policy Exec CP008 – Private Use of Council's Motor Vehicle by CEO)
- All passenger and light commercial vehicles owned, leased, or otherwise provided by the Shire
- The provision of vehicle-related benefits and allowances
- The use of privately owned vehicles for Shire business (grey fleet)

5. DEFINITIONS

ANCAP Rating	The Australasian New Car Assessment Program (ANCAP) safety star rating for a vehicle (occupant, vulnerable road user and crash-avoidance performance), as provided by the manufacturer at the time of purchase. ANCAP ratings are used to compare the relative safety of similar vehicles and are subject to ANCAP rating validity rules (generally a 6-year validity for ratings dated 2018 and later; older ratings are subject to expiry arrangements introduced from December 2022).
Grey Fleet	Any vehicle other than the Employer's vehicle, used occasionally or regularly by employees for work purposes, including their own personal vehicles and hire cars.
Light Commercial Vehicle	A commercial carrier vehicle with a gross vehicle weight of no more than 3.5 metric tons. Qualifying light commercial vehicles include pickup trucks, utilities, vans and all commercially based goods or passenger carrier vehicles used for the purpose of route service, inspections, maintenance or repairs, construction, gardening, or carrying tools or equipment to a job site. The Light Commercial Vehicles most commonly used in the Shire of Dardanup are Utility [U] or Cab Chassis [CS] vehicles

Novated Lease (Salary Packaging)	A novated lease entered into independently by an employee for a private vehicle through an approved salary packaging provider. Shire of Dardanup's involvement is limited to payroll deductions, and the vehicle is not considered a Shire vehicle or an employee vehicle entitlement under this Policy.
Shire	Means the Shire of Dardanup
Whole of Life Cost (WOLC)	Incorporating purchase, depreciation, service, maintenance and fuel costs.

6. POLICY

6.1 Strategic Fleet Management Principles

The Shire will manage its fleet in accordance with the following principles:

- **Safety First**

  The Shire will prioritise vehicle safety by adopting contemporary safety standards and, where practicable, selecting vehicles that meet high safety ratings (including ANCAP), and ensuring vehicles are safe and suitable for their intended use.

- **Fit For Purpose**

  Vehicles will be selected and allocated to meet operational requirements and support effective service delivery.

- **Whole of Life Cost (WOLC)**

  Fleet decisions will be informed by lifecycle cost considerations, including acquisition, operation, maintenance, disposal, and associated financial impacts.

- **Sustainability**

  The Shire will seek to reduce environmental impact through vehicle selection and the progressive transition to low and zero emission vehicles.

- **Financial Responsibility**

  Fleet management will align with the Long-Term Financial Plan and aim to deliver value for money to the Shire.

- **Equity and Transparency**

  Vehicle allocation and associated benefits will be applied based on defined criteria, taking into account operational requirements, organisational needs, and workforce considerations.

6.2 Fleet Planning and Management

The Shire will:

- Maintain a Fleet Management Plan that defines fleet strategy, procurement principles, vehicle selection criteria, and lifecycle management practices
- Periodically review fleet composition, utilisation, and performance
- Undertake independent fleet reviews periodically (generally 3-5 years)
- Progressively introduce hybrid and electric vehicles

6.3 Vehicle Allocation

Vehicle allocation will be determined by the Chief Executive Officer (or delegate) based on:

- Operational requirements

- Fit-for-purpose assessment
- Whole of life cost considerations
- Expected utilisation
- Employee contractual arrangements (where applicable)

6.4 Vehicle Replacement

Vehicle replacement will be determined based on:

- Age and kilometres travelled
- Condition and maintenance history
- Operational requirements
- Cost effectiveness and WOLC outcomes

Specific replacement thresholds will be defined within the Fleet Management Plan.

6.5 Governance and Compliance

The Shire will ensure:

- Procurement and disposal of vehicles comply with applicable legislation and the Shire's procurement policy
- Fleet practices support effective Fringe Benefits Tax (FBT) management
- Appropriate controls, delegations, and reporting mechanisms are in place
- Alignment between this Policy, Council Policy Exec CP008 – Private Use of Council's Motor Vehicle by CEO, and Administration Policy AP009 Motor Vehicle Use and Fleet Management (All Employees and Volunteers), and administered by the CEO

6.6 Grey Fleet (Use of Private Vehicles)

The Shire recognises that privately owned vehicles may be used for Shire business in limited circumstances.

The Shire will:

- Minimise reliance on grey fleet through the provisions of appropriate fleet resources
- Ensure that privately owned vehicles used for work purposes meet appropriate safety and compliance requirements
- Require that the use of privately owned vehicles is appropriately managed, with approval, safety, and compliance requirements established through Administration Policy
- Note that detailed controls, procedures, and monitoring mechanisms are to be established and maintained by the CEO within Administration Policy AP009 Motor Vehicle Use and Fleet Management (All Employees and Volunteers)

6.7 Environmental Commitment

The Shire is committed to reducing emissions from its fleet and will:

- Support the introduction of hybrid and electric vehicles
- Consider environmental performance in vehicle selection decisions

7. ROLES AND RESPONSIBILITIES

Council

- Endorses strategic direction and policy framework

Chief Executive Officer

- Approves vehicle allocation and ensures policy implementation
- Establishes and maintains Administration Policy AP009 – Motor Vehicle Use and Fleet Management (All Employees and Volunteers)
- Ensures that administration policies, including AP009, are effectively monitored and periodically reviewed to

maintain appropriate fleet management controls
- Ensures appropriate systems, controls and reporting frameworks are in place for fleet management

Administration

- Implements the Fleet Management Plan (FMP)
- Manages fleet procurement, operation, and compliance
- Monitors performance and reporting

Employees

- Comply with all vehicle usage requirements as outlined in Administration Policy AP009 Motor Vehicle Use and Fleet Management (All Employees and Volunteers)

8. REFERENCE DOCUMENTS

- *Local Government Act 1995* s.5.39, 5.36
- Council Policy CnG CP034 Procurement Policy
- Council Policy Exec CP008 Private Use of Council's Motor Vehicle by CEO
- Administration Policy AP009 Motor Vehicle Use and Fleet Management (All Employees and Volunteers)
- Fleet Management Plan
- Long Term Financial Plan

COUNCIL POLICY NO:-
Exec CP204 – BLANK – TO BE USED

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
Version:		New	OCM	Res: ??-21	**Synopsis:**	Policy created.
Version:						

1. RESPONSIBLE DIRECTORATE

Directorate – Executive

COUNCIL POLICY NO:
Exec CP205 – COUNCIL MEETING FRAMEWORK

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
Version	1	Exec CP205	OCM 29/09/21	Res: 297-21	**Synopsis**	Policy created and endorsed by Council.
Version	2	Exec CP205	OCM 28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Exec CP205	OCM 23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

To provide an effective, efficient, and legally compliant meetings framework that serves to:

- Engage Elected Members in policy and strategy development from concept to agenda.
- Facilitate opportunities for Elected Members to participate in Council's policy and strategy agenda with the assistance of and collaboration with Shire officers; and
- Provide Elected Members with accurate and relevant information and advice to makeinformed decisions to undertake their roles.

3. POLICY

3.1 Agenda Forums

- The CEO will endeavour to ensure Agenda Forum Documents are distributed to Elected Members no later than the Friday before the Agenda Forum.
- Agenda Forums will be held on the third Wednesday of each month unless specifically varied by decision of Council [In the case that the OCM date is varied, the Agenda Briefing will be held one week preceding the OCM.]
- Agenda Forums are conducted in accordance with Council Policy Exec CP088.

3.2 **Ordinary Council Meetings** (OCM)

- Ordinary Council meetings will be held on the fourth Wednesday of each month unless specifically varied by decision of Council.
- The CEO will endeavour to ensure that the agenda for an Ordinary Meeting of Council is distributed to Elected Members no later than the Friday prior to the Wednesday OCM.

4. REFERENCE DOCUMENTS

Local Government Act 1995, sections 5.5, 5.25, 5.94 & 5.96A
Local Government Operational Guidelines Number 05 – January 2004 - Council Forums.
Exec CP088 - Forums of Council – Concept Forums, Agenda Forums and Workshops

CORPORATE & GOVERNANCE DIRECTORATE

POLICY NO:-
CnG CP002 – REFRESHMENTS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		EXEC1	OCM: 23/10/98	Res: 984/98	**Synopsis**	Policy created.
	1		OCM: 10/05/12	Res: 138/12	**Synopsis**	Reviewed Policy Adopted
Version	2	CP002	OCM 31/08/16	Res: 225/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM 26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP002	OCM 30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP002	OCM 28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP002	OCM 23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup is a progressive local authority that has established a role as a community and regional leader. The Council encourages senior employees (the Chief Executive Officer and Directors) to promote the Shire as a place to live and do business.

Many community members volunteer their time freely to contribute to the affairs of Council.

Elected Member and staff regularly engage in discussion and negotiation with business people that are investing or considering investing within the Shire.

To be professional in offering refreshments following meetings to encourage interaction, the forming of networks and to express thanks to volunteers and to be hospitable toward visitors generally.

3. REFERENCE DOCUMENTS

Local Government Act 1995 2.10 (Councillors) 5.41 (CEO) 5.44 (Employees)
Shire of Dardanup relevant Codes of Conduct

4. POLICY

All Elected Members and Executive Staff have free reasonable use of the refreshment facilities in the Council Chambers.

Councillors have the authority to extend reasonable use of those facilities to members of the community provided the occasion is to the benefit of the Shire Community.

The Chief Executive Officer is authorised to make reasonable use of these facilities at his/her discretion providing the function is of benefit to the Community.

The following conditions apply: -

1. Use of facilities and consumption of refreshments is not to be abused.
2. Use is not permitted for personal benefit.
3. Visitors and guests are not to be left in the premises alone at any time.
4. A staff member is to be the last to leave the premises and set the security system.

5. Where circumstances dictate that an elected member is the last to leave, they are to set the security system.
6. The facilities are to be tidied up to the extent that empty bottles, plates, dishes and glasses are to be stacked within the kitchen.

7. The Chief Executive Officer is responsible under the Work Health and Safety Act 2020 for the duty of care of people using the facilities, the CEO may ask persons to leave or cease serving refreshments where he/she is concerned for their health, safety and welfare.

Shire of Dardanup

POLICY NO:

CnG CP008 – CHIEF EXECUTIVE OFFICER VEHICLE ENTITLEMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History	1	EXEC13	OCM	15/05/13	Res:	130/13	**Synopsis**	Policy created.
Version	2	CP008	OCM	31/08/16	Res:	225/16	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res:	251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Exec CP008	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Exec CP008	OCM	20/05/22	Res:	111-22	**Synopsis**	Amended and Adopted by Council
Version	6	Exec CP008	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	7	Exec CP008	OCM	27/09/23	Res:	234-23	**Synopsis**	Amended by Council
Version	8	Exec CP008	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	9	Exec CP008	OCM	22/07/26	Res:	191-26	**Synopsis**	Significant review to align with 2026 Fleet Management Review, and 2026 SoD Fleet Management Plan. Policy title amended to reflect CEO vehicle entitlement arrangements.

1. RESPONSIBLE DIRECTORATE

Corporate & Governance Directorate

2. PURPOSE OR OBJECTIVE

This Policy defines the vehicle entitlement arrangements available to the Chief Executive Officer (CEO) under the CEO's Contract of Employment, including the provision of a Shire motor vehicle or a motor vehicle allowance, together with the governance requirements that apply where a Shire vehicle is provided.

This Policy ensures that CEO vehicle entitlements:

- Support effective service delivery;
- Align with the Shire's Fleet Management Framework;
- Maintain appropriate controls for safety, compliance and financial management; and
- Apply Whole of Life Cost (WOLC) principles to vehicle provision, selection and replacement decisions.

3. POLICY

3.1 Vehicle Entitlement

In accordance with the Chief Executive Officer's Contract of Employment, the Chief Executive Officer may be provided with either:

- A Shire motor vehicle for business and approved private use; or
- A motor vehicle allowance in lieu of a Shire-provided motor vehicle,

as determined by the employment contract or other arrangement approved by Council.

Where a Shire motor vehicle is provided, the provisions of this Policy relating to vehicle use, authorised drivers, vehicle replacement and vehicle selection apply.

Where a motor vehicle allowance is provided in lieu of a Shire motor vehicle, the CEO may elect to enter into a private novated lease arrangement. In such circumstances, the Shire's involvement is limited to payroll administration and deductions. Any vehicle acquired through a private novated lease arrangement is not a Shire vehicle and is not subject to the vehicle use, vehicle selection, vehicle replacement or other fleet management provisions of this Policy.

3.2 Entitlement Principles

CEO vehicle entitlements will be administered in a manner that:

- Aligns with the Shire's Fleet Management Framework, including CP203 Fleet Management Policy (Passenger and Light Vehicles) and the Fleet Management Plan;
- Supports effective service delivery and operational requirements;
- Promotes sound financial management and value for money;
- Applies Whole of Life Cost (WOLC) principles in vehicle entitlement, selection and replacement decisions; and
- Considers vehicle safety, sustainability and organisational needs.

3.3 Vehicle Use Conditions

Where a Shire motor vehicle is provided to the CEO, the following conditions apply to the provision and private use of the vehicle:

- The vehicle is available to the CEO at all times during the term of the Contract of Employment.
- The Shire accepts responsibility for all regular and scheduled servicing, repairs and maintenance costs.
- The Shire accepts responsibility for all fuel costs.
- The Shire accepts responsibility for repairs and maintenance during periods of leave, except where an accident occurs through the fault of the CEO or an authorised driver of the vehicle, and the costs are not recoverable through the Shire's insurer, in which case those costs may be recovered from the responsible driver.
- Prior written approval from the Shire President is required before the vehicle is taken outside Western Australia.
- The vehicle is to be driven only by the CEO, Shire employees, or elected members undertaking authorised Council business, or otherwise in accordance with this Policy.
- The CEO's spouse and family members may drive the vehicle outside working hours with the approval of the CEO.
- Immediate family members may only drive the vehicle where they hold a current unrestricted driver's licence (no learner or probationary drivers) and the use is authorised by the CEO.

3.4 Vehicle Replacement

Where a Shire motor vehicle is provided, the vehicle will generally be a passenger vehicle and will be replaced at:

- 5 years of age;
- or 125,000 km,

whichever occurs first, unless otherwise determined through the Fleet Management Plan.

3.5 Vehicle Selection

Where a Shire motor vehicle is provided, the vehicle shall:

- Be selected in accordance with the CEO Employment Contract;
- Be assessed using the Shire's approved Whole of Life Cost (WOLC) methodology;
- Be consistent with CP203 Fleet Management Policy (Passenger and Light Vehicles) and the Fleet Management Plan; and
- Fall within the approved vehicle category and budget parameters adopted by Council from time to time.

Specific vehicle makes and models will not be prescribed within this Policy to allow flexibility in procurement and vehicle selection as market conditions, technology and fleet requirements change.

4. REFERENCE DOCUMENTS

Local Government Act 1995, s5.39
CEO Contract of Employment
Exec CP203 Fleet Management Policy (Passenger and Light Vehicles)
Fleet Management Plan

Shire of Dardanup

POLICY NO:-

CnG CP013 – PENSIONER AND SENIOR REBATE CONCESSION ENTITLEMENT ON LAND WITH COMMERCIAL USE

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		New	OCM	05/06/19	Res: 148-19	**Synopsis**	Policy created.
Version	1	New				**Synopsis**	
Version	2	CnG CP013	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP013	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP013	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

To determine, in an equitable manner, the extent of entitlement to a State Government Rebate on Council Rates and the State Government Emergency Services Levy, in accordance with Section 28(2) of the Rates and Charges (Rebates and Deferments) Act 1992, where the rateable land is used for residential as well as commercial or farming (non-residential) use.

3. DEFINITIONS

Commercial use – any income producing activity, but not where the income or activity is incidental to the main residential use of a property (e.g. hobby, home occupation).

4. POLICY

In accordance with the Rates and Charges (Rebates and Deferments) Act 1992 and the Procedural Manual issued in accordance with section 9(3) of that Act, the following methods shall be used to determine the extent of a State Government rebate concession to eligible and registered pensioners and seniors, on prescribed charges on rateable land that has residential use as well as another use including commercial and farming activities.

Where the basis of rating is Gross Rental Valuation:

- Where a sub-value for the residential portion can be provided by Landgate (at no cost to the Council), the entitlement percentage shall be determined by dividing the residential sub-value by the total value of the land; or
- Where a sub-value is not available, the entitlement percentage shall be determined by dividing the floor area of the residential building component by the total area of buildings on the land.
- Where the basis of rating is Unimproved Valuation, the entitlement shall be calculated on the basis of the Council's Unimproved Valuation minimum rate for the relevant year as set in its annual budget.
- These methods are included in the Procedural Manual as acceptable options to allow a concession for the residential use of a property that also has commercial use.

5. REFERENCE DOCUMENTS

- Rates and Charges (Rebates and Deferments) Act 1992
- Procedure Manual – issued under Section 9 of the Rates and Charges (Rebates and Deferments) Act 1992, by the Government of Western Australia – Office of State Revenue.

Shire of Dardanup

POLICY NO:-

CnG CP014 – EQUAL OPPORTUNITY EMPLOYER

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	

ADMINISTRATION INFORMATION							
History		EXEC33	OCM	07/10/03	Res: 380/03	**Synopsis**	Policy created.
Version	1	CP014	OCM	25/01/17	Res: 02/17	**Synopsis**	Revised Policy Adopted
Version	2		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP014	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP014	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP014	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The *WA Equal Opportunity Act 1984*, requires all local government authorities to prepare and implement an Equal Opportunity Management Plan in order to achieve the objects of the Act.

3. REFERENCE DOCUMENTS

- The WA Equal Opportunity Act 1984
- Fair work Act (Cth) 2009
- The Racial Discrimination Act (Cth) 1975
- The Sex Discrimination Act (Cth) 1984
- Age Discrimination Act (Cth) 2004
- The Human Rights and Equal Opportunity Commission Act (Cth) 1986
- The Disability Discrimination Act (Cth) 1992
- Shire of Dardanup Grievance Information Handbook
- Disciplinary Policy

4. DEFINITIONS

Discrimination is defined as treating an individual less favourably than another individual in the same or similar circumstances. Discrimination can be direct or in-direct.

Harassment is defined as unwanted, uninvited and inappropriate behaviour.

5. POLICY

This policy applies in the workplace including work outside of normal hours and at work related events such as conferences, training and social functions and at any other place where an individual is a representative of the Shire of Dardanup.

The Shire of Dardanup values an open and inclusive workforce with a focus on fairness and equity for employees and the community. The Shire has a commitment to Equal Opportunity (EO) under the obligations of the Equal Opportunity Act 1984. This commitment is reflected by the integration of the principles of EO into the Shire's Strategic Council Plan, Code of Conduct for Employees, Corporate Guidelines and work practices. The Shire's Equal Opportunity Management Plan will inform the direction, actions and training required under legislation for all Shire staff.

The Shire of Dardanup is committed to providing:

1. Recruitment, selection and promotion processes will be directed towards providing equal opportunity with decisions based on merit and the individual's ability to meet the minimum requirements of engagement.

2. The Shire of Dardanup will not tolerate discrimination within its workplace.

3. The Shire of Dardanup will not tolerate harassment within its workplace.

4. The Shire of Dardanup will provide individuals with education and training in relation to their rights and responsibilities relating to discrimination and harassment.

5. The Shire of Dardanup will provide individuals with appropriate methods for reporting alleged occurrences of discrimination and harassment.

6. The Shire of Dardanup will ensure individuals that make a complaint or are witness to a report of discrimination or harassment are not victimised because of the complaint.

7. The Shire of Dardanup will manage substantiated occurrences of discrimination and harassment in accordance with the disciplinary policy.

POLICY NO:-
CnG CP016 – SEVERANCE POLICY – SECTION 5.50 OF THE LOCAL GOVERNMENT ACT 1995

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		**EXEC38**	OCM	02/12/09	Res: 395/09	**Synopsis**	Policy created.
Version	1		OCM:	10/05/12	Res: 138/12	**Synopsis**	Reviewed Policy Adopted
Version	2	**CP016**	OCM	25/01/17	Res: 02/17	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	**CnG CP016**	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	**CnG CP016**	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	**CnG CP016**	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

S5.50(1) of the Local Government Act 1995, prescribes that Council must prepare a policy in relation to employees whose employment with the local government is finishing.

The policy is to set out:

a) the circumstances in which the Shire of Dardanup will pay an employee an amount in addition to any amount which the employee is entitled under a contract of employment or award relating to the employee; and

b) the manner of assessment of the additional amount.

As required under Section 5.50(1) of the Local Government Act 1995 this severance payment policy outlines the circumstances and manner of assessment upon which the Shire of Dardanup will pay an employee an amount (severance payment) in addition to any amount to which the employee is entitled under a contract of employment, award, industrial agreement, or order by a Court or Tribunal.

3. REFERENCE DOCUMENTS

Local Government Act 1995

4. POLICY

4.1 Application

4.1.1 This policy applies to all employees of the Shire of Dardanup.

4.1.2 Decisions under this policy are to be made.

a) By Council where decision involves a severance payment to the CEO.
b) By the CEO where the decision involves a severance payment to any other employee of the Shire of Dardanup.

4.2 Circumstances for Severance Payment

4.2.1 The Shire of Dardanup may pay a severance payment in the following circumstances:

a) Redundancy.
b) Local Government boundary change and amalgamations.
c) Any other termination matter that does not relate to an employee being made redundant (e.g. dismissal).

4.3 Exclusions

4.3.1 A severance payment will not be made to an employee who:

a) Is redeployed within the Shire of Dardanup
b) Is dismissed for misconduct
c) Is employed on either a temporary or casual basis
d) Is under probation

4.4 Determination of Severance Payment

4.4.1 Recognition of Service

Recognition of service may be extended to employees upon cessation of employment with the Shire of Dardanup. In the following manner:

a) Service 1-3 Years = A contribution towards a gift of up to $50.
b) Service more than 3 years and less than 5 years = A contribution towards a gift of up to $100.
c) Service more than 5 year and less than 10 years = A contribution towards a gift of up to $200.
d) Service more than 10 years = A contribution towards a gift of up to $500; and at the discretion of the Chief Executive Officer, a contribution toward a function up to $2,000.

4.4.2 Settlements and other terminations

For the purposes of determining the amount of severance payment in respect of settling a matter under clause 4.2.1 (c) of this policy, the following may be taken into account:

a) advice of an industrial advocate or legal practitioner on the strength of the case of respective parties in any litigation or claim in an industrial tribunal.
b) the cost of any industrial advocate or legal advice support.
c) the general costs associated with the hearing including witness fees, travel costs.
d) disruption to operations.

4.4.3 Additional Payment

Council may pay to an employee whose employment with the Shire of Dardanup is finishing an additional severance payment over and above that prescribed in the relevant award or contract of employment.

The maximum severance payment made to an employee shall be in accordance to that prescribed under the Local Government Act 1995.

19A. Payments to employee in addition to contract or award — s. 5.50(3)
(1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total —
(a) if the person accepts voluntary severance by resigning as an employee, the value of the person's final annual remuneration; or
(b) in all other cases, $5 000.

An additional payment made under clause 4.3 will require local public notice to be made in relation to this payment.

POLICY NO:
CnG CP022 – USE OF CLOSED CIRCUIT TELEVISION [CCTV]

GOVERNANCE INFORMATION			
Procedure Link:	PR037 - Use of Closed Circuit Television CCTV	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		CORP1	OCM	30/01/08	Res: 008/08	**Synopsis**	Policy created.
	1		OCM:	10/05/12	Res: 138/12	**Synopsis**	Reviewed Policy Adopted
Version	2	CP022	OCM:	28/06/17	Res: 168/17	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP022	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP022	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	CnG CP022	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

CCTV is a long-established technology which has been widely deployed, from corner shops to major city centres. The deployments fall into two main types, monitored and un-monitored installations reflecting the two main purposes; either to provide real time observation of events so that real time responses can be initiated, or to capture evidence of events which can be acted upon subsequently.

The objective of this policy is to provide a framework for the deployment of CCTV installations in public locations within the Shire of Dardanup.

The available research on CCTV identifies that CCTV does not absolutely prevent crime or anti-social behaviour, but that it can reduce the incidence of opportunistic anti-social behaviour and does provide real forensic evidence when such behaviour occurs. That evidence can be used to identify perpetrators for potential prosecution under the relevant Acts. Research also identifies that CCTV provides real comfort in the context of reducing the fear of crime in public places.

This Policy describes the criteria to be used when a new installation is being considered for deployment.

3. REFERENCE DOCUMENTS

Security Devices Act 1988
Privacy Act 1998
Australian Government – Australian Institute of Criminology - Open Street in Australia

4. POLICY

All CCTV installations will meet the requirements of the Shire of Dardanup CCTV Camera Program Code of Practice [Appendix 1]. All installations will be designed to meet the particular needs of the deployment location and the circumstances at the time.

Unmonitored CCTV installations will be used as a preferred deployment type over monitored installations. Unmonitored deployments will require the approval of the Deputy CEO and / or Chief Executive Officer.

Monitored CCTV will only be deployed where the real time observation of events is deemed essential. Deployment of a monitored CCTV installation requires the approval of the Deputy CEO and / or Chief Executive Officer. Monitored CCTV requires the presence of at least one officer at all times, with no other conflicting duties and the allocation within the annual budget of sufficient resources.

CCTV installations will always be of a sufficient standard, including ambient and artificial lighting and image quality for valid forensic evidence to be obtained. Image data may be retained locally to the installation or transferred to another location and stored away from the installation.

APPENDIX 1
SHIRE OF DARDANUP – CODE OF PRACTICE
CLOSED CIRCUIT TELEVISION CAMERA PROGRAM

1. OVERVIEW

1.1. Key Principles

1.1.1. This Code of Practice contains the basic standards in accordance with which Shire of Dardanup's CCTV Camera Program will be operated.

1.1.2. The Code of Practice is based on 12 key principles. In each section the key principle is stated, followed by further explanatory information.

1.1.3. The key principles are as follows:

Principle 1

The CCTV Camera Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

Principle 2

The CCTV Camera Program will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the CCTV Camera Program will be recognised by ensuring the security and integrity of operational procedures.

Principle 4

The Shire of Dardanup has primary responsibility for compliance with the purposes and objectives of the CCTV Camera Program, for the maintenance, management and security of the Program, and the protection of the interests of the public in relation to the Program.

Principle 5

The Shire of Dardanup will be accountable for the effective operation and management of the CCTV Camera Program.

Principle 6

Staff employed to work in the CCTV Camera program, whether they be operators or Directors, will meet the highest standards of probity.

Principle 7

The public will be provided with clear and easily accessible information in relation to the operation of Shire of Dardanup's CCTV Camera Program.

Principle 8

Information recorded will be accurate, relevant and not exceed that necessary to fulfil the purposes of the CCTV Camera Program.

Principle 9

Information will be obtained fairly and in accordance with the privacy provisions of the Code of Practice.

Principle 10

Access to the CCTV Camera data will be restricted to approved operating staff and their Directors and there will be no unauthorised access to the data. Approval will obtained be from the Deputy Chief Executive Officer.

Principle 11

The retention of, and access to tapes, photographs and recorded material will be only for the purposes provided by this Code of Practice. Tapes, photographs and recorded material will be retained for 90 days unless they are required in relation to the investigation of crime or for court proceedings. They will then be erased, taped over, or destroyed.

Principle 12

Contact related to the CCTV Camera Program between Shire of Dardanup staff and the WA Police, will be conducted strictly in accordance with the Code of Practice.

2 PRELIMINARY INFORMATION

2.1 Introduction

2.1.1 It is recognised that the threat of violence or antisocial behaviour are important factors in any public perception on how safe residents, visitors and other stakeholders feel in the Shire of Dardanup. As part of its effort to combat the fear of crime and reduce the likelihood of criminal behaviour in public places, the Shire of Dardanup has adopted a Community Safety and Crime Prevention Plan (CS&CPP).

2.2 CCTV Camera Program

2.2.1 The CCTV Camera Program comprises Shire of Dardanup's closed circuit television operations and is one of the initiatives that forms part of the CS&CPP.

2.2.2 The CCTV Camera Program is only one of several initiatives designed to assist in preventing criminal behaviour. It is recognised, however, that such crime will never totally be prevented.

2.3 Code of Practice

2.3.1 This Code of Practice is to ensure that the principles and purposes on which the CCTV Camera Program is based are realised.

2.3.2 Involvement in any aspect of the Program by relevant organisations or individuals will depend upon their willingness to comply with this Code of Practice. This Code of Practice is subject to state and federal law.

2.4 System description

2.4.1 The Program involves a range of reticulated cameras connected to a server control room via IP networks with a planned series of stand-alone camera systems connected to a recording device in the server control room. All images are recorded and retained for 90 days unless they are required in relation to the investigation of crime or for court proceedings.

2.5 Camera Design

2.5.1 All cameras are of sufficient design quality to enable effective monitoring. Each camera is, or may be housed in a tinted environmental dome, which both protects the camera and ensures that the camera itself is not intrusive in impact. Cameras for monitored installations should be Pan-Tilt-Zoom [PTZ] capable.

2.5.2 Contemporary technology will be used to ensure optimum resolution and picture quality for its deployment. The technology used will be regularly reviewed to ensure the most up to date equipment appropriate to the purposes of the CCTV Camera Program is procured when refreshed.

2.6. Camera locations

2.6.1 Cameras are installed in those areas where there is a demonstrated need to either view activities in real time or capture activities for later reporting to relevant authorities, including the WA or Federal Police.

2.6.2 Cameras are installed in the following locations: -

i) Eaton Recreation Centre.
ii) Council Depot

iii) Shire of Dardanup Library, Administration and Community Building

2.7 Ownership of the CCTV Camera Program

2.7.1 The Shire of Dardanup is the owner of the CCTV Camera Program. The Shire of Dardanup retains ownership of and has copyright in all equipment, videos, photographs and documentation pertaining to the Program. The responsibilities of the Shire of Dardanup in relation to the system are outlined in section 5.

2.8 Partners in the CCTV Camera Program

2.8.1 There are no financial partners in the program at time of publication. The WA Police are considered as partners in the context of their law enforcement role in the state of Western Australia.

3. CHANGES TO THE CCTV CAMERA PROGRAM AND/OR THE CODE OF PRACTICE

3.1.1 A minor change to the CCTV Camera Program or Code of Practice may be made with the agreement of both the Chief Executive Officer and Deputy CEO.

A minor change is such as may be required for the purposes of adjustment of the Program or clarification of the Code of Practice, for example, a change to the wording of a particular section of the Code of Practice where its meaning might otherwise be ambiguous, or a proposal to install further cameras under the prevailing conditions of use.

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3.1.2 A major change to the CCTV Camera Program or to the Code of Practice will be brought back to Council for formal approval.

4. PURPOSE

4.1.1 The primary purpose of Shire of Dardanup's CCTV Camera Program is to assist in the prevention of serious criminal offences, particularly malicious damage to property, including graffiti.

4.1.2 The secondary purpose of the CCTV Camera Program is to assist in the prevention of crimes against the person.

4.1.3 The objectives of the CCTV Camera Program are:

i) to reduce crime levels by deterring potential offenders;
ii) to reduce fear of crime;
iii) to assist in the detection and prosecution of offenders; and
iv) to help secure a safer environment for those people who live in, work in and visit the Shire of Dardanup.

4.1.4 The CCTV Camera Program will not be used for general intelligence gathering.

5. RESPONSIBILITIES OF THE OWNER OF THE PROGRAM

5.1.1 The Shire of Dardanup is responsible for the introduction and implementation of the Code of Practice and for ensuring compliance with the principles contained within the Code.

5.1.2 The Shire of Dardanup will comply with the requirements for accountability set out in this Code of Practice.

5.1.3 The Shire of Dardanup will consult as necessary in connection with the implementation or modification of any part of the CCTV installation.

6. RESPONSIBILITIES OF PARTNER TO THE PROGRAM

6.1.1 Incidents that may involve or lead to a crime against the person or other serious threat to public safety, or other serious criminal offence will be reported to the WA Police. The police will assess the situation and determine an appropriate response to the incident.

6.1.2 It is the responsibility of the WA Police to respond to incidents identified to the extent that its resources and priorities allow.

7. PUBLIC INFORMATION

7.1.1 Clearly visible signs that CCTV cameras are operating will be displayed at key points covered by cameras. These signs will:

i) inform the public that cameras are in operation;
ii) allow people entering the area to make a reasonable approximation of the area covered by the system; and
iii) identify Shire of Dardanup as the owner of the system.

7.1.2 Copies of the Code of Practice will be made available to the public on request.

7.1.3 Inquiries in relation to the Shire of Dardanup's CCTV Camera Program and its operation can be made in writing to:

Chief Executive Officer
Shire of Dardanup
P O Box 7016
EATON WA 6232
or, alternatively, can be made by telephone on (08) 9724 0000.

8. ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE

8.1.1 The Shire of Dardanup will regularly monitor the operation of the CCTV Camera Program and implementation of the Code of Practice.

8.1.2 The results of the periodic review will be taken into account in the future functioning, management and operation of the Program.

9. MANAGEMENT OF CAMERA DATA

9.1 The camera data will only be accessed by authorised officers on those occasions when anti-social behaviour has occurred in range of the cameras, this data will then be used in an effort to identify the perpetrators of the anti-social behaviour.

10. CONTROL AND OPERATION OF CAMERAS

101.1 The locations of cameras will be clearly apparent to the public.

10.1.2 All use of cameras will accord with the purposes of the CCTV Camera Program as outlined in the Code of Practice.

10.1.3. No sound will be recorded, unless deemed necessary to meet the needs of the Shire of Dardanup.

10.1.4. Operators of camera equipment will act in accordance with the highest standards of probity.

10.1.5. Only staff with responsibility for using the equipment will have access to operating controls.

11. TAPES, PHOTOGRAPHS AND RECORDED MATERIAL

11.1.1 Access to and use of videotaped material and photographs will only take place: in compliance with the needs of police in connection with the investigation of crime; or if necessary for the purposes of legal proceedings.

11.1.2 Videotaped material and photographs will not be sold or used for commercial purposes or the provision of entertainment.

11.1.3 The showing of videotapes or photographs to the public will be allowed only in connection with the investigation of crime or in any other circumstances provided by law.

11.1.4 Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

11.1.5 Recorded material will be treated according to defined procedures to ensure continuity of evidence.

12. BREACHES OF THE CODE

12.1.1 Prime responsibility for ensuring the Code of Practice is adhered to rests with the Shire of Dardanup. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of Shire of Dardanup's power to remedy.

12.1.2 Complaints in relation to any aspect of the management or operation of the system may be made in writing to:

The Chief Executive Officer
Shire of Dardanup
PO Box 7016
EATON WA 6232

The Privacy and Personal Information of individuals will be respected and observed under any written law applicable in Western Australia.

12.1.3 Shire of Dardanup will cooperate with the investigation of any complaint under any written law made to any other empowered Agency.

COUNCIL POLICY NO:
CnG CP023 – BLANK – TO BE USED

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	

ADMINISTRATION INFORMATION						
Version:			OCM	Res:	**Synopsis:**	
Version			OCM	Res:	**Synopsis:**	

POLICY NO:-
CnG CP024 – RECORDS MANAGEMENT

GOVERNANCE INFORMATION			
Procedure Link:	PR041	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		CORP6	OCM	22/10/03	Res: 410/03	**Synopsis**	Policy created.
	1		OCM:	10/05/12	Res: 138/12	**Synopsis**	Reviewed Policy Adopted
Version	2	CP024	OCM:	28/06/17	Res: 168/17	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP024	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP024	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP024	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

Sound record management practices are an integral part of any business, legislative changes are ensuring that local government as an industry is more accountable.

To capture, control and provide accurate records in all formats, by developing systems and practices that make the recording, storing and accessibility of information more readily available to all staff.

To safeguard records of continuing value for legal, fiscal, administrative, or historical purposes.

3. REFERENCE DOCUMENTS

State Records Act 2000
Australian Standards ISO 15489
General Disposal Authority for Local Government Records 2015-001/1
General Disposal Authority for Source Records RD20160002
Ad Hoc Disposal Authority – COVID-19 Health and Vaccination Information DA 2021-010
Ad Hoc Disposal Authority – COVID-19 – Contact Registers DA 2020-006
General Retention and Disposal Authority for Incidents and Allegations of Child Abuse or Neglect DA 2020-003
Shire of Dardanup Record Keeping Plan 2020

4. POLICY

Council will maintain a Records Office that manages the efficient capture, creation, distribution, storage, retrieval and disposition of its records in accordance with the State Records Act 2000.

This includes all records whether received or created by staff or by Elected Members acting in their official capacity as Councillors, and will capture, create or provide full and accurate records, in the appropriate form, of the Council's business decisions and transactions to meet all legal, evidential, administrative, financial and historical requirements.

Shire of Dardanup

POLICY NO:-

CnG CP025 – SELF SUPPORTING LOANS

GOVERNANCE INFORMATION			
Procedure Link:	PR046	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		CORP11	OCM	11/03/03	Res: 099/03	**Synopsis**	Policy created.
	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Reviewed Policy Adopted
Version	2	CP025	OCM	28/06/17	Res: 168/17	**Synopsis**	New Council Policy Document endorsed
Version	3	CnG CP025	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP025	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP025	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP025	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

To ensure fairness and equity in the assessment of all applications for self-supporting loans by community and sporting groups from within the Shire of Dardanup.

To ensure that all applications are treated in the same manner and meet the same criteria, and to ensure the amount borrowed is adequately covered by guarantors from the borrowing party, to protect Council and the Community from becoming liable for the balance of the loan debt, should the borrower default in their repayment of the loan.

3. POLICY

That Community Groups and Sporting organisations located in the Shire of Dardanup be advised that all self-supporting loans funded through Council must meet the following conditions;

3.1 Incorporated community groups or sporting clubs, which are resident and operate within the Shire of Dardanup can apply in writing for a self-supporting loan to be considered by Council.

3.2 All applications are to be supported with a business plan that sets out the purpose, objectives and benefits to their members and the community at large.

3.3 Community groups and sporting clubs must provide with their request a copy of their last five years audited financial statements and current year's budget which will demonstrate the organisations/clubs ability to repay the loan funds advanced.

3.4 Guarantors, legally bound by contract, will be required for all self-supporting loans, Council has the right to set a lower percentage of cover required, if the financial information provided by the applicant adequately shows that the Club/Organisation has been financially sound for the past five years and can prove it can meet its financial obligations in being able to repay the loan whilst carrying on its normal activities.

3.5 All self-supporting loans will require a written agreement to be signed by both parties, stating the loan repayment dates and amounts payable along with a list of guarantors, before any loan funds are advanced.

3.6 The loan borrower will supply to Council on an annual basis a set of the audited financial statements within four months of the close of the financial year, as well as a copy of the budget for the current year, Council may at any time during the period of the loan request that the loan borrower to provide current financial statements and budgets.

3.7 Self-funding loan requests not previously approved and included in Councils annual budget, will need to be advertised in accordance with the requirements of the Local Government Act 1995, to allow for written submissions to be made, these submissions will be presented to Council, so that a decision to approve or disapprove a self–funding loan request can be made.

POLICY NO:
CnG CP034 – PROCUREMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:	PR045 - Procurement Procedure	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		CORP9	OCM	12/10/11	Res: 302/11	**Synopsis**	Policy created.
	1		OCM	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
Version	2	CP034	OCM	19/07/17	Res: 191/17	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4		SCM	13/02/19	Res 27-19	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP034	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	6	CnG CP034	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	7	CnG CP034	OCM	25/01/23	Res: 12-23	**Synopsis**	Reviewed and Adopted by Council
Version	8	CnG CP034	OCM	26/04/23	Res: 89-23	**Synopsis**	Amended and Adopted by Council
Version	9	CnG CP034	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup is committed to delivering the objectives, principles and practices outlined in this Policy when purchasing goods, services or works to achieve the Shire of Dardanup strategic and operational objectives.

This will be achieved through aspiring and working towards continuous improvement and best practice in the purchase of goods, services and works that align with the principles of transparency, probity, and good governance.

Procurement processes and practices are defined within this Policy. All procurement activities undertaken by Shire of Dardanup must comply with this policy.
The Shire of Dardanup purchasing activities aim:

- To ensure best practice policies and procedures are followed in relation to purchasing for the Shire of Dardanup.
- To ensure compliance with the Local Government Act 1995 ("the Act"), the Local Government Act (Functions and General) Regulations 1996 ("the Regulations") as well as any relevant legislation.
- To ensure fair and equitable competitive processes that engage potential suppliers impartially, honestly, and consistently.
- To undertake purchasing processes that ensures value for money for the Shire of Dardanup by delivering the most advantageous outcome possible.
- To ensure openness, transparency, fairness, and equity through the purchasing process to all potential suppliers.
- To ensure efficient and consistent purchasing processes are implemented and maintained across the organisation.
- To manage procurement risks identified within the Shire of Dardanup Risk Management Governance Framework.
- To ensure compliance with the State Records Act and the Shire of Dardanup Record Keeping Plan in creating and maintaining evidence of purchasing activities.

3. REFERENCE DOCUMENTS

Local Government Act 1995, Section 2.7(2)(a)&(b) and Section 6.5(a),
Local Government (Financial Management) Regulations 11(1)(a) – 24(aj),
Local Government Act (Functions and General) Regulations, 1996 (as amended).

4. POLICY

4.1 Ethics & Integrity

Code of Conduct

The Shire of Dardanup's relevant Codes of Conduct applies when undertaking purchasing activities and decision making. Elected Members and employees must observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- All purchases must be in accordance with the adopted budget allocation and variances managed in accordance with the adopted Shire of Dardanup Procurement Framework.
- In the event of the budget being adopted after 1 July, Council endorses purchases that are based on existing service commitments and contracts, and essential minor operating purchases.
- Full accountability shall be taken for all purchasing decisions and the efficient, effective, and proper expenditure of public monies based on achieving value for money.
- All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Dardanup's policies and Code of Conduct.
- Purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly, and consistently.
- All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation.
- Any actual or perceived conflicts of interest are to be identified, disclosed, and appropriately managed; and
- Any information provided to the Shire of Dardanup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4.2 Value for Money

Definition

Value for money is an overarching principle governing purchasing which allows the best possible outcome to be achieved for the Local Government.

Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic, and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire of Dardanup achieving its strategic and operational objectives.

The Shire of Dardanup will apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous. This will be achieved in the Procurement Plan (where required) for purchases above $50,000. E.g. How are we going to calculate value for money upfront?

Application

An assessment of the best value for money outcome for any purchasing process should consider:

- All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, training, maintenance, and disposal.
- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of levels and currency of compliances, tenderers resources available, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- Financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history).
- A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
- The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation risk arising from the supply, operation and maintenance.
- The environmental, economic, and social benefits arising from the goods, services or works required.
- Providing opportunities for businesses within the Shire of Dardanup boundaries to quote wherever possible.
- Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

4.3 Purchasing Thresholds and Practices

Legislative / Regulatory / Policy Requirements

The Shire of Dardanup must comply with all requirements, including purchasing thresholds and processes, as prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire of Dardanup.

In accordance with the Local Government (Financial Management) Regulations 1996 purchasing that exceeds $250,000 in total value (excluding GST) shall be executed by public tender unless a regulatory tender exemption is utilised.

Policy Purchasing Value Definition

Determining purchasing value is to be based on the following considerations:

- Exclusive of Goods and Services Tax (GST); and
- Where a contract is in place, the actual or expected value of expenditure over the full contract period (including all options to extend); or
- The appropriate length of a contract is to be determined based on market volatility, ongoing market supply, historical purchasing evidence and estimated purchasing requirements.
- Where there is no existing contract arrangement, the purchasing Value will be the estimated total expenditure for a category of goods, services or works over a minimum three-year period.
- The value for money calculation produced in the Procurement Plan (where applicable).

The calculated estimated Purchasing Value will be used to determine the applicable threshold and purchasing practice to be undertaken.

Procurement Plan

A Procurement Plan assists in identifying the most appropriate tactics and actions to be followed when procuring a particular good or service based on the characteristics of the item and market and the specific needs of the Local Government.
The benefits of a carefully considered Procurement Plan include:

- Improved risk management
- Better value for money
- Improved relationships with suppliers; and
- Improved procurement decisions and results.

A Procurement Plan is to be developed whenever an Expression of Interest (EOI), Request for Tender (RFT), Request for Proposal (RFP), Invitation to Tender (ITT) or a “Tender Exempt” purchase or Request for Quotation (RFQ) with a value above $50,000 is required.

Tender Exemption

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

- An emergency situation as defined by the Local Government Act 1995.
- The purchase is obtained through the WALGA Preferred Supplier Program.
- The annual purchase of Insurance through LGIS.
- The goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government.
- The purchase is under public auction that has been authorised by Council.
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply.

Requirements

Below is the purchasing process that must be followed based on the actual or expected value of each purchase:

PURCHASING THRESHOLDS (EX GST)	PURCHASING PRACTICE REQUIRED
Up to $5,000	1. Purchase directly from a supplier using a Purchasing (ie: fuel, hardware, etc) or Corporate Credit Card, OR 2. Where the Shire of Dardanup has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, from the panel suppliers only in accordance with the procedures prescribed in Section 6, OR 3. If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then at least one (1) verbal or written quotation must be sought from either: • a supplier included in the relevant WALGA Preferred Supplier Arrangement (i.e.: e-quotes); or • other suppliers that are accessible under another tender exempt arrangement; or • the open market.
$5,001 - $20,000	1. Where the Shire of Dardanup has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, at least one (1) written quotation from the panel suppliers only in accordance with the procedures prescribed in Section 6, OR 2. If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then written quotations (e.g. email, fax, or original copy) must be sought from either: • a supplier included in the relevant WALGA Preferred Supplier Arrangement, or Common Use Agreement [CUA] (i.e.: e-quotes) at least one (1) written quotation; or • other suppliers that are accessible under another tender exempt arrangement at least two (2) written quotations; or • the open market at least two (2) written quotations. The purchasing decision is to be based upon assessment of the supplier's response to: • a brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. Written notes detailing each quotation received must be recorded in the pre-printed quotation section on the Office Copy Purchase Order.
$20,001 - $50,000	1. Where the Shire of Dardanup has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, one (1) written quotations from the panel suppliers only in accordance with the procedures prescribed in Section 6, OR 2. If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then written quotations (e.g. email, fax, or original copy) must be sought from either: • a supplier included in the relevant WALGA Preferred Supplier Arrangement, or CUA (i.e.: e-quotes) at least one (1) written quotations; or • other suppliers that are accessible under another tender exempt arrangement at least three (3) written quotations; or • the open market at least three (3) written quotations. The purchasing decision is to be based upon assessment of the supplier's response to: • a brief outline of the specified requirement for the goods; services or works required; and • value for money criteria, not necessarily the lowest price. The procurement decision is to be represented using the Brief Evaluation Report Template.
$50,001- $250,000	A Procurement Plan is to be developed. Seek written quotations from suppliers by invitation under a formal Request for Quotation. 1. Where the Shire of Dardanup has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, one (1) written quotations from the panel suppliers only in accordance with the procedures prescribed in Section 6, OR 2. If no Panel of Pre-Qualified Suppliers exists for the required purchasing category, then at least three (3) written quotations (e.g. formal RFQ) must be sought from either: • a supplier included in the relevant WALGA Preferred Supplier Arrangement (i.e.: e-quotes); or • other suppliers that are accessible under another tender exempt arrangement; or • the open market. The purchasing decision is to be based upon assessment of the supplier's response to: • a detailed written specification for the goods; services or works required; and • pre-determined evaluation criteria that assess all best and sustainable value considerations. The procurement decision is to be represented using the Quotation Evaluation Report Template.
Above $250,000	A Procurement Plan is to be developed. • Seek at least three (3) written quotations from a supplier included in the relevant WALGA Preferred Supplier Arrangement and / or another tender exempt arrangement; OR • Conduct a public Request for Tender (RFT) process in accordance with the Local Government Act 1995 and relevant Shire of Dardanup Policy requirements. The purchasing decision is to be based upon assessment of the supplier's response to: • a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and • pre-determined evaluation criteria that assess all best and sustainable value considerations. The procurement decision is to be represented using the Quotation Evaluation Report template or Tender Evaluation Report template.
Emergency Purposes (Within budget)	Must be approved by the President or by the Chief Executive Officer under delegation and reported to the next available Council meeting.

PURCHASING THRESHOLDS (EX GST)	PURCHASING PRACTICE REQUIRED
	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply OR compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shires' Record Keeping Plan.
Emergency Purposes (Not included in budget)	Only applicable where, authorised in advance by the President in accordance with s6.8 of the Local Government Act 1995 and reported to the next available Council meeting. Where the Shire of Dardanup has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, the emergency supply must be obtained from the Panel suppliers. If, however, no member of the Panel of Pre-qualified Suppliers or a suitable supplier from WALGA Preferred Supplier Arrangement is available, then the supply may be obtained from any supplier capable of providing the emergency purchasing requirement, and to the extent that it is reasonable in context of the emergency requirements, with due consideration of best and sustainable consideration. Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the Local Government Act 1995, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.
LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances is established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.

Purchasing Thresholds Summary Table:

Purchasing Thresholds (ex GST)	Purchasing Practice Required				
Up to $5,000	No quote required from a pre-qualified supplier OR 1 verbal or written quotes from other suppliers				
$5,001 - $20,000		1 written quote from a pre-qualified supplier OR 2 written quotes from other suppliers			
$20,001 - $50,000			1 written quote from a pre-qualified supplier OR 3 written quotes from other suppliers based on brief outline of requirements. Brief Evaluation Report required.		
$50,001 - $250,000				1 written quote from a pre-qualified supplier OR 3 written quotes from other suppliers. A Procurement Plan is to be developed. Quotation Evaluation Report required.	
Above $250,000					A Procurement Plan is to be developed. Tender OR 3 quotes from a tender exempt panel. Quotation or

Purchasing Thresholds (ex GST)	Purchasing Practice Required				
					Tender Evaluation Report required.

Note – Inviting Tenders though not required to do so:

The Shire of Dardanup may determine to invite Public Tenders, despite the estimated Purchasing Value being less than the $250,000 threshold. This decision will be made after considering the benefits of this approach in comparison with the costs, risks, timeliness, compliance requirements, and whether the purchasing requirement can be met through a pre-qualified panel of suppliers including WALGA Preferred Supply Contracts and (where permitted) State Government Agreements.

If a decision is made to seek public tenders for contracts of less than $250,000, a Request for Tender process entailing all the procedures for tendering outlined in Council procedures must be followed in full.

4.4 Other Procurement Processes

Expressions of Interest

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value or contains significant complexity of project delivery that may solicit responses from a considerable range of industry providers.

In these cases, the Shire of Dardanup may consider conducting an EOI process, preliminary to any Request for Tender process, where the purchasing requirement is:

- Unable to be sufficiently scoped or specified.
- Open to multiple options for how the purchasing requirement may be obtained, specified, created or delivered.
- Subject to a creative element; or
- To establish a procurement methodology that allows for an assessment of a significant number of tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes are conducted as a public process and similar rules to a Request for Tender apply. However, the EOI should not seek detailed price information from respondents, primarily seeking qualitative and other non-price information. All EOI processes should be subsequently followed by a Request for Tender through an invited process of those shortlisted under the EOI.

Request for Proposal

As an alternative to a Request for Tender (RFT), the Shire of Dardanup may consider conducting a Request for Proposal (RFP) where the requirements are less known, or less prescriptive and detailed. In this situation, the Request for Proposal would still be conducted under the same rules as for a Request For Tender but would seek responses from the market that are outcomes based or that outline solutions to meet the requirements of the Shire of Dardanup.

4.5 Emergency Purchases

An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

4.6 Sole Source of Supply

A sole source of supply arrangement may only be approved where the:

- purchasing value is estimated to be over $5,000; and
- purchasing requirement has been documented in a detailed specification; and
- specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- market testing process and outcomes of supplier assessments have been documented, inclusive of a rationale for why the supply is determined as unique and cannot be sourced through more than one supplier.

A sole source of supply arrangement will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry to evidence that a Sole Source of Supply still genuinely exists.

A decision to approve a sole source of supply arrangement for any Tender must be made by the Council unless decision making under Functions and General Regulations 11(2) (f) has been delegated to the CEO. This exemption may be approved by Chief Executive Officer, Deputy Chief Executive Officer,–Director Infrastructure or Director Special Projects & Community for purchases obtained through a Request for Quotation process.

4.7 Anti-Avoidance

The Shire of Dardanup will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, avoiding a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

Utilising rolling contract extensions at the end of a contract term without properly testing the market or using a Tender exempt arrangement, will not be adopted as this would place this Local Government in breach of the Regulations (Regulation 12).

The Shire of Dardanup will conduct regular periodic analysis of purchasing activities within supply categories and aggregating expenditure values in order to identify purchasing activities which can be more appropriately undertaken within the Purchasing Threshold practices detailed in the Policy.

4.8 Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then Functions and General Regulation 21A applies.

For any other contract, the contract must not be varied unless

a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

4.9 Records Management

Records of all quotations and tenders must be retained in compliance with the State Records Act 2000 (WA) and the Local Government's internal records management policy.

Guidelines

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

- Tender or Request for Quotation documentation.
- Internal documentation.
- Evaluation documentation.
- Enquiry and response documentation.
- Approval documentation.
- Order forms and requisitions.
- Notification and award documentation.

4.10 Exemption from Procurement Quotations Requirements

Procurement Quotation Exemption does not exempt the Authorising Officer from completing other procurement requirements, such as Procurement Plan or Brief / Quotation Evaluation Report, specified in section 4.3 Purchasing Thresholds and Practices – Purchasing Practice Required table within this policy. Additional Information should be included on the Purchase Order detailing justification and reasoning for Exemption approval.

4.10.1 Sole Source of Supply (Monopoly Suppliers).

4.10.2 An emergency situation as defined by the Local Government Act 1995.

4.10.3 The purchase is under public auction which has been authorized by Council.

4.10.4 The purchase is for petrol, oil, or other liquid or gas used for internal combustion engines.

4.10.5 Shelf acquired non bulk Grocery, Alcohol & Sundry Hardware.

No quotations are required for the procurement of non-bulk fixed price retail grocery, alcohol and sundry hardware products sourced off the shelf from retail stores that are open to the public. It is considered that the non-negotiable pricing together with strong competition within the grocery and hardware sector is sufficient to provide best pricing.

4.10.6 The purchase is for utilities (ie: water, electricity, gas), legal fees or insurance services.

4.10.7 Software Support / Licences / Renewals / Maintenance.

No quotations are required for contracts for the provision, licensing, annual renewal, annual lease payment, maintenance or support of information technology hardware or software where:

a. the value of the contract is less than or equal to $250,000; and

b. the responsible officer has good reason to believe that because of the unique nature of the software support and maintenance required, or for any other reason, it is unlikely that there is more than one potential supplier.

This exemption must be approved by Chief Executive Officer or Deputy Chief Executive Officer, Director Infrastructure and Director Sustainable Development.

4.10.8 Shire of Dardanup Panel of Pre-Qualified Suppliers where the value is less than or equal to $5,000.

No quotations are required for the supply of goods and services obtained through a Shire of Dardanup Panel of Pre-Qualified Supplier – a program of suppliers that have been pre-qualified to supply certain goods and services, where the value (GST excluded) is less than or equal to $5,000.

4.10.9 Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

4.10.10 Chief Executive Officers or Director Discretion

The Chief Executive Officer or Directors may at their discretion, waive the requirements in writing to obtain the necessary quotations, providing that written justifiable reasons for such waiver are provided by the responsible purchasing officer to the Chief Executive Officer, or their director in the following situations:

a. the responsible officer has sought required quotations, but has only received less than the required responses that met the quotation specifications; or

b. The goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government.

5. SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY

The Shire of Dardanup is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection, and local economic benefits).

The Shire of Dardanup will embrace Sustainable Procurement by applying the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social, and local economic outcomes. Sustainable Procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Tenders will include a request for information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

5.1 Local Economic Benefit

The Shire of Dardanup encourages the development of competitive local businesses within its boundary first, and second within its broader region. As much as practicable, the Shire of Dardanup will:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses.
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support).
- ensure that procurement plans address local business capability and local content.
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses.
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to local suppliers.

To this extent, a qualitative weighting will be included in the evaluation criteria for quotes and Tenders where suppliers are located within the boundaries of the Shire of Dardanup, or substantially demonstrate a benefit or contribution to the local economy. This criterion will relate to local economic benefits that result from Tender processes.

5.2 Purchasing from Disability Enterprises

An Australian Disability Enterprise may be contracted directly without the need to comply with the Tender Threshold and Purchasing Practice requirements of this Policy only where:

- the contract value is or is worth $50,000 or less, and
- a best and sustainable value assessment demonstrates benefits for the Shire of Dardanup's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Tenders to provide advantages to Australian Disability Enterprises, in instances where not directly contracted.

5.3 Purchasing from Aboriginal Businesses

A business registered in the current Aboriginal Business Directory WA (produced by the Small Business Development Corporation) may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, only where:

- the contract value is or is worth $50,000 or less, and
- a best and sustainable value assessment demonstrates benefits for the Shire of Dardanup's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to identify businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.

5.4 Purchasing from Environmentally Sustainable Businesses

The Shire of Dardanup will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefits for the Shire of Dardanup's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of tenders to provide advantages to suppliers which:

- demonstrate policies and practices that have been implemented by the business as part of its operations.
- generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

6. PANELS OF PRE-QUALIFIED SUPPLIERS

6.1 Objectives

The Shire of Dardanup will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.
Part of the consideration of establishing a panel includes:

- there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money'.
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk.
- the Panel will streamline and will improve procurement processes.
- the Shire of Dardanup has the capability to establish a Panel and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

6.2 Establishing and Managing a Panel

If the Shire of Dardanup decides that a Panel is to be created, it will establish the panel in accordance with the Regulations. Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/ Deputy CEO.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire of Dardanup will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire of Dardanup will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire of Dardanup will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

6.3 Distributing Work Amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the Shire of Dardanup intends to:

- obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In considering the distribution of work among Panel members, the detailed information will also prescribe whether:

- each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire of Dardanup will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire of Dardanup may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 4.3 of this Policy. When a ranking system is established, the Panel will not operate for a period exceeding 24 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 24 months, which includes options to extend the contract.

6.4 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire of Dardanup's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire of Dardanup and Panel members.

7. PURCHASING POLICY NON-COMPLIANCE

Purchasing Activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire of Dardanup's policies and procedures.

A failure to comply with the requirements of this policy will be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority, and reasonable expectations for performance of their role.

Where a breach is substantiated, it may be treated as:

- an opportunity for additional training to be provided.
- a disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994.
- misconduct in accordance with the Corruption, Crime and Misconduct Act 2003

Shire of Dardanup

POLICY NO:
CnG CP036 – INVESTMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:		CORP10	OCM:	22/08/01	Res: 388/01	**Synopsis**	Policy created.
	1		OCM:	10/05/12	Res: 138/12	**Synopsis**	Revised Policy Adopted
Version:	2	CP036	OCM:	28/06/17	Res: 168/17	**Synopsis**	New Council Policy Document endorsed
	3		OCM:	30/08/17	Res: 237/17	**Synopsis**	Revised Policy Adopted
Version:	4		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
	5	CP036	OCM:	06/11/19	Res: 315-19	**Synopsis**	Amended and Adopted by Council
Version:	6	CnG CP036	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	7	CnG CP036	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	8	CnG CP036	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

This policy provides direction and guidelines on the investment of funds which are surplus to the Council's immediate requirements. Council and staff have an obligation to ensure that funds are invested in a responsible manner and to ensure Council conforms with its fiduciary responsibilities under Section 6.14 of the *Local Government Act 1995* and Part III of the *Trustees Act 1962* (as amended).

Notwithstanding the introduction of this Policy Document, the General Financial Management obligations imposed on Officers under the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards should at all times be complied with.

The Policy Objectives are:

- To undertake the investment of funds surplus to the Council's immediate requirements in a prudent manner which results in returns being maximized while operating within acceptable risk parameters.
- To ensure the security of Councils funds by using recognized rating categories.
- To have ready access to funds for day-to-day requirements, without penalty.
- To maintain an adequate level of diversification while ensuring security and safeguarding of capital.
- Ensure legislative requirements are adhered to.

3. REFERENCE DOCUMENTS

All investments are to comply with the following legislative requirements:

- Local Government Act 1995 - s6.14
- Local Government (Financial Management) Regulations 1996 – r19, r19C, r28 and r49
- The Trustees Amendment Act 1997 - Part III Investments
- Australian Accounting Standards

4. DEFINITIONS

In the context of this Policy, the following terms shall be used.

TERM	DEFINED AS
Authorised Deposit Taking Institution	Means a body corporate in relation to which an authority under Subsection 9(3) of the Banking Act 1959, is in force. This definition is also consistent with the definition of 'Authorised Institution' under Regulation 19C (1) of *the Local Government (Financial Management) Regulations 1996* as amended.
Counterparty	Means the other party that participates in a financial transaction.

TERM	DEFINED AS
Credit Rating	An estimate of overall ability and willingness of an entity or person to fulfil financial obligations in full and on time, based on previous financial dealings. Ratings are opinions issued by credit rating agencies.
Grandfathering Clause	Is an exemption that allows persons or entities to continue with activities or operations that were approved before the implementation of new rules, regulations, or laws.
Major Banks	For the purpose of this policy, 'Major Banks' can be defined as: - Australia and New Zealand Banking Group Limited (ANZ); - Commonwealth Bank of Australia (CBA); - National Australia Bank Limited (NAB); and - Westpac Banking Corporation (Westpac).
Short Term	In relation to investments means it matures in 12 months or less.
Long Term	In relation to investments means it matures in excess of 12 months.

5. DELEGATION OF AUTHORITY TO INVEST

Authority is delegated to the Chief Executive Officer to implement this policy. The Chief Executive Officer may in turn delegate the day-to-day management of the Council's investments in accordance with the provisions of the *Local Government Act 1995*.

6. POLICY

6.1 Prudent Person Standard

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

(b) Council will adopt a conservative investment approach to ensure investment capital is preserved and funds are always available in the short term.

(c) While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest risk within identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
- The investment is expected to achieve a predetermined market average rate of return that takes into account the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

(d) The Chief Executive Officer, Deputy CEO and Manager Financial Services, are individually authorised to transfer investment funds in writing or via electronic communication. Where funds are transferred to investments two authorised signatories are required.

(e) Council and authorised investment officers have a fiduciary responsibility under Section 6.14 of the *Local Government Act 1995* and therefore risks must be kept to a minimum, particularly credit risk.

(f) 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.

(g) Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This Policy requires officers to disclose any conflict of interest to the Chief Executive Officer.

6.2 Approved Investments

Council funds may be invested in one or more of the following financial products:

- Interest bearing Deposits with Authorised Deposit Taking Institutions as defined in the *Banking Act 1959* (Commonwealth) (ie: Australian banks, building societies and credit unions) or the Western Australian Treasury Corporation, for a maximum term of 3 years.
- Commercial Bank Bills; or
- Bonds guaranteed by the Commonwealth Government, or a State or Territory Government with a maturity of less than 3 years.; or
- Fixed and Floating Rate Notes (FRNs) issued by an Authorised Deposit Taking Institution.

6.3 Investment Portfolio Risk Guidelines

(a) Officers delegated with the authority to invest must diversify the investment portfolio and avoid excessive risk concentration with any single counterparty. The approach to diversification must be balanced with the need to seek an adequate rate of return for the Council, given that higher rates of return are usually associated with higher credit risk.

(b) Council investments are to be assessed in accordance with Standard & Poor's rating agency. A Standard & Poor's (S&P) credit rating is a current opinion of overall financial capacity to meet financial obligations. Investments that are assessed by S&P to have a rating of less than BBB, are regarded as speculative and Council will not invest in these products or with these organisations. In the event that an investment or issuer is not rated by S&P, this policy also includes a provision of credit ratings by Moody's and Fitch, both held in similar high regard to S&P.

(c) This investment policy prohibits any investment carried out for speculative purposes including:

i) Derivative or derivative based instruments and/or Structured Products.
ii) Principal only investments or securities that provide potentially nil or negative cash flow.
iii) Standalone securities issued that have underlying futures, options, forward contracts, and swaps of any kind; and
iv) Any form of investment that risks the loss of the initial capital outlay in anticipation of significant gain that may arise from expected changes in future economic conditions.

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

(d) Investments entered into must comply with four key criteria relating to*:*

i) ***Portfolio Credit Framework***: limit overall credit exposure of the portfolio.
ii) ***Counterparty Credit Framework***: limit exposure to individual counterparts/institutions.
iii) ***Term of Maturity Framework***: limits based on maturity of securities.
iv) ***Liquidity***: maintaining adequate levels of liquidity to cover seasonality, planned capital expenditure and contingencies.

Portfolio Credit Framework
To control the credit quality on the entire portfolio, the following credit framework limits the percentage exposed to any particular credit rating category.

For Bonds guaranteed by the Commonwealth Government, or a State or Territory Government, the credit rating allowable will be that of the guaranteeing government.

For Authorised Deposit Taking Institutions investments:

Maximum Exposure as a % of Total Investment Portfolio	Standard & Poor's Minimum Long Term Credit Rating	Moody's Minimum Long Term Credit Rating	Fitch Minimum Long Term Credit Rating
100%	AAA	Aaa	AAA
100%	AA + and Major Banks AA and Major Banks AA - and Major Banks	Aa1 and Major Banks Aa2 and Major Banks Aa3 and Major Banks	AA+ and Major Banks AA and Major Banks AA- and Major Banks
60%	A + A A -	A1 A2 A3	A+ A A-
20%	BBB + BBB BBB -	Baa1 Baa2 Baa3	BBB+ BBB BBB-

Counterparty Credit Framework

Exposure to an individual Authorised Deposit Taking Institution counterparty will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Direct Investment Maximum % with any one institution	Standard & Poor's Minimum Long Term Credit Rating	Moody's Minimum Long Term Credit Rating	Fitch Minimum Long Term Credit Rating
50%	AAA	Aaa	AAA
50%	AA + and Major Banks AA and Major Banks AA - and Major Banks	Aa1 and Major Banks Aa2 and Major Banks Aa3 and Major Banks	AA+ and Major Banks AA and Major Banks AA- and Major Banks
40%	A + A A -	A1 A2 A3	A+ A A-
10%	BBB + BBB BBB -	Baa1 Baa2 Baa3	BBB+ BBB BBB-

Term of Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity		
Portfolio % <= 1 year	Min 40%	Max 100%
Portfolio % > 1 year or <= 3 years	Min 0%	Max 60%

Liquidity

Portfolio management must always maintain adequate levels of liquidity to cover seasonality, planned capital expenditure and contingencies.

Officers delegated to invest must take into account ongoing liquidity requirements when placing investments to ensure availability of funds to meet the Council's payment obligations as and when they fall due.

Not less than two (2) quotations shall be obtained from authorised institutions when investing in an institution.

6.4 Policy Breaches, Rectifications and Grandfathering

Any investment purchased when compliant with the investment policy may be held to maturity or sold as Council believes best dependent on the individual circumstances, so long as that the risk management strategy is in accordance with the principles of the Investment Portfolio Risk Guidelines as above, the prevailing legislation and the Prudent Person Standard applies.

A Grandfathering Clause provision is included in this policy which protects Council against policy breaches of its investment policy whereby that breach is outside the control of Council. Specifically, a Grandfathering Clause will apply to any investment that:

- Was made ineligible by a previous change to the external legislation if that change allows for grandfathering.
- Is made ineligible as a result of a change to this investment policy.
- Is in breach of the investment policy due to a change in circumstances (e.g. because the investment has been downgraded or has had its credit rating withdrawn post purchase).
- Is in breach due to a change of portfolio size or composition (e.g. because the overall portfolio size has decreased and as a result the percentage of total portfolio limit which applies to individual remaining investments increases and therefore causes a breach).

6.5 Reporting and Review

(a) Investment performance will be reported to the Ordinary Meeting of Council each month and included in the minutes of the meeting. The report will provide details on the investment portfolio including interest rate earned, expected yield, budget comparison, maturity date, and percentage exposure of total portfolio.

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

(c) An Investment Strategy will run in conjunction with the Investment Policy. The Investment Strategy will be reviewed with an independent investment advisor at least once every four (4) years. The Strategy will outline:
1. Council's cash flow expectations.
2. Optimal target allocation of investment types, credit rating exposure, and term to maturity exposure; and
3. Appropriateness of overall investment types for Council's portfolio.

(d) The Council's investment advisor must be licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the Investment Policy.

POLICY NO:
CnG CP042 – COUNCILLOR FEES POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	**CP042**	OCM:	30/08/17	Res: 238/17	**Synopsis**	Policy created.
Version	2		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP042	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP042	OCM	25/08/21	Res: 266-21	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP042	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	CnG CP042	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	7	CnG CP402	OCM	23/07/25	Res: 205-25	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

This policy provides direction and guidelines on the payment of elected members fees and allowances.

The *Local Government Act 1995* - Section 5.98 and the *Local Government (Administration) Regulations 1996* permits a payment to Councillors for attending Council and committee meetings and the reimbursement of prescribed expenses. The Salaries and Allowances Tribunal (SAT) determines minimum and maximum fees.

The Salaries and Allowances Tribunal (SAT) is empowered to determine certain payments that are to be made or reimbursed to elected Council members. Where the SAT has chosen to determine minimum and maximum amounts for fees, expenses or allowances, there is an obligation on Local Governments to set the amounts to be paid or reimbursed within the range determined.

SAT has determined four categories (or bands) and has assessed each Local Government to be categorised from Band 1 (largest Councils) through to Band 4 (smallest). Shire of Dardanup has been categorised as Band 3.

The Policy Objectives are:

- To outline the support that will be provided to Councillors through the payment of allowances and reimbursement of expenses incurred in accordance with the Local Government Act 1995 while performing the official duties of office; and
- Ensure legislative requirements are adhered to.

The Council shall meet entitlements and reimburse out of pocket expenses that are reasonably incurred as a Councillor and in accordance with the Policy.

3. REFERENCE DOCUMENTS

All payments are to comply with the following legislative requirements:

- Local Government Act 1995 – s5.98, s5.98A, s5.99, s5.99A, s5.101A, s5.102AA
- Local Government (Administration) Regulations 1996 – r30, r31, r32
- Superannuation Guarantee (Administration) Act 1992 (SGAA)

4. POLICY

4.1 Eligibility to Fees and Allowances whilst a Councillor

The Act provides for the payment of sitting fees, allowances and reimbursement of specific expenses related to or incurred in performing the role of Councillor for the Shire of Dardanup. These are processed each financial year following the adoption of the budget.

Councillors' fees and allowances shall generally be payable monthly in arrears. Where a Councillor does not hold office throughout the payment period, an amount of one twelfth of the annual fee is to be paid for each month or part of a month that the member held office.

4.2 Fees for Attending Meetings

All Councillors who attend Council or committee meetings are entitled to be paid a sitting fee. The fees can be paid based on individual meetings or as an annual fee, in accordance with Section 5.99 of the Act and Regulation 30 of the Administration Regulations.

The Shire of Dardanup's policy is for an annual meeting fee to be paid in lieu of Council and Committee meeting attendance fees, which shall be within the prescribed range set by the SAT, regardless of the meeting structure in place, or the number of meetings attended by a particular Councillor. The annual meeting fee, set within this SAT prescribed payment band, shall be determined by Council as part of the annual budget adoption and is based on 80% of the maximum band value.

4.3 President Local Government Allowance

The prescribed range for the payment of the annual Local Government allowance for the President is determined by the SAT and shall be set by Council as part of the annual budget adoption process in accordance with Section 5.98(5) of the Act and Regulation 30 of the Administration Regulations and is based on 80% of the maximum band value. The President's allowance shall generally be payable monthly in arrears.

Where the President does not hold office throughout the payment period an amount of one twelfth of the annual fee is to be paid for each month or part of a month that the President held office.
The expenditure of the allowance is at the discretion of the President.

4.4 Deputy President Local Government Allowance

The prescribed range for the payment of the annual Local Government allowance for the Deputy President is determined by the SAT and shall be set by Council as part of the annual budget adoption process in accordance with Section 5.98(5) of the Act and Regulation 30 of the Administration Regulations and is based on 80% of the maximum band value. The Deputy President's allowance shall generally be payable monthly in arrears.

Where the Deputy President does not hold office throughout the payment period an amount of one twelfth of the annual fee is to be paid for each month or part of a month that the Deputy President held office.

The expenditure of the allowance is at the discretion of the Deputy President.

4.5 Superannuation Guarantee

In accordance with Council Resolution/s, as adopted as part of the Annual Budget process, Councillors are entitled to the Superannuation Guarantee (SG) as applicable under legislation (12% from 1 July 2025 and onwards) and as contained within the Superannuation Guarantee (Administration) Act 1992 (SGAA).

Superannuation Guarantee is calculated based on the following allowances:

- Fees for Attending Meetings (section 4.2 of this policy);
- President Local Government Allowance (section 4.3 of this policy);
- Deputy President Local Government Allowances (section 4.4 of this policy)

Councillors may 'Opt-Out' of receiving the SG should they choose not to receive the Superannuation Guarantee payment to a complying superannuation fund.

4.6 Reimbursement of ICT Expenses

All Councillors are entitled to be paid an annual allowance in lieu of telecommunications expenses within the prescribed range determined by the SAT and shall be set by Council as part of the annual budget adoption process, with the allowance based on 80% of the maximum band value.

The annual Information & Communications Technology (ICT) allowance shall be in accordance with Section 5.99A of the Act instead of reimbursement under section 5.98(2) for the actual cost related to Information and Communications Technology that might otherwise have been approved for the reimbursement under Regulation 31 and 32 of the Administration Regulations.

The allowance is for costs relating to telephone usage including plans/contracts, rentals, mobile phones, mobile devices, extra telephone lines, call cost, internet service provider fees and consumables incurred while performing the functions of the Councillor. Councillors allowance shall generally be payable monthly in arrears.

4.7 Authorised Functions

For the purpose of Regulation 32(1)(a) of the Administration Regulations, express authority of the Council is given to Councillors to attend the following functions:

a) Attendance by a Councillor at any working group meeting, ordinary or special briefing session and Council forum, notice of which has been given by the Chief Executive Officer.

b) Attendance by a Councillor at any meeting or anybody to which the Councillor has been appointed by the Council or to a secondary body as approved by the Chief Executive Officer (but not including any meeting of a regional Local Government).

c) Attendance by a Councillor at any annual or special electors' meeting.

d) Attendance by a Councillor at a Shire of Dardanup civic function to which all Councillors are invited.

e) Attendance by a Councillor at a citizenship ceremony conducted by the Council.

f) Attendance by a Councillor at any ceremony for the presentation by the Council of awards to school students by any Councillor responsible for presentation of the awards.

g) Attendance by a Councillor at any site where:

- The site is the subject of an item of business on an agenda for a Council briefing session or a Council meeting; and
- The attendance occurs between the issue of the agenda and the Council briefing session or the Council meeting.

h) Attendance by a Councillor at a meeting with the Chief Executive Officer or a Director of the Council at the request of the Chief Executive Officer or a Director.

i) Attendance by the President at a meeting or function of anybody including any State Government body, in their capacity as the President, including attendance by the Deputy President or a Councillor in place of the President; and

j) Any other function, meeting, or event in their role as a Councillor that is supported by a written invitation.

4.8 Reimbursement of Expenses

Councillor reimbursement of expenses shall generally be payable quarterly in arrears and on receipt of evidenced expenditure incurred (i.e. logbook / receipts).

4.8.1 Reimbursement of Childcare Expenses as a Result of Attendance at an Authorised Function, Meeting of Council or Committee

In accordance with Section 5.98(2)(a) of the Act and Regulations 31(1)(b) of the Administration Regulations, a Councillor who incurs child care costs (where they are a parent or legal guardian) because of the Councillor's attendance at a Council meeting or meeting of a committee (of which he or she is a member), is entitled to

be reimbursed the actual cost per hour or the prescribed amount as determined by the Salaries and Allowances Tribunal whichever is the lesser amount.

Childcare costs will not be paid for where the care is provided by a member of the immediate family or relative living in the same premises as the Council member.

Claims must be made on the claim form provided and be accompanied by a receipt or invoice detailing the date, number of hours, rate and function attended and the details of the service provider.

4.8.2 Reimbursement of Travel and Parking Expenses Because of Attendance at an Authorised Function, Meeting of Council or Committee

It is noted that under Section 5.98(2)(a) of the Act and Regulations 31(1)(b) of the Administration Regulation, a Councillor who incurs travel expenses because of the Councillor's attendance at a Council meeting or meeting of a committee of which he or she is a member, or authorised function is entitled to be reimbursed for travel from the person's place of residence or work to the meeting and back.

If transportation is provided by another Councillor, then only that Councillor is entitled to claim the actual cost applicable.

Claims for travel must be made on the claim form provided and be accompanied by a receipt or invoice for the actual cost detailing the date, function attended, and the expense incurred. In accordance with Clause 8.2(5) of the *Salaries and Allowance Tribunal Determination* dated 8 April 2021, a claim for travel using the Councillor's own vehicle may be made based on the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Award 2021* (currently $0.6866 per kilometre for a vehicle with an engine displacement of between 1600 to 2600cc in the South West Land Division), to which the person would be entitled for that expense in the same circumstances.

Parking costs are to be reimbursed at the actual cost upon production of a receipt.

4.9 Claim for Reimbursement

Councillor reimbursement of expenses shall generally be payable monthly in arrears and on receipt of evidenced expenditure incurred (i.e. logbook / receipts).

In submitting claims for reimbursement, the Councillor shall detail the date of the claim, particulars of the claim and nature of business, e.g. the amount paid for childcare costs, distance travelled, vehicle displacement and the total travelled in kilometres and certify the accuracy of such information.

Parking fees will only be reimbursed if receipts accompany claim. This should be accompanied by supporting documentation where applicable.

Expenses for the quarter ended or month of June are to be submitted by 15 July.

Failure to present claims within identified time periods will be considered by the Chief Executive Officer and may result in the non-payment of the claim particularly if the claim relates to a former financial period. Under no circumstances is any reimbursement to be made in connection with costs incurred for re-election to the office of Councillor.

Shire of Dardanup

POLICY NO:-

CnG CP071 – WORKPLACE BULLYING & WORKPLACE VIOLENCE

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History			OCM	25/01/05	Res: 02/05	**Synopsis**	Policy created
	1	ENG33	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP071	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP071	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP071	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP071	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup has a duty under workplace health and safety legislation to protect people within the workplace from bullying and violence. This includes protection from other workers and also from external sources such as customers, visitors and suppliers.

To ensure that anti bullying strategies are in place with an aim to eliminate workplace bullying and workplace violence.

3. REFERENCE DOCUMENTS

Work Health and Safety Act 2020
Shire of Dardanup - Equal Opportunity and Diversity Plan
Shire of Dardanup - Grievance Information Handbook

4. POLICY

This policy applies in the workplace including work outside of normal hours and at work related events such as conferences, training and social functions and at any other place where an individual is a representative of the Shire of Dardanup.

4.1 The Shire of Dardanup considers workplace bullying unacceptable and will not tolerate it under any circumstances.

4.2 Workplace bullying may cause the loss of trained and talented people reduce productivity and morale and create legal risks.

4.3 The Shire of Dardanup will provide individuals with education and training in relation to their rights and responsibilities relating to bullying and workplace violence.

4.4 The Shire of Dardanup will provide individuals with appropriate methods for reporting alleged occurrences of bullying and workplace violence.

4.5 The Shire of Dardanup will take every measure to ensure individuals that make a complaint or are witness to a report of bullying and workplace violence are not victimised because of the complaint.

4.6 The Shire of Dardanup will manage substantiated occurrences of bullying and workplace violence in accordance with the disciplinary policy.

Employees, contractors and volunteers [workers] in meeting these obligations will comply with this policy and the requirements of associated legislation.

Shire of Dardanup

POLICY NO:-

CnG CP081 – ELECTED MEMBER AND CEO ATTENDANCE AT EVENTS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History							**Synopsis**	
Version	1	New	OCM	25/03/20	Res	46-20	**Synopsis**	Policy Created
Version	2	CnG CP081	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP081	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP081	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup is required under the *Local Government Act* 1995 to approve and report on attendance at events for Elected Members and the Chief Executive Officer. The Objective of this Policy is to:

- Ensure compliance with *Local Government Act 1995*, Section 5.90A.
- Provide guidance to elected members and employees when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered free of charge.

Definition

Events - Events are defined in Section 5.90A of the *Local Government Act 1995* and include concerts, conferences, functions or sporting events, whether free of charge or part of a sponsorship agreement, or paid by the Shire of Dardanup.

CEO – Refers to the Chief Executive Officer of the Shire of Dardanup.

In accordance with sections 5.87A and 5.87B of the Act, Council members and CEO's are required to disclose gifts that are received in their capacity as a Council member (or CEO) and:

i) Are valued over $300; or
ii) Are of a cumulative value that exceeds $300 where the gifts are received from the same donor in a 1 month period.

In accordance with section 5.62(1B)(a) of the *Local Government Act 1995,* attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above $300 and the donor has a matter before Council. Any gift received that is less than $300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.

3. REFERENCE DOCUMENTS

Local Government Act 1995, sections 5.62, 5.87A, 5.87B, and 5.90.
Local Government (Administration) Regulations 1996, regulation 20AB, 20B.

4. POLICY

All invitations or offers of tickets for a Council member or CEO to attend an event should be in writing and addressed to the Shire of Dardanup.

Any invitation or offer of tickets not addressed to the Shire of Dardanup is not captured by this policy and must be disclosed in accordance with the gift and interest provisions of the Act.

The Shire of Dardanup authorises in advance the attendance of all Elected Members and the CEO at the annual WALGA Local Government Week State conference.

4.1 Key Issues To Consider

In considering whether a benefit, such as an invitation to an event or hospitality given to an elected member or the CEO, is a gift for the purposes of the Act and Regulations, the key issues include:

a) Who is a donor, the person who is offering or giving the benefit?
b) What is the value of the benefit?
c) Does the elected member or the CEO contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?
d) If so, does the value of that contribution outweigh the value of the benefit? If so, it will not be a gift for the purposes of the Act and Regulations.

4.2 Commercial Entertainment Events

Any tickets accepted by an Elected Member or the CEO without payment for any commercial entertainment event, for which a member of the public is required to pay, whether sponsored by the Council or not will generally be classified as a gift for the purposes of the Act and Regulations.

An exception to this is where the Shire President or his / her representative attends the event in an official capacity to perform a civic or Shire Presidential function.

Where there is a commercial entertainment event that, in the opinion of the Shire President / Chief Executive Officer, it is in the interests of the Council for one or more elected members or the CEO to attend in order to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event will be purchased for the relevant elected member or the CEO by the Council at full cost.

4.3 Other Commercial (Non-Entertainment) Events

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the Shire President / Chief Executive Officer is of the opinion that it is in the interest of the Council for one or more Elected Members or the CEO to attend (such as for their professional development or to undertake a function as an Elected Member or the CEO), then one or more registrations or other benefits for that event will be purchased for the relevant Elected Member or the CEO by the Council at full cost to enable attendance.

If the Council does not pay for the event, free registration or any other benefit (such as hospitality) given to an Elected Member or the CEO would be classified as a 'gift' unless the contribution of the Elected Member or the CEO to the event (such as by way of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Elected Member or the CEO.

4.4 Community/Local Business Events

Acceptance of reasonable and modest hospitality by an Elected Member or the CEO at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the Elected Member or the CEO to the event is reasonably considered to outweigh the value of the hospitality.

This is more likely where the Elected Member or the CEO attends the event in his or her capacity as an Elected Member or the CEO - preferably where the attendance has been specifically authorised by the Council, but otherwise where the person is performing his or her functions as an Elected Member or the CEO.

4.5 Perceived or Actual Conflict of Interest

Event attendance may create a perceived or actual conflict, which may preclude Council members participating or the CEO providing advice at a future Council meeting. In accordance with Regulation 20AB of the *Local Government (Administration) Regulations 1996*, if the amount of an event ticket (gift) is less than $1,000 and relates to a matter before Council, under Section 5.68 of the Act Council may allow the disclosing Council member to participate on the condition that the interest, the Council's decision and the reasons for that decision are recorded in the minutes.

If the event ticket (gift) is greater than $1,000 the Council or CEO must apply to the Minister for permission to allow the member or the CEO to participate.

4.6 Exclusions

This policy does not apply to tangible gifts or money, travel or accommodation. Any contribution to travel must be disclosed in writing to the CEO within 10 days of receipt of the contribution. Contributions to travel costs, whether financial or otherwise are incorporated within the definition of gift.

The following situations are specifically excluded under Regulation 20B of the *Local Government (Administration) Regulations* 1996, where the event ticket (gift) is received from one of the following organisations:

- WALGA (but not LGIS).
- Local Government Professionals Australia (WA.)
- Australian Local Government Association.
- A department of the public service.
- A government department of another State, a Territory or the Commonwealth.
- A local government or regional local government.

The gift is still required to be recorded in the “gift register”.

Shire of Dardanup

POLICY NO:
CnG CP098 – FINANCIAL HARDSHIP POLICY FOR RATES AND SUNDRY DEBTORS

GOVERNANCE INFORMATION			
Procedure Link:	PR120 - Financial Hardship Procedure for Rates and Sundry Debtors	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History							
Version	1	CnG CP098	OCM	27/05/20	Res: 126-20	**Synopsis**	Policy Created
Version	2	CnG CP098	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP098	OCM	30/06/21	Res: 203-21	**Synopsis**	Amended and Adopted by Council
Version	4	CnG CP098	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	CnG CP098	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

To give effect to our commitment to support the whole community to meet the unprecedented challenges, the Shire of Dardanup recognises that these challenges will result in financial hardship for our ratepayers and sundry debtors.

The Financial Hardship Policy outlines how the Shire will assist residential ratepayers and sundry debtors experiencing financial hardship. The Policy is intended to ensure that we offer fair, equitable, consistent, and dignified support to ratepayers and sundry debtors suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

The purpose of this policy is to:

a. Enable a ratepayer liable for rates and service charges, who is experiencing financial hardship, to make application for assistance relating to any unpaid rates or service charges levied on their residential property under the *Local Government Act 1995*.

b. Enable a person liable for outstanding sundry debtor charges, who are experiencing financial hardship, to make application for assistance relating to any unpaid charged billed through the Shire's sundry debtor system; and

c. Ensure all rates and sundry debtors are treated fairly and consistently with respect and compassion when the Shire is considering their circumstances in recognising financial hardship.

3. DEFINITIONS

In the context of this Policy, the following terms shall be used.

TERM	DEFINITION
Financial Hardship	Where a change in a person's circumstances results in them being unable to pay rates and service charges, or a sundry debtor account, and if paying their rates or debtors account will affect their ability to meet their basic living needs - in short, if the debtor has the intention but not the financial capacity to pay.
Outstanding Rates and Service Charges	A rate or service charge that becomes due and payable as determined by the Local Government, but not earlier than 35 days after the date noted on the rates notice as the date the rates notice was issued.
Overdue Rates	Rates that remain unpaid after they are due and payable are referred to as 'overdue rates' in this policy.
Payment Difficulties, Hardship and Vulnerability	Adapted from the Ombudsman Western Australia publication Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance (ombudsman.wa.gov.au)

TERM	DEFINITION
Rates Debtor	A rates debtor is defined as a ratepayer of the Shire.
Sundry Debtor	A sundry debtor is a person, corporation, business, or other entity owing money to the Shire.

4. POLICY

This policy applies to:

a. Outstanding rates and service charges (overdue rates) as at the date of adoption of this policy.

b. Rates and service charges levied each financial year; and

c. Outstanding sundry debtor accounts as at the date of adoption of this policy.

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

4.1 Payment difficulties, hardship, and vulnerability

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

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

4.2 Financial Hardship Criteria

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

- Recent unemployment or under-employment.
- Sickness or recovery from sickness.
- Low income or loss of income; and
- Unanticipated circumstances such as caring for and supporting extended family.

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

4.3 Payment Arrangements

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

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

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

4.4 Interest Charges

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

4.5 Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property; eligible pensioners must hold 100% equity in the property as per the *Rates and Charges (Rebates and Deferments) Act 1992*. The deferred rates balance:

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

4.6 Debt recovery

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

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

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

4.7 Review

The Shire will establish a mechanism for review of decisions made under this Policy and advise the applicant of their right to seek review and the procedure to be followed.

4.8 Communication and Confidentiality

The Shire will maintain confidential communications at all times, and we undertake to communicate with a nominated support person or other third party at your request.

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

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

5. REFERENCE DOCUMENTS

Local Government Act 1995 – s6.44
Local Government (Financial Management) Regulations 1996
Rates and Charges (Rebates and Deferments) Act 1992
Ombudsman WA Report – Local Government Collection of Overdue Rates for People in Situations of Vulnerability: Good Practice Guide.

Shire of Dardanup

POLICY NO:

CnG CP112 – COUNCILLORS' INDUCTION TRAINING AND PROFESSIONAL DEVELOPMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	CP112	SCM	26/07/18	Res:	251-18	**Synopsis**	Created and Adopted by Council
	2	CP112	OCM	25/03/20	Res:	47-20	**Synopsis**	Updated and Adopted by Council
Version	3	CnG CP112	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP112	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	CnG CP112	OCM	28/02/24	Res:	31-24	**Synopsis**	Reviewed post 2023 Election and Adopted by Council
Version	6	CnG CP112	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	7	CnG CP112	OCM	27/06/26	Res	143-26	**Synopsis**	Reviewed post 2025 Election and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

This policy is to provide a framework within which Elected Members can have access to a range of professional development opportunities that will assist them to undertake their role, including but not limited to pre-election information sessions, induction programs, training programs, attendance at conferences & seminars and other development opportunities throughout the elected term of office.

The Shire of Dardanup has a budget allocation for the purpose of enabling Elected Members to participate in development opportunities that will assist them to undertake their role and/or develop skills and competencies.

The policy encourages Elected Members to participate in professional development and training opportunities during their elected term of office, noting that where a term of office is less than the usual four-year term, access to a full range of opportunities may not be available within the term.

3. POLICY

3.1 Pre-Election

The Chief Executive Officer or his delegate, in conjunction with the Western Australian Electoral Commission, will conduct a seminar for aspiring Elected Members to be held prior to a Local Government election. The aim of this seminar would be to provide aspirants with an insight to the role of an Elected Member and better prepare them for what lays ahead.

All candidates for Council will be required to declare that they have completed the candidate induction at the time of nomination. There are penalties under the *Local Government Act 1995* for making false or misleading statements on the nomination form.

3.2 Induction

Upon election to Council, the Shire will provide an induction, training and development program for Elected Members modelled on the Department of Local Government Elected Member Induction Checklist, to provide them with all the information relevant to commencing their role as an Elected Member. Attendance at in-house information and training sessions is also encouraged after the completion of the induction program.

The induction program contributes to the corporate objectives by:

- Assisting new Elected Members to assimilate into the role.
- Assisting Elected Members meet the demands upon them by developing the necessary skills through recognised training.
- Assisting Elected Members achieve excellence in performance; and
- Ensuring Elected Members work professionally in a team environment for the betterment of their constituents.

3.3 Council Member Training

Upon election to Council, the Shire of Dardanup will facilitate the conducting and participation by Councillors in the Council Member Essentials training. This comprises five foundational competencies that must be completed within 12 months of being elected, unless an exemption applies. The five units are:

- Meeting Procedures.
- Conflicts of Interest.
- Understanding Local Government.
- Serving on Council; and
- Understanding Financial Reports and Budgets.

All council members are required to complete the Council Member Essentials course unless, in the previous five years, they have successfully completed an approved equivalent qualification, including the Diploma of Local Government 52756WA (Elected Member), LGA50220 Diploma of Local Government – Elected Member, LGASS00007 Elected Member, or LGASS00002 Elected Member Skill Set.

This training may be delivered face to face or online through an approved provider.

Training remains current for five years, meaning a council member may be required to undertake the training again after a subsequent election if they no longer meet an exemption. The Shire will maintain records of completed training and exemptions, publish the prescribed information on its website, and include the required training information in its annual reporting.

From 1st January 2026, regulations 36A and 36B of the *Local Government (Administration) Regulations 1996* apply in relation to council member entitlements and mandatory training compliance. Council members who are required to complete Council Member Essentials training and do not do so within the prescribed timeframe, and who are not otherwise exempt, may be restricted from receiving the relevant allowances until compliant.

In accordance with section 5.128(5) of the *Local Government Act 1995*, this policy must be reviewed following each ordinary election, which provides an opportunity to consider the needs, and skill sets of new and returning council members.

Where the Shire has booked and paid for approved training, development and accommodation for a Councillor, and the Councillor does not complete that training or development, the Councillor must reimburse the Shire for the cost of the training, development and accommodation. Where the training or development is not completed due to illness or other exceptional circumstances, the Councillor may submit a written request to the Shire President seeking an exemption from reimbursement, and the request will be referred to Council for determination.

3.4 Annual Allocation for Training and Development

Elected Members are encouraged to attend various programs during their term of office, to assist their professional development and to provide them with enhanced skills to effectively maximise the benefits of the commitment they have given to their elected position.

Each Elected Member is equally allocated an annual sum as specified in each annual budget for attendance at training and development programs and courses. The amount should not, in normal circumstances be exceeded and registration will not be affected if there are insufficient funds available to be used. The Chief Executive Officer shall monitor the budget to appropriately manage the allocation.

If the annual allocation is exceeded, subject to approval from the Chief Executive Officer/Council, the value in excess of the amount allowed may be reduced from the following year's allocation. Any surplus funds in an Elected Members allocation may be carried forward to the next financial year but will not be carried forward to subsequent years.

3.5 Conferences & Training Courses

The annual budget allocation may be used for any of the following:

a) Council Member Essentials training required under the *Local Government Act 1995*.

b) Western Australian Local Government Association (WALGA) Training Program - WALGA offers a module-based training program that is standardised for WA Local Governments. Progressive participation in this program is encouraged and is considered to be the best opportunity outside of the organisation to develop relevant local government knowledge,

including the opportunity to obtain a Diploma in Local Government by the completion of the course modules. Elected Members are encouraged to support this training particularly when held in South West venues.

c) Local Government Week - Local Government Week (Convention) is an annual networking and development opportunity provided by WALGA. This is undertaken in conjunction with the Association's Annual General Meeting at which the Shire of Dardanup is entitled to have two delegates. It is usual that this will be the President and Deputy President, however this may be passed to another Elected Member (by resolution of Council) when one or both of the President and Deputy President are not in attendance.

In addition to the two delegate participants, opportunity exists for other Elected Members and the Chief Executive Officer to attend Local Government Week.

d) Examples of other conferences include:

- National General Assembly of Local Government (Shire President and Chief Executive Officer).
- Annual Road Conference.
- Special "one off" conferences sponsored by WALGA or the Department of Local Government, Sport and Cultural Industries.

e) Other training and development - Other training and development opportunities are identified from time to time by either an individual Elected Member or the organisation, attendance at which may be approved where:

- The course or development opportunity is relevant to the functions of an Elected Member.
- The course or development opportunity is relevant to an Elected Member's role or as a member of a Council approved representative on a Council Committee or external body.
- There is scope for the attendee to acquire skills beneficial to the Shire; and
- The budget remains available to cover the associated costs.

3.6 Restrictions and Exclusion on Travel

No more than two Elected Members may attend the same Interstate event and no more than three Elected Members exclusive of the President and Deputy President may attend the same intrastate event (authorised training and development courses excluded).

Travel Interstate is not permitted without the prior approval of Council; and within three months of being elected as an Elected Member and is not permitted within six months of the date of expiry of office, unless approved in advance by a resolution of Council. Attendance at any overseas conference, seminar or other development event requires the specific approval of Council.

3.7 Accommodation and Valet Parking

Council staff will arrange and make payment for reasonable accommodation, including valet parking, for the Councillor for a room at or in close proximity to the event venue.

3.8 Elected Representatives/Delegate Accompanying Person

Where an Elected Member or Officer is accompanied at a conference or training event, all costs for, or incurred by, the accompanying person are to be borne by the Elected Member, Officer, or accompanying person and not by the Shire. The exception being the cost of attending an official event dinner where partners would normally attend. An example of an official event is the Annual Local Government Week Gala Dinner or "sundowner drinks" at the event.

3.9 Out of Pocket Expenses

a) Meals and incidental expenses – An allowance maximum of $250 is provided for the full duration of the training or conference event. This expense would generally include breakfast, lunch, dinner, incidentals, and transport (taxi, bus, train). This allowance cannot be used when the costs of meals etc. are included in the registration fee and the elected member chooses to eat elsewhere.

This allowance will be increased by the Consumer Price Index in the annual budget and rounded to the nearest $10.

b) Travel by car – Where it is available and convenient Elected Members will be encouraged to use one of the Council's fleet vehicles for intrastate travel. Where an Elected Member uses their own vehicle, they shall be reimbursed for fuel costs by providing the Chief Executive Officer with a reimbursement of expenses claim and the receipt. Elected Members are encouraged to "carpool".

c) All out of pocket expenses claimed shall be supported by applicable receipts and provided to the Chief Executive Officer for reimbursement.

3.10 Reporting Requirements

When considered appropriate, on return from attending an Interstate training & development opportunity attendees shall provide either a written report to the Shire or a verbal presentation to an Elected Members Briefing Session within 21 days to facilitate knowledge sharing. The report should detail skills and competencies gained, benefits for the Shire, Council and community and relevant recommendations.

The President or Chief Executive Officer may approve an extension in circumstances deemed appropriate. Regard may be given to the technicality of the information to be prepared into a report, workloads or other factors.

Failure to provide a report or presentation within the approved timeframe may result in the Elected Member being required to reimburse costs associated with attendance to the Shire.

3.11 Approval Process

Applications from Elected Members for attendance at interstate training, seminars and conferences will be considered by the President and Deputy President in consultation with the Chief Executive Officer with regard to applicability of the development opportunity to the Councillor's role and budget availability, and a report to Council to seek approval.

The application can only be approved where the costs including registration fees, travel, accommodation, and an estimation of other expenses can be accommodated within the approved allowance allocated to the Elected Representative for this purpose in accordance with the annual budget provision. The annual training budget determined by the Council will be equally allocated to each Elected Representative on a pro-rata basis in accordance with election dates. An individual's unspent funds can be carried forward for use within the biennial election cycle.

The Chief Executive Officer is authorised to approve requests from Elected Members for professional development training and conferences without referral to Council provided that:

a) The event is within the state
b) The cost does not exceed the annual allowance; and
c) The course of conference is organised by an identified, industry recognised training provider.

The Chief Executive Officer is to maintain a register of each Elected Members' training and professional development expenses.

Nothing in this policy provision prevents the Council from approving additional funds to be accessible or the Council from approving a specific application that is outside of the existing budget.

This Policy does not apply to meetings or workshops attended by an Elected Member, where they are the approved Council delegate or representative.

3.12 Policy Review

In accordance with section 5.128(5) of the *Local Government Act 1995*, this policy must be reviewed following each ordinary election. The Shire will ensure the policy review occurs within the first 6 months following each ordinary election.

4. REFERENCE DOCUMENTS

Local Government Act 1995, sections 5.36, 5.42, 5.126, 5.127 and 5.128.
Local Government (Administration) Regulations 1996, including regulations 35, 36A and 36B.

COUNCIL POLICY NO:-
CNG CP302 – WORK HEALTH & SAFETY POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		CP027	OCM	06/04/16	Res: 62/16	**Synopsis**	Policy created.
Version	2	CP027	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
	3	CNG CP302	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP302	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	CnG CP302	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup recognises its duties to ensure the health and safety of its employees, contractors, volunteer [workers], visitors and the general public and in meeting these duties will comply with the requirements of associated legislation, regulations and codes of practice.

3. POLICY

The Shire is committed to improving Work Health and Safety performance and aims to reduce work related incidents, injury and illness through the implementation, maintenance and documentation of safe systems of work.

Officers recognise their responsibility and duty to exercise due diligence to actively monitor and evaluate safe systems of work and will ensure the organisation has the appropriate resources, processes and procedures to manage Work Health and Safety.

The Shire of Dardanup shall, so far as practicable;

- Provide and maintain a safe work environment where exposure to hazards are eliminated or reduced
- Provide information, instruction, training and supervision to enable work to be performed safely
- Provide and maintain safe facilities, equipment, personal protective equipment [PPE] and plant and ensure its operation is fit for purpose
- Report all work related incidents, accidents, hazards and injuries measuring the associated risk to enable continued improvement
- Consult with workers and other parties to improve decision making through formal and informal communication methods
- Provide an effective procedure for injury management and rehabilitation
- Continuously monitor and review to improve Work Health and Safety performance

COUNCIL POLICY NO:-
CNG CP303 – PUBLIC QUESTION TIME

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version:	1	New	OCM	30/09/20	Res: 270-20	**Synopsis**	Policy created.
Version:	2						
Version	3	CnG CP303	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP303	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The purpose of this policy is to outline the rules and guidelines by which the public ask questions or provide information at Council meetings to:

- Enable a more resourceful and accountable platform for the public to submit questions or provide information to be considered at Council meetings; and
- Allow Council sufficient time to consider, and research if necessary, the issues arising from the questions or information provided.

3. POLICY

3.1 Public Question Time

Two opportunities for Public Questions will be provided at each Council Meeting in accordance with the Standing Orders Local Law 2014, to enable members of the public to ask questions of Council through the Presiding Member.

3.2 Time Allocation and Number of Questions

Fifteen (15) minutes will be allocated for Public Question Time at the beginning of a Meeting as required under the Local Government Act 1995 Section 5.24(2). The duration of Public Question Time may be extended by:

- The Presiding Member, given due consideration to the business to be considered at the Meeting; or
- By resolution of the Meeting.

Each person wishing to ask questions will be restricted to no more than three (3) questions in the first instance.

Questions made over and above these requirements, at the discretion of the Presiding Member:

- May be deferred until all other persons wishing to ask a question or make a submission have had an opportunity to be heard; or
- May not be asked or submitted if the time allotted for public questions has expired.

If there is time remaining or if the time for public questions have been extended then a person may be permitted by the Presiding member to ask further questions.

If Public Question time at the beginning of the meeting has been exhausted further questions may be asked at the second opportunity for public questions at the end of the meeting as per the Standing Orders and the Agenda.

15 minutes will be allocated for Public Question Time at the end of a meeting. The duration of this Public Question Time may be extended by:

- The Presiding Member, given due consideration to the business to be considered at the Meeting; or

- By resolution of the Meeting.

Each person wishing to ask questions at this opportunity will again be restricted to no more than three (3) questions in the first instance.

Questions made over and above these requirements, at the discretion of the Presiding Member:

- May be deferred until all other persons wishing to ask a question or make a submission have had an opportunity to be heard; or

- May not be asked or submitted if the time allotted for public questions has expired.

If there is time remaining or if the time for public questions have been extended then a person may be permitted by the Presiding member to ask further questions.

3.3 How to Ask a Question

Questions to be asked to be made at a Meeting must be in writing, and state the name and address of the person submitting the question, and generally be in a form approved by the Chief Executive Officer; and lodged:

- in person at any Customer Service Centre within the Shire of Dardanup; or
- Electronically, by using the online form provided on Council's website.

Questions should be submitted to the Chief Executive Officer in writing by 12.00pm on **the day before** the meeting and be signed by the author. This allows for an informed response to be given at the meeting.

Members of the public requiring assistance with preparation of questions are encouraged to contact the Executive Support Officer – eso@dardanup.wa.gov.au .

All questions must be brief.

3.4 Questions Without Notice

At the Presiding Member's discretion, a person can ask a question or make a submission at a Meeting without notice, but only during Public Question Time.

3.5 Responding to Questions

At a Meeting, preference will be given to hear from those people who have provided their questions in writing as per policy provision 3.3.

The person's name, question or submission, and any answer will be recorded in the Meeting minutes.

Questions that have not been submitted in writing by 12.00pm on the day before the meeting, will be responded to if they are straightforward.

Discussion will be entered into only for the purpose of clarification.

If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.

3.6 Questions dealt with as an Administrative Matter

Where a member of the public is not present to ask questions and have provided written questions, or if the person was not allowed to ask all the questions submitted due to time constraints, then the President Member may elect for the questions to be responded to as normal business correspondence.

A summary of the questions and the answers will not be recorded in the minutes of the Council meeting at which the question was submitted.

3.7 Question Eligibility

The Presiding Member of a meeting may preclude a person from asking a question if the Presiding Member determines that it:

- Relates to a matter outside the duties, functions and powers of Council;
- Is defamatory, indecent, abusive, offensive, vexatious, frivolous, irrelevant, trivial or objectionable in language;
- Is the subject of a current dispute, whether formal or informal or is of a commercially sensitive nature;
- In the Presiding Member's opinion, seeks to or has the potential to embarrass an Elected Member or a Shire of Dardanup employee;
- Relates to the matters associated with Shire of Dardanup personnel;
- Relates to industrial matters;
- Deals with subject matter already answered or declined;
- Relates to contractual matters;
- Relates to legal advice sought and/or obtained by Council or the Shire of Dardanup;
- Relates to matters affecting the security of a Shire of Dardanup employee or their property;
- Relates to any other matter which the Presiding Member considers would prejudice Council, a Shire of Dardanup employee, or any person; or
- Relates to a matter for which the meeting would normally be closed to the public in accordance with the Local Government Act 1995.

A copy of any question which has been precluded by the Presiding Member must be made available to any other Elected Member upon request.

Public Question and Submission Time is not a substitute for formal appeal and review systems, formal business procedures, formal Council decisions and any other legal processes required for the proper conduct of Council business.

3.8 Questions Considered in Bulk

Similar questions may be grouped together and a single answer provided by the Council.

COUNCIL POLICY NO:-
CNG CP304 – FRAUD, CORRUPTION AND MISCONDUCT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version		CP089	OCM	26/07/18	Res: 251-18	**Synopsis**	Policy created.
Version	2	CNG CP304	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP304	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	CnG CP304	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

This Policy has been established to communicate the Council's zero tolerance approach and response actions to fraudulent and corrupt conduct within the performance of its functions and interactions with contractors and suppliers, the community and all other stakeholders of the Council.

This Policy applies to :

- Elected Members;
- Committee Members;
- All workers whether by way of appointment, secondment, contract, agency staff, temporary arrangement or volunteering;
- Any external party involved in providing goods or services to the Council such as contractors, consultants and outsourced service providers.

3. REFERENCE DOCUMENTS

Local Government Act 1995
Relevant Shire of Dardanup Codes of Conduct
Corruption, Crime and Misconduct Act 2003
Public Interest Disclosure Act 2003

4. DEFINITIONS

"**fraud**" - Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud'. (Australian Standard AS8001:2008 Fraud and Corruption Control)

"**corruption**" - Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of corruption can also involve corrupt conduct by the entity, or a person purporting to act on behalf and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly. (Australian Standard AS8001:2008 Fraud and Corruption Control)

"**serious misconduct**" – Serious misconduct occurs when:

a) a public officer corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment; or

b) a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or

c) a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by two or more years' imprisonment. (Corruption, Crime and Misconduct Act 2003)

"**minor misconduct**" – Minor misconduct occurs if a public officer engages in conduct that:

a) adversely affects the honest or impartial performance of the functions of a public authority or public officer, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or

b) involves the performance of functions in a manner that is not honest or impartial; or

c) involves a breach of the trust placed in the public officer; or

d) involves the misuse of information or material that is in connection with their functions as a public officer, whether the misuse is for the benefit of the public officer or the benefit or detriment of another person; and

e) constitutes, or could constitute, a disciplinary offence providing reasonable grounds for termination of a person's office or employment. (Corruption, Crime and Misconduct Act 2003)

"**public interest information**" - means information that tends to show, in relation to its public function a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in:

a) improper conduct; or

b) an act or omission that constitutes an offence under a written law; or

c) a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or

d) an act done or omission that involves a substantial and specific risk of –

(i) injury to public health; or

(ii) prejudice to public safety; or

(iii) harm to the environment;

or

e) a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971. (Public Interest Disclosure Act 2003)

"**public officer**" – Includes a member, officer, or employee of an authority, board, corporation, commission, local government, Council, committee or other similar body established for a public purpose under an Act. (Corruption, Crime and Misconduct Act 2003)

"**public authority**" – Includes an authority, board, corporation, commission, Council, committee, local government, regional local government or similar body established under a written law. (Corruption, Crime and Misconduct Act 2003)

5. POLICY

The Council expects its Elected Members, Committee Members and employees to act in compliance with the Shire of Dardanup relevant Codes of Conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the Council.

A zero tolerance attitude is taken to fraudulent or corrupt conduct which will be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.

5.1 Fraud Control Framework

The Council's organisational structure provides clearly defined responsibilities and appropriate segregation of duties and controls within systems, particularly financial and procurement, that inhibits opportunities for fraud to occur. The zero tolerance tone is set by the Chief Executive Officer and the Executive Management Team. The structure also includes an independent external audit function and a proactive internal audit process which provides reports to the Chief Executive Officer on the appropriateness and effectiveness of internal control, legislative compliance and risk management.

5.2 Policies and Procedures

An Elected Member Code of Conduct is prepared and adopted by Council as required by section 5.103 of the Local Government Act 1995. The Code sets out the principles and standards of behaviour Elected Members, Committee Members and Candidates. Employees must observe the adopted Employees Code of Conduct. The relevant Codes of Conduct are intended to promote accountable and ethical decision making when performing their duties. The Codes provides for the reporting of breaches or suspected breaches of the Codes.

The Risk Management Policy and the Risk Management Framework outlines the Council's commitment and approach to managing risks and all employees within the Council are encouraged to develop an understanding and awareness of risk and contribute to the risk management process.

The Purchasing Policy and the associated Purchasing Protocols commit the Council and officers to developing and maintaining purchasing systems and practices that ensure goods are obtained in an equitable and transparent manner that complies with applicable legislation.

5.3 Prevention and Detection

Systems and processes, including the Purchasing Protocols, are designed in such a way to help prevent fraud occurring and to detect it if it does occur. This includes adequate segregation of duties, financial and compliance reports and appropriate reporting lines with management oversight. The Purchasing Protocols are subject to regular review and will be updated whenever appropriate.

The Annual Internal Audit Plan includes audits of high risk areas to ensure controls are adequate and are working as intended. Audit reviews are carried out by the Council's Internal Auditor who reports the results of the audits directly to the Deputy CEO or Chief Executive Officer. Whenever necessary, independent external auditing companies may be engaged by the Council to carry out audits.

5.4 Response Strategies

All incidents of fraud, or suspected incidents of fraud, will be thoroughly investigated and whenever necessary the appropriate reporting and notification lines followed, including to external investigative and/or oversight agencies.

5.5 Chief Executive Officer's Duty to Notify

As a principal officer of a notifying authority the Council's Chief Executive Officer is required by the Corruption, Crime and Misconduct Act 2003 to notify the Corruption and Crime Commission or the Public Sector Commission in writing of any matter that they suspect, on reasonable grounds, concerns either serious or minor misconduct by a public officer.

5.6 Reporting Serious or Minor Misconduct

A public officer or any other person may report to the Corruption and Crime Commission or the Public Sector Commission any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct that:

(a) has or may have occurred; or

(b) is or may be occurring; or

(c) is or may be about to occur; or

(d) is likely to occur.

5.7 Public Interest Disclosure

Any person may make an appropriate disclosure of public interest information to a proper authority (includes a local government). The legislation which governs such disclosures is the Public Interest Disclosure Act 2003.

A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal.

The Act requires local governments to appoint a person, known as the Public Interest Disclosure Officer (PID Officer), to whom disclosures may properly be made. The PID Officer should be consulted when considering whether to make a disclosure.

Information on public interest disclosures and the Council's PID Officer (Deputy CEO) are maintained on the Council's public website.

5.8 Disciplinary and Recovery Action

On all occasions the Council will seek to recover any losses it may have suffered through fraudulent or corrupt conduct, which for an employee may include the termination of their employment.

POLICY NO:-
CNG CP307 – BLANK – TO BE USED

GOVERNANCE INFORMATION			
Procedure Link:		**Council Policy Link:**	

ADMINISTRATION INFORMATION						
Version	1		OCM	Res:	**Synopsis**	

Shire of Dardanup

COUNCIL POLICY NO:
CnG CP308 – RECORDING & LIVESTREAMING OF COUNCIL MEETINGS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
DRAFT		New	EMT	17/09/24		**Synopsis**	Policy created and recommended by EMT for Council Adoption
Version	1	CP308	OCM	23/10/24	Res: 275-24	**Synopsis**	Policy Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

Section 5.23A of the *Local Government Act 1995* allows for Regulations to be made that make provision for the following:

- Electronic broadcasting of Council meetings
- Making or retaining recordings of Council meetings
- Making recordings of Council meetings publicly available

Part 2A of the *Local Government (Administration) Regulations 1996*, titled electronic broadcasting and video or audio recording of Council meetings, will apply to meetings of Council held on or after 1 January 2025.

The objective of this Policy is to ensure that there is a true and accurate account of debate, discussions, questions, answers and proceedings for meetings of Council through the recording of Council meetings. This will ensure a process is in place to record, store, retrieve and manage Council meeting recordings and outline the access to recorded Council meetings.

3. DEFINITIONS

Council meeting:	means all Ordinary and Special meetings of Council.
Recording:	means a video recording or an audio recording.
Meetings Closed:	meetings closed for consideration of matters under section 5.23 of the *Local Government Act 1995*

4. POLICY

Proceedings of Council meetings will be audio/video recorded for the following purposes:

- To comply with Part 2A of the *Local Government (Administration) Regulations 1996.*
- To provide accurate recording of Council meetings.
- To ensure decisions and discussions are accurately recorded and assist with the accuracy of the minutes prior to confirmation.
- To provide an accurate record of all meeting discussions and proceedings.

4.1 Recording of Proceedings

4.1.1 All Council meeting proceedings will be audio/video recorded by the Shire of Dardanup, including all Behind Closed Door and Confidential discussions in accordance with section 5.23 of the *Local Government Act 1995*.

4.1.2 Recordings made for Behind Closed Door and Confidential discussions will not be made available to the public.

4.1.2 The recording of Council Meetings will be conducted by Shire officers, and members of the public or elected members are not to record Council meetings unless authorised by the Chief Executive Officer.

4.1.3 Following any meeting, the Chief Executive Officer has discretion to direct the exclusion of all or part of any meeting recording considered inappropriate to be published. Material considered to be inappropriate may include, but is not limited to material that may:

- Be defamatory;
- Infringe copyright;
- Breach the privacy of an individual;
- Be offensive, abusive or discriminatory;
- Constitute hatred or vilification of another person; or
- Disclose confidential or privileged information.

4.1.4 Recordings of the meeting will be retained by the Shire for a period of 5 years.

4.2 Public Notice

Members of the public attending Council Meetings will be advised that an audio/video recording of the meeting will be made. Notice will be provided:

- By display in the public gallery area of Council Chambers;
- Presiding Member will provide advice at the commencement of the meeting; and
- Notice will be given in the Council meeting agenda.

4.3 *Recording Keeping*

The official record of the meeting will be the adopted minutes of the meeting kept in accordance with the *Local Government Act 1995* and any relevant Regulations.

Recordings of Council meetings will be provided on the Shire's website for personal and non-commercial use, and will not be copied for individuals. The Shire of Dardanup retains copyright over its recordings of Council Meetings. Video images and audio contained in a recording must not be altered, reproduced or republished without the express written permission of the Shire of Dardanup.

In the event of technical issues whilst recording, a notice will be published on the Shire of Dardanup website. Recordings will be published on the website within 14 days of the meeting.

All recordings will be retained in accordance with *State Records Act 2000*, *Local Government (Administration) Regulations 1996*and the Shire's Record Keeping Plan.

4.4 *Live Streaming*

As the Shire of Dardanup is determined to be a Band 3 Council, livestreaming of Council meetings is not required under the *Local Government Act 1995* and Regulations.

5. REFERENCE DOCUMENTS

Local Government Act 1995
Code of Conduct Councillors
Code of Conduct Employees
State Records Act 2000
Local Government (Administration) Regulation 1996

COUNCIL POLICY NO:
CnG CP309 – CARETAKERS POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
DRAFT		New	EMT	17/09/2024		**Synopsis**	Policy created and recommended by EMT for Council Adoption
Version	1	CP309	OCM	23/10/2024	Res: 275-24	**Synopsis**	Policy Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

This Policy establishes protocols for the purpose of avoiding actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Dardanup during the period immediately prior to an election.

The Caretaker Policy will ensure compliance with the caretaker election period and applies to Councillors, electoral candidates and employees of the Shire of Dardanup and will address the following:

a) Decisions made by Council;
b) Decisions made under delegated authority;
c) Decision made administratively;
c) Promotional materials published by the Shire;
d) Attendance and participation at events and functions held by the Shire or other organisations;
e) Use of the Shires resources; and
f) Access to information held by the Shire.

While local government election candidates, that are not sitting Elected Members, cannot be compelled to comply with this policy, such candidates will be made aware of it and encouraged to cooperate with its implementation.

3. DEFINITIONS

Caretaker Period: means the period of time prior to an Election Day, specifically being the period from close of nominations (4.00pm on the 37th day before election day in accordance with s4.49(a) of the Local Government Act 1995) until the day after the day the returning officer declares the result of the relevant election under section 4.77 of the Local Government Act 1995.

'CEO: means the Chief Executive Officer of the Shire of Dardanup.

Election Day: means the day fixed under this Local Government Act 1995 for the holding of any poll needed for election.

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

a) An advertisement in a newspaper announcing the holding of a meeting in accordance with section 4.87(3) of the Local Government Act 1995.
b) Any materials exempted under Regulation 78 of the Local Government (Elections) Regulations 1997.
c) Any materials produced by the Shire of Dardanup relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Events and Functions: includes gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration, or promotion, of any matter relevant to the Shire of Dardanup and/or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including gatherings coordinated or facilitated by the Shire of Dardanup or an external entity.

'Extraordinary Circumstances' including a circumstance that requires the Council to make or announce a Significant Local Government Decision during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

(a) incur or increase legal, financial and/or reputational risk; or

(b) cause detriment to the strategic objectives of the Shire of Dardanup.

Significant Local Government Decisions:

a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [s.5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;

b) Relating to the Shire of Dardanup entering into a sponsorship arrangement with a total Shire of Dardanup contribution that would constitute Significant Expenditure, unless the Council resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;

c) Relating to the Shire of Dardanup entering into a commercial enterprise as defined by Section 3.59 of the Local Government Act 1995;

d) That would commit the Shire of Dardanup to Significant Expenditure or actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community,

e) To prepare a report, initiated by the Administration, a Council Member, candidate or member of the public that, in the CEO's opinion, may be perceived as or is actually an election campaign issue;

f) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above.

g) That adopts a new, or significantly changes an existing, policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation.

h) That initiates or adopts a new Local Planning Scheme, amendment

i) Significant Local Government Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Shire President in accordance with s.6.8(1)(c) of the Local Government Act 1995.

'Caretaker Protocol: means the practices or procedures prescribed in this Policy.

'Public Consultation: includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue but does not include statutory consultation / submission periods prescribed in a written law.

4. CARETAKE PERIOD PROTOCOLS – DECISION MAKING

4.1 The CEO will ensure that:

a) Elected Members and employees are advised in writing of the impending Caretaker Period and policy requirements at least 30 days prior to the commencement of the Caretaker period.
b) Candidates are provided with a copy of this policy following their nomination for election, to ensure their awareness and the equitable access requirements that apply during a Caretaker Period.

5. SCHEDULING SIGNIFICANT LOCAL GOVERNMENT DECISIONS:

5.1 During the Caretaker Period, unless Extraordinary Circumstances apply the CEO will reasonably ensure that:

a) a Council Agenda, Committee Agenda or Briefing Session does not include a report that constitutes Significant Acts; and
b) Elected Member forums or workshops does not list for discussion matters that relate to Significant Local Government Decisions.

5.2 The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Significant Local Government Decisions are either:

a) Considered by the Council prior to the Caretaker Period; or
b) Scheduled for determination by the incoming Council.

5.3 The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated Authority from the Council to the CEO or a Committee is not exercised where the exercise of that delegated authority relates to a Significant Local Government Decision or an election campaign issue.

6. COUNCIL REPORTS ELECTORAL CARETAKER PERIOD POLICY STATEMENT

6.1.1 Council Reports

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may submit a report on a Significant Local Government Decision for Council's consideration, subject to the report including:

a) Details, if applicable, of options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.

b) An Electoral Caretaker Period Policy Statement, which details why Extraordinary Circumstances apply.

6.1.2 Council Forums, Workshops or Briefings

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may include matters relating to a Significant Local Government Decision for Council Member discussion at Council Forums, Workshops or Briefings.

6.1.3. Managing CEO Employment

This Policy, prohibits Significant Local Government Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

i) The Council may consider and determine:

(a) CEO's leave applications;
(b) appoint an Acting CEO, where necessary;
(c) suspend the current CEO, where appropriate and in accordance with the terms of their contract.

ii). The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period

6.1.4. Delegated Authority Decision Making in Extraordinary Circumstances

During a Caretaker Period, Employees who have Delegated Authority are required to consider if a proposed delegated authority decision may relate, or be subsidiary, to a Significant Local Government Decision or election campaign issue and if so, refer the matter to the CEO for review and consideration in accordance with clause 2.1(3) above.

7. CARETAKER PERIOD PROTOCOLS - CANDIDATES

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the Shire of Dardanup's public information in accordance with s.5.94 of the Local Government Act 1995.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the Shire of Dardanup's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire of Dardanup [refer s.5.92 of the Local Government Act 1995].

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

7.1 Candidate Requests on behalf of Electors, Residents or Ratepayers.

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the Shire of Dardanup's public information in accordance with s.5.94 of the Local Government Act 1995.

7.2 Candidate Campaign Electoral Materials.

Candidates, including Council Members who have nominated for re-election, should note that the Shire of Dardanup's official crest or logo may not be used in campaign Electoral Materials without the express permission of the Shire of Dardanup.

7.3 Candidate attendance at Meetings

To ensure equitable access to information about Council's decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Council Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period; providing each Candidate with a copy of the meeting agenda at the time it is distributed to Council Members.

For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

8. COUNCIL MEMBER CARETAKE PERIOD PROTOCOLS

8.1 Access to Information and Advice

During a Caretaker Period all Council Members will scrupulously avoid using or accessing Shire of Dardanup information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy [refer s.5.93 of the Local Government Act 1995].

During a Caretaker Period, all Council Member requests for information and advice from the Shire of Dardanup will be reviewed by the CEO and where the subject of the information or advice is considered as relating to an election campaign issue, the CEO will either make a determination, or refer the request for Council's determination, as to if

the information or advice is / is not to be provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

8.2 Media and Publicity

During a Caretaker Period, all Council Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Shire of Dardanup's objectives or operations and is not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

8.3 Council Member Business Cards, Shire of Dardanup Printed Materials.

Council Members must ensure that Shire of Dardanup business cards and Local Government printed materials are only used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the Local Government Act 1995.

Council Members are prohibited from using Shire of Dardanup business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

8.4 Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

8.5 Council Member Delegates to External Organisations.

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

8.6 Council Member Addresses / Speeches

Excluding the Shire President and Deputy Shire President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the Local Government Act 1995, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire of Dardanup, unless expressly authorised by the CEO.

In any case, the Shire President, Deputy Shire President and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

8.7 Council Member Misue of Local Government Resources

A Council Member who uses Shire of Dardanup resources for the purpose of persuading electors to vote in a particular way is in breach of clause 17, Schedule 2 of the Local Government (Model Code of Conduct) Regulations 2021, adopted as the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Candidates.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Shire of Dardanup provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the Shire of Dardanup.

9. SHIRE OF DARDANUP PUBLICITY, PROMOTIONAL AND CIVIC ACTIVITES

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

(a) Promoting Shire of Dardanup services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,

(b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of Shire of Dardanup initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Local Government Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Exceptional Circumstances apply and if a Significant Local Government Decision announcement is necessary during a Caretaker Period.

9.1 Civic Events and Functions

The Shire of Dardanup will avoid the scheduling of Civic Events and Functions during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.

Where the Shire of Dardanup is required to schedule a Civic Event or Function during a Caretaker Period at which Council Members would usually be invited, then all Candidates will also be invited to attend and will be acknowledged as candidates immediately following any acknowledgement provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

9.2 Shire of Dardanup Publications and Communications

All Shire of Dardanup publications and communications distributed during a Caretaker Period must not include content that:

(a) may actually, or be perceived to, persuade voting in an election; or
(b) is specific to a candidate or candidates, to the exclusion of other candidates;
(c) draws focus to or promotes a matter which is a Significant Local Government Decision or which is an electoral campaign issue.

All Shire of Dardanup publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

9.3 Shire of Dardanup Website and Social Media Content

9.3.1 During the Caretaker Period, this Policy applies to content proposed for publication on the Shire of Dardanup's website and social media channels.

Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Shire of Dardanup Delegates on external committees and organisations however, all other biographical information related to a sitting Council Member who is also a candidate will be removed from public access for the duration of the Caretaker Period.

The Candidate Election Profiles prescribed in s.4.49(b) of the Local Government Act 1995, may also be published on the Shire of Dardanup's website and social media.

9.3.2. Website and social media content, published prior to a Caretaker Period, will not be subject to this Policy.

9.3.3. New website or social media content which relates to Significant Local Government Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.

9.3.4. Content posted by the public, candidates or Council Members on the Shire of Dardanup's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

9.4 Community Consultation

The Shire of Dardanup will undertake planned community consultation (discretionary and legislative) during a Caretaker Period, unless the consultation relates to a Significant Local Government Decision or potentially contentious election campaign issue

5. REFERENCE DOCUMENTS

Local Government Act 1995
Local Government (Functions and General) Regulations 1996
Local Government (Elections) Regulations 1997
Local Government (Model Code of Conduct) Regulation
Code of Conduct for Elected Members
Code of Conduct for Employees

COUNCIL POLICY NO:
CnG CP310 – PURCHASING CARD POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	28/09/2022	Res: 243-22	**Synopsis**	Formerly CP023 Use of Corporate Credit Card
History			OCM	22/02/2023	Res: 23-23	**Synopsis**	Formerly CP307 Use of Corporate Debit Card
DRAFT		New	EMT	17/09/24		**Synopsis**	New Policy created to consolidate existing policies (above), and include fuel card consolidated into new Purchasing Card Policy and recommended by EMT for Council Adoption
Version	1	CP310	OCM	23/10/24	Res: 275-24	**Synopsis**	Policy Adopted by Council

1. RESPONSIBLE DIRECTORATE

Corporate and Governance

2. PURPOSE OR OBJECTIVE

Policy Objective:

To provide the Chief Executive Officer with a framework of principles to guide the use and management of Purchasing Card facilities and which:

1. Ensures efficient and effective procurement and payment operations.
2. Minimises the risk of misuse, fraudulent or corrupt use.
3. Defines allowable and prohibited uses.
4. Defines management and oversight obligations.
5. Defines Cardholder duty of care and responsible use obligations.

This policy provides guidance to staff on Council issued Purchasing Cards including:

- **Corporate Credit Cards;**
- **Corporate Debit Cards; and**
- **Fuel Cards.**

Scope:

This policy provides an in-principal framework to guide the Chief Executive Officer when fulfilling their statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to Purchasing Cards.

3. DEFINITIONS

Cardholder	an employee who has been authorised by the CEO to incur expenditure by means of a Purchasing Card.
Purchasing Card	a card facility (which may include - credit, store, parking, cab-charge and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of Dardanup business activities only in accordance with relevant Shire of Dardanup Policies.
Approved Purchasing Cards	Corporate Credit Card Corporate Debit Card Fuel Card.

4. POLICY

Purchasing Cards are being used within Local Governments as a purchasing resource. They can, however, expose Council to significant risk if not properly managed and controlled. This policy establishes rules for the use and responsibilities of corporate purchasing cards by ensuring that operational and administrative costs and the risks associated with purchasing card use are minimised.

Notwithstanding AP053 - Payment of Accounts, this policy provides cardholders with a convenient method of purchasing goods and services on behalf of the Shire of Dardanup.

The below table summarises the Responsible Council Officer/s, Limit and Restrictions on each Purchasing Card. Further information can be found in section 4.6 Principles for Purchasing Card Usage of this policy.

Card Type	Council Officer/s	Approval Officer	Limit	Restrictions
Corporate Credit Card	Deputy CEO Manager Financial Services	Elected Member>CEO	$10,000 (Primary) $ 5,000 (Secondary)	Facility Limit $15,000
Corporate Debit Card	Manager Governance Manager Recreation Centre	Deputy CEO	$ 500 $ 500	Refer Section 4.6 Refer Section 4.6
Fuel Card	Council Vehicles Bushfire Brigade Vehicles	Procurement Officer	Fuel Only Fuel / Sundry*	Refer Section 4.6 Refer Section 4.6 *Purchase Order required for Sundry items (eg drinking water during fire/emergency)

The *Local Government Act 1995* does not allow for the issue of purchasing cards to elected members of Local Governments. Elected Members are entitled to allowances, or the reimbursement of expenses incurred on Council business.

A "non-reward" scheme card shall be applied. Should a reward scheme exist, the benefits of a "reward scheme" shall be the property of the Shire of Dardanup.

All expenditure incurred on a Purchasing Card shall be in accordance with Council Policy *CnG CP034 Procurement Policy.*

Corporate Credit Card

Corporate Credit Cards may be issued to the Chief Executive Officer and authorised officers where it is inappropriate or inconvenient to use the Shire's normal payment systems through Electronic Funds Transfer (EFT) or by Cheque.

The Council must approve the issue of a credit card to the Chief Executive Officer and any change to the credit card limit. The Chief Executive Officer may approve the issue of a corporate credit card and any change to credit card limits for any credit cards issued to other Shire of Dardanup staff.

The limit facility will be $15,000. The Primary card holder will have a $10,000 limit with Secondary card holder having a $5,000 limit (eg 2 x cards).

Corporate Debit Card

Corporate Debit Cards may be issued to authorised Council Officers where it is considered to be low risk and more efficient than the Shire's normal payment systems through Electronic Funds Transfer (EFT), Credit Card or by Cheque.

The Council must approve the issue of a Debit Card to authorised Council Officers and any change to the debit card limit. The Deputy CEO may approve the issue of a corporate debit card and any change to the debit cards limits for any debit cards issued to other Shire of Dardanup staff.

The Corporate Debit Card Authorised Council Officers are:

1. Manager Governance
2. Manager Recreation Centre

The limit facility will be $500.00 per card.

Fuel Card

A fuel card is provided to the employee for a Council provided vehicle and the employee is responsible for the security and correct use of the assigned fuel card.

The Procurement Officer issues a fuel card for each new vehicle purchased for the Shire of Dardanup's Fleet.

The employee is responsible for the security and correct use of any assigned fuel card. The employee is to utilise the assigned fuel card provided only for the purchase of fuel for vehicle business use and for approved private use/times.

All fuel purchased for the vehicle during any period of annual, long service, and other leave (excluding sick/personal leave), and also for private weekend use is to be the employee's responsibility. (The intent of the "weekend" condition is for fill-ups on long private weekend trips to be at the employee's cost.)

If the fuel card is unable to be used for business use due to the unavailability of the relevant service station, then the employee is able to be reimbursed for the cost of fuel purchased, subject to the production of a receipt or tax invoice.

Management Oversight and Reporting

4.1 Legislation

(1) Section 6.5(a) of the *Local Government Act 1995* prescribes the Chief Executive Officer's (CEO) duty to ensure that proper accounts and records of the transactions and affairs of the Local Government are kept in accordance with regulations.

(2) The *Local Government (Financial Management) Regulations 1996* prescribe:

a. Regulation 5, the Chief Executive Officer's duties to ensure efficient systems and procedures are established for the proper authorisation of incurring of liabilities and the making of payments.
b. Regulation 11(1)(a) and (2) of the requires Local Government to develop procedures that ensure effective security for the authorisation and payment of accounts and for the authorised use of payment methods, including credit cards.

4.2 Determining When Purchasing Card Facilities are Appropriate

(1) Purchasing Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Dardanup operations by ensuring:

a. goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire of Dardanup;
b. financial management and accounting standards are met; and
c. purchasing and payment functions are secure, efficient and effective.

(2) Purchasing Card facility providers will only be acceptable where, in the opinion of the CEO, they:

a. Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire of Dardanup to sufficiently administer the facility; and
b. Provide the Shire of Dardanup with protection and indemnification from fraudulent unauthorised transactions.

4.3 Management Oversight

The Chief Executive Officer shall determine and implement systems and procedures adequate to ensure:

a. Assessment and selection of Purchasing Card facilities suitable to the efficient and effective operations of the Shire of Dardanup;
b. Authorisation and appointment of suitably eligible Cardholders;
c. Cardholder duties and responsibilities are documented and Cardholders provided with training; and
d. Monitoring and auditing of Purchasing Card activities is planned and reported.

4.4 Reporting

The CEO will ensure that acquitted transaction statements for each Purchasing Card facility are provided to Council as part of the monthly financial reporting regime.

4.5 Misuse, Misconduct and Fraudulent Use

Any alleged misuse of Purchasing Cards will be investigated and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from Purchasing Card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the *Public Sector Management Act 1994* and *the Corruption, Crime and Misconduct Act 2003*.

4.6 Principles for Purchasing Card Usage

4.6.1 Purchasing Responsibilities – Credit Card

a. The use of the Credit Card is in conjunction with this policy and *Administration Procedure PR045 Use of Corporate Credit Cards*.
b. The use of the Credit Card is at the discretion of the Chief Executive Officer (or any other officers approved for credit card use) and shall not supersede Councils ordinary purchasing system and procedures.
c. The Credit Card shall only be used for purchasing goods or services on behalf of the Shire of Dardanup in the performance of official duties for which there is a budget provision.
d. Personal expenditure is prohibited.
e. The Credit Card Credit shall not be used for cash withdrawals.
f. Expenditure shall comply with the officers delegated purchasing authority.
g. All expenditure shall have a Purchase Order raised.
h. The Cardholder is responsible for obtaining a "Tax Invoice" receipt for Australian Purchases to enable GST tax credits to be claimed. This shall be provided to the Manager Financial Services.
i. Ensure relevant and correct expenditure account details (account numbers) are provided against each item of expenditure on the card statement to assist with the allocation of expenses and claims for the reimbursement of GST from the Australian Taxation Office.
j. The cardholder is responsible for the accuracy of card statements and shall authorise the validity of statements by signing.
k. Issue of New Credit Card - the cardholder must complete *Form 177 Approval Form – Corporate Credit Card*, which is subject to Approval by CEO or Shire President* (*in the case of CEO issued Corporate Credit Card).

4.6.2 Purchasing Responsibilities – Debit Card

- The Debit Card shall only be used for purchasing low value (less than $50) goods or services on behalf of the Shire of Dardanup in the performance of official duties for which there is a budget provision;
- The use of the Debit Card by the authorised Council Officer shall be in accordance with Council Policy and Procedures;
- The authorised Council Officer shall only use the Debit Card to purchase goods or services in their respective work area (ie: Manager Recreation Centre must only use the Debit Card to purchase items for the Eaton Recreation Centre) and shall not be used to supersede or bypass Council's ordinary purchasing system and procedures, other than removing the requirement to raise a Purchase Order;
- Personal expenditure is strictly prohibited;
- The Debit Card Credit shall not be used for cash withdrawals;
- The Cardholder is responsible for obtaining a "Tax Invoice" receipt for Australian Purchases to enable GST tax credits to be claimed, and an Invoice/Receipt for any other purchases;
- Ensure relevant and correct expenditure account details (account numbers) are provided against each item of expenditure on the running balance sheet to assist with the allocation of expenses and claims for the reimbursement of GST from the Australian Taxation Office;
- The cardholder is responsible for the accuracy of the Debit Card running balance sheet. Once the balance is getting low a Debit Card Recoup Form must be completed and forwarded to Accounts Payable for processing;
- Issue of Debit Card – the cardholder must complete *Form 236 Approval Form – Corporate Debit Card*, which is subject to Approval by Deputy CEO.

4.6.3 Purchasing Responsibilities – Fuel Card

a. The fuel card is only to be used for the purchase of fuel and/or lubricants and oils, with an exception to emergency expenditure eg in the event of a bushfire, a brigade may purchase supplies relevant to the Brigade, covered under DFES LGGS scheme expenditure.
b. That they have read and understand *CP203 Light Vehicle Fleet* and *PR117 Fuel Card Procedure*. It is essential that each cardholder understands their responsibilities in relation to the correct usage of the fuel card issued to them.
c. The cardholder must not divulge the PIN to non-Shire staff, and that the fuel card is kept in a safe and secure location and guarded against improper use at all times.
d. Fuel cards are issued for use on official Shire business, and authorised private usage as per offers of employment, letters of offer and in accordance with Administration Policy *AP009 Light Vehicle Fleet – All Employees* and Council Policy *CnG CP203 Vehicle Light Policy*.
e. Fuel cards are returned to the Procurement Officer upon termination or resignation of the Officer, or when the Officer has exercised the right to a novated lease or allowance in accordance with *CnG CP203 Vehicle Light Policy*.

f. Where a fuel card is lost, stolen or damaged, then the Officer must notify the Procurement Officer immediately. The card will be cancelled and re-issued.
g. Issue of Fuel Card – the cardholder must complete *Form 216 Approval Form – Use of Fuel* which is subject to Approval by Procurement Officer.

4.6.4 Allowable Transactions

(1) Purchasing Card facilities may only be used where:
a. The expenditure is directly arising from a Shire of Dardanup operational business activity for which there is an Annual Budget provision;
b. The expenditure is in accordance with legislation, the Shire of Dardanup Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
c. The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a Purchasing Card;
d. Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
e. Refreshments expenditure may only occur when it is in accordance with *Council Policy CnG CP002 Refreshments Policy* or is undertaken with the express written permission of the CEO.
f. Official travel, accommodation and related expenses may only occur in accordance with Shire of Dardanup policies and procedures (refer *Council Policy CnG CP112 Councillors' Induction Training and Professional Development*; and *CnG CP042 Councillor Fees Policy*;
g. Accounts payable payments are made in accordance with *CnG CP034 Payment of Accounts Policy*, under the direction of the Manager Finance;
h. A sufficient record of each transaction (ie Tax Invoice/Receipt) is obtained and retained in the local government record.

(2) Allowable transaction modes include:
a. In-person and over the counter retail purchases;
b. Telephone purchasing;
c. Mail order purchasing and subscriptions; or
d. Internet purchasing.
However, using Purchasing Cards transactions should not over-ride Council's policies and procedures whereby preference is under a separate policy.

4.6.5 Prohibited Transactions

(1) The Shire of Dardanup prohibits the use of Purchasing Card facilities for:
a. Cash advances;
b. Incurring expenses which are personal or private (i.e. any expenditure which is not an approved Local Government activity);
c. Making deposits onto the Card, whether to offset misuse or otherwise;
d. Incurring Capital expenditure;
e. Incurring expenditure for goods or services which are subject to a current supplier contract;
f. Incurring expenses which are not in accordance with legislation, the Shire of Dardanup Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual Cardholder;
g. Expenses for which another Purchasing Card is the approved facility (i.e. the Corporate Credit Card is not to be used for purchasing fuel or oil, as the Fuel Card is the approved facility for that purpose);
h. Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
i. Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).

(2) For clarity, Elected Members are prohibited from using Shire of Dardanup Purchasing Cards as the *Local Government Act 1995* does not provide authority for an Elected Member to incur liabilities on behalf of the Local Government. The Act limits Local Governments to only paying Elected Member allowances and reimbursing Elected Member expenses.

(3) Debit Card Restrictions

a. It is the responsibility of the Debit Card holder to authorise and approve all transactions on the Debit Card.
b. Use of the Debit Card should be restricted to purchases within the Debit Cardholder's (ie Manager) responsibilities, and **within their own Department**. The Debit Cardholder is not to permit expenditure on the Card from other Departments.
c. Use of the Debit Card should be restricted as follows:

Manager Recreation Centre -

- ERC Facebook Advertising (replacing the need for a Council issued Credit Card to be attached to a Facebook profile) and minor ad hoc administrative items (ie: staff leaving cards/small gifts, one-off purchases).

Manager Governance –

- Refreshments/Catering/Sundry Purchases including Milk, ad hoc grocery item/s, staff leaving cards/small gifts (ie Woolworths and Coles, one-off purchase on ad hoc basis).

Restrictions for Debit Cards

- Where Council has an account with a Supplier - ie Bunnings, Kmart – a Purchase Order should be used and an tax invoice paid by EFT on receipt of an invoice. That is, the payment should be made by Accounts Payable process (payment not to be made on the Debit Card).

4.6.6 Cardholder duty of care and responsible use obligations

(1) A Cardholder is required to:

a. Keep the Purchasing Card and access information in a safe manner; protected from improper use or loss.
b. Only use the Purchasing Card for allowable purposes and not for prohibited purposes.
c. Obtain, create and retain Local Government records that evidence transactions.
d. Acquit the reconciliation of Purchasing Card usage in the required format and within required timeframes. The onus is on the cardholder to provide sufficient detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
e. Return the Purchasing Card to the Shire of Dardanup before termination of employment, inclusive of reconciliation records.
f. Reimburse the Shire of Dardanup the full value of any unauthorised, prohibited or insufficiently reconciled expenditure.

(2) Benefits obtained through use of a Purchasing Card (i.e. membership or loyalty rewards) are the property of the Shire of Dardanup and may only be used for Shire of Dardanup business purposes. Such benefits must be relinquished by the Cardholder to the Shire of Dardanup. Under no circumstances may such benefits be retained as a personal benefit.

4.6.7 Use of Corporate Purchasing Card by other Shire of Dardanup Staff

A Under no circumstance shall another Shire of Dardanup staff member use a Purchasing Card without the verbal or written approval of the authorised Purchasing Card holder.

Credit Card Purchase

For the purchase of goods or services on behalf of the Shire of Dardanup on a Corporate Credit Card, the following application process is required:

1. Complete a purchase order adhering to Council's procurement policy.
2. Complete a Form 100 Use of Corporate Credit Card and forward to Chief Executive Officer or other approved officer.
3. Provide a quote for the goods/services being purchased.
4. The relevant Card holder (or officer as approved, either verbal or written, by the Authorised Purchasing Card holder) will then complete the purchase transaction either over the phone with the supplier or online.
5. Once the purchase has been transacted, a tax invoice must be issued.
6. The authorising officer (who issued the purchase order) must authorise the tax invoice for payment and confirmation that the goods/services have been received.
7. All documentation must then be forwarded to the Accounts Payable Officer for payment processing.
8. When the Credit Statements are received for payment, the relevant Card Holder shall sign the statement to verify the validity of each transaction, with this signed statement countersigned by the Deputy CEO.

Debit Card Purchase

For the purchase of goods or services on behalf of the Shire of Dardanup on a Corporate Debit Card, the following application process is required:

1. Ensure you have a quote/estimation for the goods/services being purchased.

2. Request Approval from Debit Card holder. *The relevant card holder (or officer as approved, either verbal or written, by the Authorised Purchasing Card holder) will then complete the purchase transaction either over the phone with the supplier or online.*
3. Once the purchase has been transacted, a tax invoice must be issued.
4. Provide Tax Invoice/Receipt to the Authorising Officer (ie Debit Card holder).
5. Authorising Officer (ie Debit Card holder) to complete Form xx – Debit Card Recoup.
6. Authorising Officer (ie Debit Card holder) to complete Purchase Order (Creditor #97985 Shire of Dardanup Debit Card).
7. Authorising Officer (ie Debit Card holder) to forward all documentation to the Accounts Payable Officer.
8. Accounts Payable Officer to verify Debit Card Recoup and forward to MFS for Approval.
9. Post Approval, Accounts Payable Officer to process batch for Accountant and DCEO to authorise/approve and bank transfer to the debit card.

4.6.8 Transaction evidence

(1) A sufficient transaction record must include the following minimum information:
   a. Invoice and / or receipt that includes the date, company name, address, ABN, amount and any GST amount included;
   b. Where an invoice and / or receipt cannot be obtained, the Cardholder must provide a Statutory Declaration, in accordance with the *Oaths, Affidavits and Statutory Declarations Act 2005*, detailing the nature of the expense and sufficient information to satisfy the requirements of subclause (a) above.

(2) Where a Purchasing Card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity:
   a. the number of persons entertained;
   b. the names of any employees in that number; and
   c. the purpose of providing the entertainment or hospitality.

4.6.9 Security

The cardholder is responsible for the physical and information security of the card in their possession.

In the case of a lost or stolen card, the cardholder shall notify the issuing bank immediately by telephone. At the earliest opportunity, written notification must also be given to the Finance Department so that the cancellation of the card may be confirmed and a reconciliation of the card account from the date the card was lost or stolen may be performed.

4.6.10 Non Compliance of Use of Corporate Purchasing Card Policy

Failure to comply with this policy may incur disciplinary action at the discretion of the Chief Executive Officer.

Any incidents of non-compliance by staff will be reported to the Deputy CEO and Chief Executive Officer.

The use of a Shire of Dardanup Corporate Debit Card is subject to the provisions of the Shire of Dardanup's Code of Conduct. Serious breaches of the Purchasing Responsibilities or Code of Conduct may result in a referral under the Corruption and Crime Commission Act and/or termination of employment.

In the event of loss or theft through negligence or failure to comply with the Shire of Dardanup's Purchasing Card Policy, any liability arising from the use of the card may be passed to the cardholder.

4.7 Finance Department Responsibilities

The Deputy CEO is responsible for arranging the issue or cancellation of Corporate Purchasing Card on advice from the Chief Executive Officer.

The Finance Departments responsibilities in relation to the Corporate Credit Cards include:

1. Maintain a Card Register of all cardholders ie Credit Card Register, Debit Card Register, Fuel Card Register.
1. Arrange for all cardholders to sign *Form 177 Approval Form Corporate Credit Card*, *Form 236 Approval Form Corporate Debit Card*, or *Form 216 Approval Form – Use of Fuel* on receipt of the new card and ensure the signed agreement is electronically stored in TARDIS.
2. Process payment of card expenditure in the Accounts Payable module of SynergySoft upon receipt of the card statement from the Bank.
3. Include in the Monthly Schedule of Accounts Paid for each Council meeting a list of all Purchasing Card transactions.
4. Arrange for the replenishment of Debit Card account funds once reconciliation of recoup has been completed and authorised by the Manager Financial Services and Deputy CEO.
5. To keep cardholders informed of any changes to policy and procedures on the use of the Corporate Cards.

5. REFERENCE DOCUMENTS

Local Government Act 1995, Section 2.7(2)(a) & (b) and Section 6.5(a).
Local Government (Financial Management) Regulations 11(1)(a) & Regulation 13A
Shire of Dardanup Code of Conduct.
AP053 - Payment of Accounts
Council Policy CnG CP034 Procurement Policy
Council Policy CnG CP002 Refreshments Policy
Council Policy CnG CP042 Councillor Fees Policy
Council Policy CnG CP112 Councillors' Induction Training and Professional Development
Council Policy CnG CP203 Vehicle Light Policy
Administration Policy AP009 Light Vehicle Fleet – All Employees
Administration Procedure PR039 Use of Corporate Credit Cards
Administration Procedure PR045 Procurement Procedure
Administration Procedure PR117 Fuel Card Procedure

COUNCIL POLICY NO:
CnG CP311 – PRIVACY POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
Version:	1	New	OCM 27/05/2026 Res: 118-26	**Synopsis**	Draft Policy Endorsed by EMT, ready for Council approval	

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup (the Shire) is committed to safeguarding the privacy of our residents, ratepayers, employees, Elected Members, and stakeholders. The Shire considers the protection of privacy as a core principle of its commitment towards complete accountability and integrity in all activities. This policy has been established to provide the framework in which the Shire collects, uses, and discloses personal information.

3. REFERENCE DOCUMENTS

Privacy and Responsible Information Sharing Act 2024 (WA)
Local Government Act 1995 (WA)
General Retention and Disposal Authority for Local Government Information DA2023-005
Freedom of Information Act 1992 (WA)

4. DEFINITIONS

Personal Information : Information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual (living or dead) whose identity is apparent or can reasonably be ascertained from the information or opinion.

Notifiable Data Breach : Occurs when there is unauthorized access, disclosure, or loss of personal information held by the Shire of Dardanup, where a reasonable person would conclude that such a breach is likely to result in serious harm to any individual to whom that information relates.

Cookie: A small file or part of a file stored on an internet user's computer, created and subsequently read by a website service. Cookies contain personal information such as customized preferences, record of pages visited, and unique identification code).

5. POLICY

5.1 Collection of Personal Information

Through the performance of our services and activities as required by law, the Shire collects information about our residents and customers. The Shire collects and maintains personal information relating, but not limited to residents, volunteers, Elected Members and employees. This includes details of properties within the Shire's boundaries which contain personal information, such as, owner/occupier names, addresses, and contact information. The Shire also records personal information when dealing with inquires, complaints, and work requests.

Personal information may also be collected by the Shire when provided as part of other activities, including (but not limited to):

- Dog and Cat registrations
- Correspondence and communications
- Registering to use a Shire facility (e.g. Eaton Recreation Centre, Mick Bennett Make-It-Space, public libraries)
- Making a submission or comment to an item for public consultation
- Managing volunteers including Volunteer Bush Fire Brigades

- Contractor management
- Financial activities (e.g. Rates, Accounts Payable, Accounts Receivable)
- Recruitment
- Employment and carrying out duties as an employee of the Shire.

The Shire of Dardanup utilises Cookies on its websites, which gather small amounts of information stored on the user's device. Cookies are used to provide an easier browsing experience for the user on future website visits and personalise content for each user. Cookies are also used to generate statistics and measure website traffic/activity.

Where personal information is provided to the Shire unsolicited, it may be redacted or destroyed upon receipt, as per the General Retention and Disposal Authority for Local Government Information.

5.2 Use of Information

The Shire of Dardanup will not use, or disclose, any information that it has collected about an individual without their consent, unless required by law to do so or if acting in the reasonable belief that the use or disclosure is necessary to:

- Carry out the function for which the information provided was originally intended
- Protect the rights or property of the Shire of Dardanup
- Enforce the laws and regulations of the Shire of Dardanup
- Protect the interests of Shire residents, facility users, or members of the public
- Prevent a threat to a person's health or safety
- Collect monies owed to the Shire of Dardanup

Information may be used internally for ongoing research, to assist with the development of future services, or to assist Council in its decision making.

The Shire will not disclose to 3rd parties any personal information it has collected unless required to do so by law or for the reasons listed above.

The Shire will not sell, lease, or otherwise disclose for commercial gain to 3rd parties, any personal information it has collected.

There are occasions where the Shire is required to collect personal information and documents to confirm the identity of an individual (e.g. passport, birth certificate, driver's license etc). Where copies of these documents are collected by the Shire for this purpose they will be compliantly disposed of as soon as the validation process has been completed.

5.3 Security and Accuracy of Personal Information

The Shire will take all reasonable steps to protect any personal information it holds from unauthorised access, modification, or disclosure. The Shire has established physical, electronic, and organisational policies/procedures to ensure personal information is protected from unauthorised access, maintain data accuracy, and ensure the appropriate usage of information.

Individuals have the option of not identifying themselves when dealing with the Shire of Dardanup (e.g. remaining anonymous when reporting a breach of local laws). However, this does not apply where the Shire is required by law to deal with individuals who have identified themselves or would be impractical to deal with an individual who doesn't identify themselves, or where an individual is required under law to identify themselves to an authorised officer of the Shire under S9.11 of the *Local Government Act 1995.*

Prior to engaging in any 'High Privacy Impact' function or activity, the Shire will undertake a privacy impact assessment to identify any potential risks and implement measures to mitigate against them.

Personal information will be stored for as long as is required under the relevant General Retention and Disposal Authority, then compliantly disposed of as set out in the Shire's Record Keeping Plan.

The Shire will take reasonable steps to ensure that any personal information it collect, uses, or discloses is up to date, accurate and complete.

5.4 Data Sovereignty

The Shire's default position is to store personal information within Australia. Where this is not possible, for example where a service essential to the Shire's operations does not offer Australian hosting, the Shire will ensure that:

- The receiving provider and jurisdiction offer protections at least equivalent to those required under applicable Australian privacy law;
- Appropriate contractual and technical safeguards apply, including encryption in transit and at rest;
- The offshore location, provider, and reason are recorded in the Shire's information asset records; and
- Affected individuals are informed of offshore storage arrangements through the relevant collection notice or service information.

The Shire remains accountable for personal information at all times, regardless of where it is stored.

5.5 Data Breaches

If personal information is accessed or disclosed without authorisation, the Shire will take all reasonable steps to inform any impacted individuals and mitigate any potential damages.

If a Shire officer suspects that a Notifiable Data Breach has occurred, the Shire will conduct an assessment within 30 days of the date reasonable suspicion was formed and prepare a report based on that assessment. If it is determined that a Notifiable Data Breach has occurred the Shire will give written notice of the breach to the Western Australian Office of the Information Commissioner (OIC) and any affected individuals as soon as practicable.

For further information on the response to Notifiable Data Breaches see the Shire's Information Breach Policy.

5.6 Access Requests and Complaints

Individuals can contact the Shire to make a privacy complaint, or to request access to the information held about themselves. Any requests/complaints of this nature should be made in writing, addressed to the Senior Information Document Services Officer at records@dardanup.wa.gov.au , or sent to:

Shire of Dardanup
PO Box 7016
Eaton WA 6232

An individual may make a privacy complaint if they believe that the Shire of Dardanup has:

- Collected, used or disclosed their personal information improperly
- Not adequately protected their personal information from unauthorised access, misuse or loss.
- Denied them access to their personal information or the opportunity to correct inaccurate personal information.
- Interfered with their privacy through an act or practice that is contrary to, or inconsistent with, the Shire's privacy policy or Privacy and Responsible Information Sharing (PRIS) Act.

An individual may also make a complaint to the Information Commissioner if they believe the Shire has interfered with their privacy or acted contrary to its privacy policy or PRIS legislation.

Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION					
Version:	1	New	OCM 27/05/2026 Res: 119-26	**Synopsis**	Policy Created

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup values the privacy of its residents, stakeholders, employees and Councillors. The Shire will take all reasonable steps to protect any personal information it holds from unauthorized access, disclosure, or loss.

The aim of this policy is to outline a structured and effective approach in managing information breaches to ensure incidents are identified, contained, assessed and responded to in a timely manner to mitigate any impact.

This policy also provides guidance as to the internal and external notification processes to be adhered to in the event of an information breach.
This policy applies to all Shire of Dardanup employees, Councillors, contractors and sub-contractors.

3. REFERENCE DOCUMENTS

Privacy and Responsible Information Sharing Act 2024 (WA)
Freedom of Information Act 1992 (WA)
Cyber Incident Response Plan (Internal Procedure)
Disaster Recovery Plan (Internal Procedure)

4. DEFINITIONS

Personal Information : Information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual (living or dead) whose identity is apparent or can reasonably be ascertained from the information or opinion.

Information Breach: An event wherein there is unauthorized access, disclosure, or loss of personal information held by the Shire of Dardanup. Information breaches may be caused by malicious action (by internal or external parties), human error, or a failure of information handling or security systems.

Shared Information Breach: Occurs where there is unauthorized access, disclosure, or loss of personal information that has been shared by the Shire of Dardanup to an external recipient under an Information Sharing Agreement.

Notifiable Information Breach: Occurs when there is unauthorized access, disclosure, or loss of personal information held by the Shire of Dardanup, where a reasonable person would conclude that such a breach is likely to result in serious harm to any individual to whom that information relates.

Serious Harm: Occurs where the harm arising from an information breach is reasonably likely to result in real and substantial detriment to an individual. This includes physical, financial or material, psychological, emotional, reputational, and other forms of harm a reasonable person would identify as a likely outcome of the breach.

5. POLICY

5.1 Preparedness

- Mandatory information breach training will be provided to all staff (and elected members) responsible for handling and collecting personal information at the commencement of their employment. Cybersecurity training will be

provided to all employees on a regular basis to ensure they remain vigilant to external threats. This training will provide education on the risks associated with information breaches, and their individual responsibilities with regards to recognising, responding to, and preventing these incidents.

- The Shire will take reasonable steps to ensure that any personal information it collects and handles is secure from unauthorized access, misuse and disclosure. Appropriate measures are employed to ensure data security and compliance with privacy obligations.

- Contracted Service Providers responsible for handling or collecting personal information for the Shire will have their obligations to report any suspected breaches specified in their service contract, and will be made aware of who to contact in the event of a suspected breach.

5.2 Identifying and Reporting

- An employee, Councillor, or party contracted by the Shire of Dardanup who suspects an information breach has occurred must inform the Shire's Manager Information Services as soon as possible.

- Other external organisations and the public can also report a suspected information breach by contacting the Shire via phone, website, email, or in writing.

- The Shire must conduct an assessment as soon as practicable once reasonable suspicion is formed that a breach has occurred, and prepare a report based on that assessment. The Information Commissioner may also direct the Shire to investigate and prepare a report if it suspects an information breach has occurred, regardless of whether the Shire agrees with this suspicion.

- Breaches will be assessed and managed on a case-by-case basis.

5.3 Containment

- The process of containment may be achieved by removing all access to the affected resource, disconnecting business information and record keeping systems, revoking credentials, and disabling network access.

- Staff must take care to ensure that the need for evidence collection is taken into account when implementing any containment measures. For example, shutting down a business information system may result in the loss of logs, system images, and memory dumps that may be required later as evidence of the breach.

- Records documenting any breach and the decisions made in relation to them must be registered in the Shire's approved records keeping system.

5.4 Assessment and Mitigation

- Information breaches will be assessed by gathering facts and evaluating risks, including potential harm to any affected individuals.

- Factors to consider when assessing an information breach include:

    - Details: The type and sensitivity of any breached information, identity of affected individuals, the extent and impact of the breach.
    - Source: Identify whether the breach is a result of malicious intent, human error, or negligence. Understand the circumstances that resulted in the breach. Is it an isolated incident or ongoing risk?
    - Scope: Identify the quantity of information breached, duration of breach, and whether the information has been recovered.
    - Impact: Evaluate the nature of the harm to any affected individuals, and whether that harm can be reduced/removed through remedial action.

- Staff will take all reasonable steps to mitigate the harm caused by the suspected information breach.

5.5 Notification and Response

- The CEO must be notified as soon as is practicable when an information breach is confirmed.

- Depending on the nature and impact of the breach, the Shire will form an incident response team to handle the response to the breach or exposure.

- The Shire must take reasonable steps to give written notice of each affected individual as soon as practicable after it has been determined that a breach has occurred. Shire staff will communicate with and support individuals whose personal information has been compromised to effectively mitigate and rectify the breach.

- If it is determined a Notifiable Information Breach has occurred, the Shire will give written notice of the breach to the Information Commissioner as soon as is practicable.

- All Shire officers will be required to cooperate with insurers, forensic investigators, and experts to determine how the breach occurred, the type of data involved, and the identities of any affected individuals.

- The Shire will maintain a register of notifiable information breaches. This register includes information such as the nature of the breach, individuals affected and the Shire's response.

5.6 Review

- A review process will take place after any information breach incident to identify areas of information security or data handling procedures that may require improvement. The purpose of this review is to:

    - Identify and address any weaknesses in information handling processes that may have contributed to the breach.
    - Determine whether the Shire's response to the breach was adequate and timely.
    - Assess how effectively the breach was managed and whether any associated policies and procedures supported the response.
    - Detail the actions taken (or will be taken) to prevent future breaches.

- As per the Shire of Dardanup's Privacy Policy, individuals have the right to make a Privacy Complaint if they believe that an information breach has resulted from the Shire has disclosing their information improperly or not adequately protected their personal information from unauthorised access, misuse or loss. For further information on how to make a Privacy Complaint, please see CP311 Privacy Policy.

INFRASTRUCTURE DIRECTORATE

Shire of Dardanup

POLICY NO:-

Infr CP029 – PERMIT RELATING TO VERGE/CROSSOVER INCIDENTAL TO BUILDING WORKS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		ENG24	OCM: 20/04/11	Res: 96/11	**Synopsis**	Policy created.
Version	1	CP029	OCM: 06/04/16	Res: 51/16	**Synopsis**	Policy created to replace ENG24.
Version	2		SCM 26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP029	SCM 30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP029	OCM 28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP029	OCM 23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

2.1 To ensure that road thoroughfares, including road verges are adequately protected, reinstated and repaired of any damage resulting from building works and demolition works, in accordance with the Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.

2.2 Provide guidance on the implementation of a permit system and associated fees which is in addition to the Shire's building permit system.

3. REFERENCE DOCUMENTS

3.1 Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.

3.2 Application for Permit Relating to Verge/Crossover Incidental to Building Works form.

3.3 Permit Relating to Verge/Crossover Incidental to Building Works form.

3.4 Advice: Verge Damage, 11 November 2015, McLeods Barristers & Solicitors

4. POLICY

4.1 An Application for Permit Relating to Verge/Crossover Incidental to Building Works form is to be submitted for all building works valued at greater than $50,000 (inclusive of GST) and demolition works valued at greater than $5,000 (inclusive of GST), and applies to properties falling under the following zones as set out in the Shire of Dardanup Town Planning Scheme No. 3:

- Residential (single and multiple dwellings);
- Small Holdings;
- Light Industry;
- Commercial;
- Additional Uses; and
- General Industry.

4.2 An Application for Permit Relating to Verge/Crossover Incidental to Building Works form is to be submitted by the applicant at the time of Building Permit Application or Demolition Permit Application.

4.3 A one-off application fee per property subject to building works or demolition works is payable as described in the Shire's fees and charges adopted as part of the Shire's annual budget process. This fee is for the purpose of recouping costs for staff time and administration associated with inspections and detailed record keeping required to effectively determine compliance with the requirements of the Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.

4.4 The Chief Executive Officer shall determine an application for permit by no later than the day the building permit or demolition permit is issued. A permit may be granted with conditions; granted with variations and conditions; or refused.

4.5 The following conditions are applicable to all permits granted as a minimum, and may include variations depending on circumstances:

- The holder of a permit is responsible to ensure that any damage to the verge(s) or crossover(s) is repaired and made good to a condition equivalent to or better than prior to any building or demolition activities or activities incidental to or preparatory to building or demolition commenced on the site;

- The holder of a permit is to ensure that any temporary crossover is removed no later than the completion of building or demolition activities, and the verge portion occupied by or affected by the temporary crossover is removed and made good to a condition equivalent to or better than prior to any building or demolition activities or activities incidental to or preparatory to building or demolition commenced on the site; and

- By acting upon the permit or permitting the permit to be acted upon, the grantee of the permit shall be taken to have agreed to indemnify the Shire of Dardanup in respect of any costs associated with the repair or making good of the verge(s) and crossover(s) of the building or demolition site arising in connection with the building or demolition works, in the extent and to the extent that the permit holder does not repair and make good any such damage to the Shire's satisfaction.

Shire of Dardanup

POLICY NO:-

Infr CP040 – DIRECTIONAL SIGNAGE POLICY FOR FIXED SIGNS WITHIN ROAD RESERVES

GOVERNANCE INFORMATION			
Procedure Link:	PR055	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History	1	ENG37	OCM:	05/11/14	Res: 359/14	**Synopsis**	Policy created.
Version	2	CP040	OCM:	09/08/17	Res: 211/17	**Synopsis**	New Council Policy Document endorsed
Version	3		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP040	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP040	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP040	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

This policy has been developed to provide guidance in the approval of directional signage within the Shire and for the implementation of the Ferguson Valley brand to signage within the Shire.

This policy applies to fixed signs within road reserves for the purpose of directing traffic to:

- Community facilities and services;
- Tourist attractions and destinations; and
- Tourism related businesses.

The policy sets guidelines for various types of signage to ensure there is a well-defined and consistent approach to signage in the Shire. The policy aims to reduce the proliferation of signs at many intersections, thus addressing safety concerns, and to provide a user friendly system of signage.

To provide the travelling public (including visitors and tourists) with clear and uniform roadside information that gives directions to recognised community facilities and services, tourist attractions and tourism businesses, while minimising the number of signs and avoiding direct advertising.

To gain an appreciation and recognition of Ferguson Valley as a tourism region of the South West and to promote the Ferguson Valley brand.

3. REFERENCE DOCUMENTS

Local Government Act 1995
Australian Standards AS1742.5 and AS1742.6

4. POLICY

This policy relates only to fixed directional signs within road reserves under the care, control and management of the Shire of Dardanup.

It is noted that the Shire of Dardanup has been authorised by the Commissioner of Main Roads WA to carry out non-regulatory signing works along local roads.

Council delegates its authority to the Chief Executive Officer to approve the erection, removal or modification of any directional signage within any local authority road reserve in the Shire of Dardanup in accordance with this policy.

Where a road that is under the care and control of the Shire of Dardanup intersects a road that is under the care and control of Main Roads WA, signs will be approved by Main Roads WA and installed in accordance with Main Roads WA specifications.

It is noted that businesses do not have an automatic right to directional signage and must address the eligibility criteria to be considered.

Eligibility Criteria

1. To be eligible for consideration for a directional sign, the community facility or service, tourist attraction or tourist service facility must:
   - Be approved by the Shire of Dardanup for the use as indicated on the proposed sign;
   - Be of sufficient interest and importance to the travelling public, as determined by the Shire of Dardanup, with consideration given to the Tourism WA and Main Roads WA guidelines. The Shire of Dardanup may seek the guidance of the Ferguson Valley Marketing Inc.# regarding tourism related businesses.
   - Where the sign is tourism related, meets a majority of the Tourism WA criteria. It should be noted that the Tourism WA criteria shall be used as a guide; however, the requirements may be varied to suit local needs.

   (# The Ferguson Valley Marketing Inc. [formerly known as The Ferguson Valley Marketing & Promotions Inc.] is an organisation that was created at the request of Dardanup Shire Council to encourage business operators within the Shire to take ownership of the promotion of the Shire and their businesses independent of Council.)

2. Community facilities and services that may be approved for directional signage may include, but not limited to:

   Post offices;

   - Emergency service facilities (eg. Police Stations etc);
   - Public health emergency facilities (eg. Hospital, medical centre);
   - Public toilets;
   - Community centres;
   - Significant public educational facilities (eg. Library, schools);
   - Significant public cultural facilities (eg. Gallery, Museum);
   - Significant heritage places/buildings;
   - Places of public worship;
   - Public transport facilities (eg. Train or Bus Stations);
   - Information centres and tourist bureaus;
   - Government services;
   - Shopping centres;
   - Boat ramps;
   - Heavy combination vehicle generators, eg. Mine sites, sale yards, public weighbridge;
   - Waste disposal facilities;
   - Industrial areas/precincts; and
   - Other sites that are considered to be in the public's interest.

3. Tourism related businesses that may be approved for directional signage may include, but not limited to:

   Wineries

   - Breweries
   - Accommodation
   - Galleries
   - Cafes
   - Other business operated attractions

4. The Chief Executive Officer will determine the tourism related business eligibility for a directional sign taking into consideration any advice provided by Ferguson Valley Marketing & Promotions Inc. under the guidelines of Tourism WA.

Sign Styles and Configurations

Signs are to meet AS1742 Parts 5 & 6, AS1744 and Main Roads WA guidelines as to size, colour, lettering, national and international symbols, fixing and installation.
Individual business names or complex names will not be considered as appropriate wording for community facility or service signs.

Individual business names are permitted on tourism related business signs.

The following exceptions to the standards and guidelines apply to directional signage on local authority roads within the Shire of Dardanup:

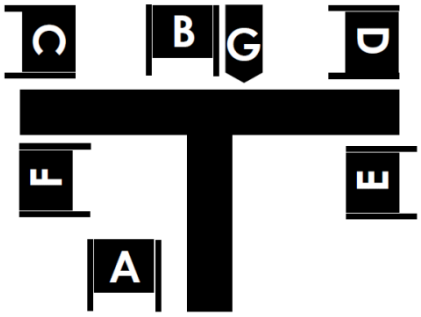
Fixed Signs and Major Intersection Signs

1. A major intersection consists of distributor roads only and no local access roads (refer to the Shire of Dardanup Road Hierarchy Map).

2. Sign stacks shall be used at major intersections.

3. Stacks shall consist of the Ferguson Valley brand generally at the top of the stack.

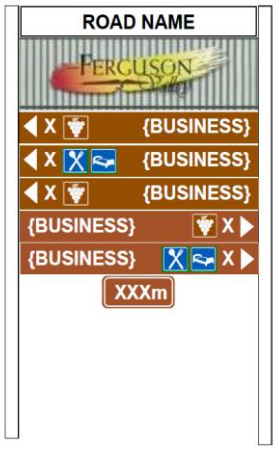
4. The following layout shall apply to major intersections:



Location A:

- On the approach to an intersection on a terminating road.
- Tourist related business signs to be placed on this sign only.

Sample:

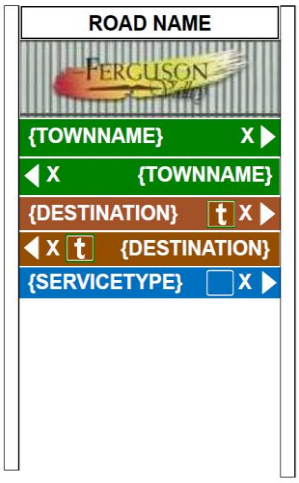


(Note: The design of the Ferguson Valley brand section of sign may vary to that shown here)

Location B:

- At the intersection on a terminating road.
- Destinations and service signs to be placed on this sign only. No tourist related business signs.

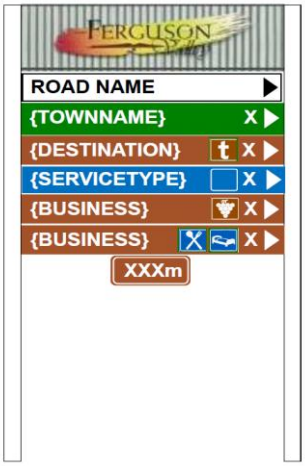
Sample:



Location C:

- On the approach to an intersection on a through road.
- Destinations, service and tourist related business signs to be placed on this sign.

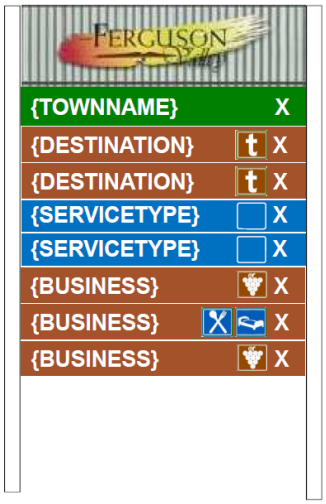
Sample:



Location D:

- This sign is a reassurance sign and serves the purpose of advising the motorist of the destinations on the current route.
- Located following an intersection on a through road.
- Destinations, service and tourist related business signs to be placed on this sign.
- Road name is not required.

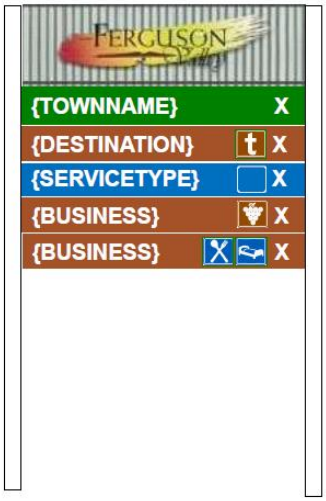
Sample:



Locations E and F:

- These signs are similar to signs at locations C and D respectively.

Sample:



Location G:

- Opposite an intersecting road.
- This consists of a road name sign only.

Sample:



5. The total number of directional signs, excluding the Ferguson Valley brand, shall not exceed ten (10) on a stack.

   When the number of tourism related business signs exceeds the limit of signs on a stack, individual signs may be replaced by a generic symbolic sign indicating the nature of the attraction(s) or through the installation of extra stack signs prior to the intersection.

6. The positioning of signs on site shall be determined by the Shire of Dardanup.

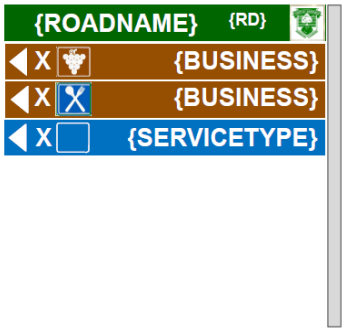
Fixed Signs at Minor Intersection Signs

1. A minor intersection consists of a local access road intersecting with a distributor road or another local access road (refer to the Shire of Dardanup Road Hierarchy Map).

2. Signs at these intersections will consist of the road name and tourist related businesses and service signs.

3. These sign will not include the Ferguson Valley brand.

Sample:



Advanced Location Warning Signs

1. Advanced location warning signs may be used where attractions are located on distributor roads and are not clearly visible. Location warning signs are to be placed in advance of the attraction to warn motorists of the approaching access. In these cases, a tag stating either “200m on Left” or “200m on Right” shall be added to the location sign. The following generic template is to be used:



Temporary Signage

1. There is to be no use of temporary signage (ie. A-frame or Banner signage) within the road reserve without prior approval.

2. Temporary signs are recommended for use to indicate whether a site is open or closed to the public. Drop-down tags or suitably sized and placed A-frame type temporary signs may be used subject to approval.

3. Approval may be given at the discretion of the CEO for the use of temporary signage for one-off or non-regular community events or festivals. All temporary signage requests shall be assessed in accordance with Shire Policy Infr CP041 Directional Signage Policy for Public Events and Activities – Temporary Signs Within Road Reserves.

4. If unauthorised signage is found within the road reserve the Shire has the authority to remove and dispose of the sign immediately, advising the beneficiary of the sign of this action.

Standard Conditions

1. Prior to any new sign(s) being installed, all unauthorised temporary and/or permanent signs, including those that do not conform to this policy, within any road reserve relating to the attraction or facility are to be removed at the applicant’s expense.

2. The number of sign locations allowed per tourism related business shall be restricted as follows:

Criteria	Possible Directional Sign Locations To Be Considered
Meets Tourism WA Guidelines	All intersections within 12 km travel distance to the destination entry gate
Does Not Meet Tourism WA Guidelines	All intersections within 5 km travel distance to the destination entry gate

Sign locations within the specified travel distances are subject to the conditions outlined in this policy document and are therefore do not have automatic approval for any or all locations within the specified distance.

3. All business signs are to be supplied and installed by the Shire at the cost of the applicant.

4. The responsibility for costs associated with the maintenance of tourism related business directional signs, including replacement if the sign(s) is damaged beyond practical repair (by accident, vandalism or any other cause) or is stolen shall be at the cost of the applicant. All and any maintenance of signs and sign structures is strictly to be carried out only by Council or their respective contractors.

5. The Chief Executive Officer has the authority to remove the sign(s) if the attraction or facility is closed down or if the nature of the attraction or facility changes. Where a sign is removed by the Shire, it will be disposed of by the Shire.

6. Signs are not to be modified in any way without the prior written approval of the Chief Executive Officer .

Fees and Charges

1. The supply and installation of new signs shall be charged to the tourism related business via the Shire's Private Works System. The charge shall recoup all costs incurred including an administration fee.

2. Failure of a business to pay due fees and charges will result in the removal of all directional signs to that business.

Shire of Dardanup

POLICY NO:-

Infr CP041 – DIRECTIONAL SIGNAGE POLICY FOR PUBLIC EVENTS AND ACTIVITIES – TEMPORARY SIGNS WITHIN ROAD RESERVES

GOVERNANCE INFORMATION			
Procedure Link:	PR056	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		ENG38	OCM	05/11/14	Res: 359/14	**Synopsis**	Policy created.
Version	1	CP041	OCM	09/08/17	Res: 211-17	**Synopsis**	New Council Policy Document endorsed
Version	2	CP041	SCM	16/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CP041	OCM	19/09/18	Res: 311-18	**Synopsis**	Correction and Adoption by Council
Version	4	Infr CP041	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP041	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP041	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

This policy has been developed to provide guidance in the approval of temporary directional signs relating to one-off non-regular or periodic community events and activities. This policy relates to signage of a short term nature that provides the location and/or direction to the event or activity site.

This policy relates only to temporary directional signs within road reserves under the care, control and management of the Shire of Dardanup.

This policy sets the guidelines for the use of temporary directional signs for one-off events and activities that may generate high traffic volumes on side roads and areas away from the central business district.

It is the intent of the policy is to ensure that all temporary directional signage is of a suitable type and is safely located within road reserves, so they are easily identified, located and understood, without compromising the safety of motorists and pedestrians.

Road signage is provided for guidance to the motorist and to facilitate safe, efficient and orderly travel. It is not to be provided for promotional or advertising purposes for individual businesses.

3. POLICY

This policy relates only to temporary directional signs within road reserves under the care, control and management of the Shire of Dardanup.

Road signage is provided for guidance to the motorist and to facilitate safe, efficient and orderly travel. It is not to be provided for promotional or advertising purposes for individual businesses.

Council delegates its authority to the Chief Executive Officer to approve the placement of any temporary directional signs within any local authority road reserve in the Shire of Dardanup in accordance with the following:

<u>Approval Criteria</u>

1. The sign should not add to visual clutter at the proposed location.

2. The sign should be suitably sized and located within the road reserve, so that:
   a) It does not block motorist or pedestrian (including disabled) visibility of the road, pathway or traffic;
   b) It does not affect the visibility of traffic signs and devices;
   c) It does not impede on pedestrian access, including disabled access.
   d) It does not impede on private property or affect a property in anyway;
   e) It does not impede, affect or damage the road and its associated infrastructure; and
   f) It will not damage landscaping and street scaping.

3. Signs should be of a temporary nature that can be easily installed and removed.

4. Signs should be securely fixed to ensure that they do not become dislodged and move.

5. Signs must be static in nature i.e. no spinning, rotating or moving parts.

6. Signs must not be illuminated.

7. Activities that may be considered for temporary signage, but not limited to these, include:
   - Real estate for sale;
   - Home opens;
   - Garage sales;
   - Community events; and
   - Other activities that are considered to be in the public's interest.

8. The following table provides details on the number, duration and approval requirements for temporary signage:

Activity	No. of Signs Allowed	Duration allowed	Approval Application Requirement
Real estate for sale (at property)	Maximum three (3) per property. Signs to be placed adjacent to property boundary.	Until property sale is settled or listing contract ends	No approval required. Compliance with policy only.
Real estate for sale (away from property)	Only permissible outside of built up areas. To be determined by Shire staff based on details provided.	Until property sale is settled or listing contract ends	Approval required.
Home open	Unlimited. Signs to be placed along route between home and nearest arterial route. Date and time to be displayed on each sign.	Up to five (5) days.	No approval required. Compliance with policy only.
Garage sale	Unlimited. Signs to be placed along route between home and nearest arterial route. Date and time to be displayed on each sign.	One (1) day (Garage sale day).	No approval required. Compliance with policy only.
Events	To be determined by Shire staff based on details of the event.	Up to thirty (30) days prior to the event.	Approval required.
Other activities	To be determined by Shire staff based on details of the activity.	To be determined by Shire staff based on details of the activity.	Approval required.

<u>Standard Conditions</u>

1. The sign(s) are to be supplied and installed by the person or representative of the person organising the activity. The Shire may require a Shire Officer to be present during the installation of the temporary sign.

2. Signs are to be in good order and condition to the satisfaction of Council and to be appropriately worded.

3. Council have the authority to remove the sign(s) if:

   a) The activity is cancelled or if the nature of the attraction or facility changes;

   b) The sign(s) of a type requiring approval have been installed without approval;

c) The signs are not in accordance with the approval given or not in accordance with the requirements of this policy.

d) The sign poses a risk to public safety.

e) The sign content is inappropriate and/or offensive.

f) The activity has finished and the signs have been left out beyond the allowed duration – refer to the table in Point 8 of the Approval Criteria for allowed durations.

4. Where a sign has been approved, it is not to be modified in any way without the prior written approval of Council.

5. Where a sign is a type that requires approval, all requests for permission to have directional signs installed are to be submitted in writing to Council using the "Application for Directional Signage" form.

6. Where a road that is under the care and control of the Shire of Dardanup intersects a road that is under the care and control of Main Roads WA, signs will be approved by Main Roads WA and installed in accordance with Main Roads WA specifications.

POLICY NO:-
Infr CP050 – CROSSOVERS – APPROVALS, STANDARDS AND SUBSIDY

GOVERNANCE INFORMATION			
Procedure Link:	PR082	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History	1	ENG10	OCM: 20/04/11	Res: 96/11	**Synopsis**	Policy created.
	2		OCM: 10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	3	CP050	SCM 26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP050	SCM 30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP050	OCM 28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP050	OCM 23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The purpose of this policy is to:

1. Control the construction of crossovers in urban and rural areas within the Shire;
2. Ensure that any constructed crossovers are built to Council's required standards; and
3. Provide guidance on the calculation of the subsidy due for eligible crossovers

3. DEFINITIONS

A crossover is defined as a crossing that is constructed to give access to private land from a public thoroughfare. Generally, the crossing is situated on a road verge between the edge of a sealed road and the adjoining property boundary.

4. POLICY

An application form is to be completed and submitted for every proposed crossover by or on behalf of the current property owner. No crossover is to be commenced until Shire approval (with or without conditions) is granted. An application form is not required when the crossover forms part of a subdivision/development application that requires the preparation of engineering drawings which includes the provision of crossovers.

Layout

Dimensions of crossovers are to be in accordance with the specifications provided within this policy and variations to the specifications may be approved by the Chief Executive Officer.

The proposed location for a crossover must be approved by the Shire of Dardanup. Shire staff shall assess the location in terms of its suitability, visibility and sightlines, safety, services and other infrastructure.

All crossovers must be linked to a driveway access within the property. Standalone crossovers for the purpose of only parking vehicles on the verge shall not be approved under the requirements of this policy. However, parking bays on residential property verges may be considered under Policy E6.9 – Residential Road Verge Policy.

Crossovers should be constructed such that any ramping within the longitudinal profile allows the clear movement of a standard vehicle. In areas of steep grades, the Council may request a longitudinal profile to be provided to confirm that the crossover does not exceed maximum grades and that any changes in longitudinal grades are within an acceptable range.

It is a requirement in built-up areas that a minimum of 2.5 metres from the kerb line is constructed at a gradient of 2% to accommodate any future pathways within the road verge. This requirement may be relaxed under certain circumstances (e.g. due to restrictive site conditions) and may only occur with the approval of Council.

Specifications and Requirements

The following specifications are the minimum standard required and Shire Technical Staff may stipulate further requirements depending on the site conditions, the nature and purpose of the proposed crossover, and any other conditions which may require attention.

RESIDENTIAL (IN BUILT UP AREAS) CROSSOVER – STANDARD SPECIFICATION	
Dimensions	Width – standard 3m, min. 3m, max. 6m Winged at the kerb line – 1.5m wide Dimensions may be varied subject to approval.
Construction/ Materials	Any of the following surface types are acceptable: **Concrete (including decorative and exposed aggregate concrete, excluding poured limestone)** – min. 100mm thick, reinforced (SL62 mesh) concrete (min. 25MPa), on compacted bedding sand on a suitable subgrade (90% MDD or 7 blows PSP). **Poured Limestone** – min. 125mm thick, reinforced (SL62 galvanised mesh) limestone concrete (min. 15MPa), on compacted bedding sand on a suitable subgrade (90% MDD or 7 blows PSP). **Bitumen Spray Seal** – min. 150mm thick compacted gravel base course (92% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), two-coat bitumen emulsion spray seal with 10mm and 7mm aggregate ("double/double seal") Note: although acceptable, this type of surface is not recommended for areas of high vehicle stresses (i.e. heavy turning) **Asphalt** - min. 150mm thick compacted gravel base course (92% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), with 25mm thick of AC5 or AC7 asphalt (basalt aggregate) or 30mm thick of gravel-pave (laterite aggregate) asphalt. **Brick Paved** – 150mm compacted sub base of limestone or crushed rock base (90% MDD), 30mm compacted screeding sand with min. 60mm thick clay or concrete pavers. Rectangular pavers to be laid in herringbone pattern at 45 degrees to the direction of vehicle movement. Square pavers to be staggered where laid perpendicular to direction of vehicle movement otherwise at 45 degrees to the direction of vehicle movement. All pavers shall be laid with a header course along all edges, compacted and joint filled with sand. All free edges are to be restrained by means of a mortar or concrete edge restraint.
Other	Flush concrete edge beams are required on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages. It is recommended that exposed aggregate concrete and poured limestone crossovers are sealed using a supplier recommended sealing product. Exposed aggregate crossover min. thickness of 100mm is measured as the finished thickness following aggregate exposure. It is recommended that formwork be set at 110mm to achieve a final thickness of 100mm.
Standard Drawings	Standard drawings are available to assist in the preparation of designs for crossovers and depict the above minimum requirements.

RESIDENTIAL (IN BUILT UP AREAS) CROSSOVER – STANDARD SPECIFICATION	

INDUSTRIAL / COMMERCIAL CROSSOVER – STANDARD SPECIFICATION	
Dimensions	Width – min. 6m, max. 12m (subject to vehicle size and manoeuvrability) Suitable radius at the kerb line – to be designed to accommodate the largest anticipated vehicle configuration to enter and exit site. Dimensions may be varied subject to approval.
Construction/ Materials	Any of the following surface types are acceptable: **Concrete**– min. 125mm thick, reinforced (SL72 mesh) concrete (min. 25MPa), on compacted bedding sand on a suitable subgrade (95% MDD or 7 blows PSP). (Note: Poured limestone, and exposed aggregate concrete is not accepted) **Asphalt** - min. 200mm thick compacted gravel base course (96% MDD) on a suitable subgrade (92% MDD or 7 blows PSP), with 25mm thick of AC7 or AC10 asphalt (basalt aggregate). **Brick Paved** – 150mm compacted limestone sub base (95% MDD), 30mm compacted screeding sand with min. 76mm thick clay or concrete pavers. Pavers to be laid in herringbone pattern with a header course along all edges, compacted and joint filled with sand. All free edges are to be restrained by means of a mortar or concrete edge restraint. (Note: Brick paving is not accepted on industrial crossovers with truck movements)
Other	Flush concrete edge beams are required on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages.
Standard Drawings	Due to the large scope of businesses and environments standard drawings are not available. Each crossover must be designed and assessed on a case-by-case basis.

RURAL CROSSOVER (OUTSIDE BUILT UP AREAS) – STANDARD SPECIFICATION (this does not include industrial or commercial properties)	
Dimensions	Width – standard 3.5m, min. 3.5m, max. 6m Min. 3m radius at the road edge Dimensions may be varied subject to approval.
Construction/ Materials	**Culvert** – a suitably sized culvert must be provided on all crossovers (min. 450mm diameter). Any of the following surface types are acceptable: **Gravel** – min. 150mm thick compacted gravel **Bitumen Spray Seal** – min. 150mm thick compacted gravel base course (95% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), two-coat bitumen emulsion spray seal with 10mm and 7mm aggregate ("double/double seal") Note: although acceptable, this type of surface is not recommended for areas of high vehicle stresses (i.e. heavy turning) **Asphalt** - min. 150mm thick compacted gravel base course (95% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), with 25mm thick of AC5 or

RURAL CROSSOVER (OUTSIDE BUILT UP AREAS) – STANDARD SPECIFICATION (this does not include industrial or commercial properties)	
	AC7 asphalt (basalt aggregate) or 30mm thick of gravel-pave (laterite aggregate) asphalt.
Other	Flush concrete edge beams are recommended on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages.
Standard Drawings	Standard drawings are available to assist in the preparation of designs for crossovers and depict the above minimum requirements.

Other Requirements

Where a concrete pathway exists on the verge, the pathway must remain in place and shall not be removed unless it requires repair. Crossovers must be installed to butt up to the pathway and the surface should be finished flush with the pathway surface with no trip hazards.

Where a kerb is not a mountable type and requires modification, and is adjacent to a residential property, the Council will saw cut and remove the section immediately adjacent to the crossover location, at no cost to the property owner. The property owner will be responsible for the cost of installing a mountable kerb or a ramp to the satisfaction of the Council. The property owner may request the Council to organise the new kerbing; however, all costs associated with this shall be borne by the property owner. In all other areas not designated as residential, the cost of removing and replacing kerbing is the responsibility of the property owner and to the satisfaction of the Council.

Where a crossover installation requires modification of other Council infrastructure (e.g. storm water gullies etc) then such modification shall be carried out by Council or Council approved contractor at the cost of the property owner. All other infrastructure within close proximity to the crossover should be protected and any damage shall be rectified at the property owners expense.

The owner of the crossover shall ensure that the crossover is adequately drained. Council may stipulate requirements for the drainage of the crossover and shall not accept any responsibility for any drainage problems as a result of the installation of the crossover. The property owner shall ensure that the surrounding verge and/or neighbouring properties are not adversely affected by the crossover.

The owner of the crossover shall ensure that the verge is left tidy at the completion of works and that any spoil, surplus materials and waste are disposed of correctly.

Property owners and contractors are to ensure that sand, silt, fines, residues, slurry, dust or any other contaminant do not spill over onto the road and/or are not washed into the roadside drainage as a result of the construction of a crossover. This includes any slurry or washed concrete from exposed aggregate finishes. Such materials have the potential of reducing the infiltration properties of Council drainage basins by “clogging” the sands within these basins. Property owners and contractors must ensure that appropriate measures are in place to contain any contaminants prior to commencing any works.

Ongoing Maintenance

The ongoing maintenance and upkeep of crossovers is the responsibility of the property owner and at their own cost. The Council does not accept any costs associated with any repairs, unless the repairs are required as a direct result of the action by Council and any of its contractors.

Subsidy

The Shire of Dardanup is bound by the Local Government Act 1995 and Local Government Regulations 1996 which state that the local government is obliged to bear 50% of the cost of a standard crossover if:

1. It is the first crossover to the property;
2. the crossover is a standard crossing or is a type that is superior to a standard crossing; and
3. the crossover is approved by the local government.

For residential crossovers, the subsidy payable is calculated as 50% of the estimated cost to construct a standard crossover. The subsidy is calculated as:

Subsidy Payable (ex. GST) = $Rate per metre x Length of Crossover.

The *"$Rate per metre"* is the rate adopted annually by Council in the Fees & Charges section of the Budget.

The "*Length of Crossover*" is measured along the centreline of the crossover from the back of kerb to the property boundary, or where no kerb exists, from the edge of seal to the property boundary.

For rural crossovers, Council subsidy provided is the supply of a culvert pipe and matching precast headwalls only to a maximum size of 375mm diameter. Where a pipe size greater than 375mm diameter is deemed necessary, then the property will reimburse Council for the additional expenditure required over and above the cost of a 375mm diameter pipe and matching precast headwalls. It is the applicant's responsibility to construct the crossover and install the culvert to the levels, specifications and satisfaction of Council.

The subsidy will only be provided on a one-off basis and for one (1) crossover per property.

Additional crossovers per property may be approved but the subsidy is not applicable. Such additional crossovers must comply with the requirements of this policy.

The subsidy will not be paid retrospectively and will be payable upon completion of the crossover, inspection and approval by Shire staff.

Shire of Dardanup

POLICY NO:-

Infr CP051 – CROSSOVERS – RESPONSIBILITY FOR PROVISION ON NEW SUBDIVISIONS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History	1	ENG11	OCM	12/03/08	Res: 42/08	**Synopsis**	Policy created 12/03/2008
	2	ENG11	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	3	CP051	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP051	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP051	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP051	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure that crossovers are constructed where necessary on new subdivided land and to define the responsibility for provision of crossovers in new subdivisions.

3. POLICY

The responsibility for the provision of crossovers on subdivided land is as follows:-

3.1 Townsite Residential Blocks

Where battle-axe and/or common property driveway access is created, the subdivider is wholly responsible for the cost of constructing the crossover(s) and no subsidy can be claimed.

In all other cases, the purchasers of residential land shall be responsible for the construction of a crossover and shall be eligible for a subsidy under Council Policy CP050.

3.2 Industrial and Commercial Blocks

The purchasers of industrial and/or commercial land are wholly responsible for the cost of constructing crossovers to their blocks.

3.3 Rural Blocks

The subdividers of rural land are wholly responsible for the cost of constructing crossovers to all of the blocks created by their subdivision.

All crossovers shall meet the requirements of Council Policy CP050.

The requirements of this policy, relating to responsibility for the provision of crossovers, is to be placed as a condition of approval on all industrial, commercial and rural subdivision applications.

Shire of Dardanup

POLICY NO:-

Infr CP052 – PATHWAYS – PROVISION FOR AND CONTRIBUTIONS BY DEVELOPERS

GOVERNANCE INFORMATION			
Procedure Link:	PR084	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History	1	ENG12	OCM	20/04/11	Res: 96/11	**Synopsis**	Policy created. 20/04/2011
	2	ENG12	OCM	10/05/12	Res:	**Synopsis**	Revised Policy Adopted
Version	3	CP052	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP052	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP052	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP052	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure that pathways are constructed where necessary on new subdivided land and financial contributions are made towards new or upgraded pathway infrastructure as a result of infill subdivision/development in existing areas.

The objective of this policy is to:

1. Define the standards for the provision of pathways in subdivisions and developments;
2. Define the responsibility for the provision of new pathways in subdivisions and developments;
3. Ensure that a financial contribution is paid by subdividers/ developers as part of infill subdivision/development within existing areas; and
4. Provide a method of calculation of the contribution required.

3. POLICY

3.1 New Subdivisions

This section applies to new residential, commercial and industrial subdivisions and does not apply to subdivisions within existing built-up areas (i.e. this section applies only to pathways that are required through the creation of new roads).

The responsibility for the provision of new pathways on subdivided land is wholly the responsibility of the subdivider. All costs associated with the provision of the pathways will be met by the subdivider.

The location of pathways will be determined in accordance with the Shire of Dardanup's Pathway Asset Management Plan and to the satisfaction of the Shire of Dardanup. The standards to be adopted for the design and construction of the pathways shall be in accordance with the requirements stipulated in the Pathway Asset Management Plan.

Preliminary pathway layouts shall be included on local structure plans, subdivision guide plans and further detailed in subdivision engineering plans.

All pathways within subdivisions are to be constructed as part of subdivision works at the expense of the subdivider/developer unless other arrangements are agreed to by the Council.

3.2 Subdivisions / Developments Within Existing Built Up Areas

This section applies to subdivisions and developments within existing built-up areas (i.e. This section applies to existing developable properties that front an existing road network).

The need for a pathway on an existing road is based on the understanding that an increase in residential density as a result of single, multiple and/or accumulative subdivision/development will create the need for new pathway infrastructure or an

upgrade to the existing infrastructure. As each subdivision/development adds to the increase in residential density, then each new residence created must contribute proportionally to the pathway.

Subdividers/developers will be required to contribute towards a new pathway or upgrade of an existing pathway on the road it has frontage on if it is deemed necessary as a result of the approved subdivision/development on its own or as part of accumulative development along that road. The need for a pathway along a particular road shall be determined by:

1. Assessing the potential residential density as depicted by the relevant town planning scheme and its amendments.

2. A pathway is deemed necessary if the total foreseeable residential development will generate traffic volumes and other conditions that will meet the pathway needs criteria as outlined in the Pathway Asset Management Plan.

A condition requiring pathway contribution shall be placed on all subdivision/development approvals in built-up areas.

The contribution required shall be calculated based on the proportion of area of the proposed subdivision/development property site to the total area of properties that have frontage on the road. The following formula shall be used:

Contribution $ = $(A_{approval} / A_{total})$ x L x W x R x N + 5% admin

Where:
$A_{approval}$ = Area of the lot subject to approval
A_{total} = Total area of properties that have frontage on the road
L = Total length of pathway required in metres
W = Width of pathway in metres
R = Rate per square metre to construct pathway
N = No. of pathways required in street (i.e. one side or both)

The Rate per square metre "*R*" is the rate adopted annually by Council in the Fees & Charges section of the Budget.

The standards to be adopted for the design and construction of the pathways shall be in accordance with the requirements stipulated in the Pathway Asset Management Plan and will determine the rate per square metre to be used.



The method of calculation is demonstrated diagrammatically by the following example:
Example: Contribution $ =1,200/18,000 x 180 x 2.3 x 45 x 1 + 5% = $1,304.10

The contribution is to be calculated and invoiced at the time of condition clearance application. All costs to be used are as at the time of clearance application. The clearance of the condition shall only be granted on full payment of the contribution amount due.

The Shire of Dardanup may consider part payment of the contribution in cases where full residential density is not achieved and further dwellings may be created in future - for example, on a site where subdivision has created a lot that may be further subdivided under the current residential density. Under these circumstances, the Shire may agree to a partial payment of the calculated contribution on a pro-rata basis using a ratio of the number of dwellings created to the total potential of dwellings under the residential density. This will not apply where new dwellings are constructed that limit the addition of further dwellings.

The Shire of Dardanup will determine when the pathway is to be constructed and contribution by a subdivider/developer does not mean that the equivalent length or any length of pathway will be constructed immediately. Contributions will be held in an interest bearing Trust account identified for the purposes of constructing a pathway along that particular road.

POLICY NO:
Infr CP055 – EXTRACTIVE INDUSTRIES - SITE REHABILITATION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		ENG15	OCM:		Res:	**Synopsis**	Policy created.
	1		OCM:	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP055	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP055	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP055	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP055	OCM	25/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The purpose of this policy is to:

- Specify the rehabilitation requirements for extraction sites with the Shire of Dardanup.
- Provide guidance on the payment of a rehabilitation bond for all extractive industries licences approved under the Shire of Dardanup Extractive Industries Local Law.

3. DEFINITIONS

An extractive industry is as defined in the Shire of Dardanup Extractive Industries Local Law and is defined as an operation involved in the quarrying and excavating for stone, gravel, sand, and other material.

4. POLICY

The Shire recognises and accepts that the rehabilitation of extractive industry sites is necessary to avoid soil compaction, increased surface drainage, erosion and visual pollution and will work to include progressive rehabilitation in the management of all abandoned and current sites within the Shire.

The requirements of this policy shall be applied to all extractive industry applications made under the Shire of Dardanup Extractive Industries Local Law and to Shire operated sites.

On completion and rehabilitation of an extractive site, the Director Infrastructure is to report to Council in the Information Bulletin that the matter has been dealt with and the outcome.

The following requirements are relevant to all sites and shall form the basis for conditions of approval, where applicable, on extractive industry licence applications:

4.1 General Conditions

4.1.1. Extractive Industry Licence applicants are required to submit a management plan for the site which will include a plan for rehabilitation and monitoring. The management plan must be approved by the Chief Executive Officer prior to commencing operations on site.

4.1.2. To assist rehabilitation and wherever possible, new pits will be established on cleared land, not existing bushland. Clearing permits are required where native vegetation is required to be cleared.

4.1.3. Throughout the life of the pit, topsoil, overburden, and vegetation will be stockpiled separately ready for respreading in the rehabilitation process.

4.1.4. If weeds have developed on the topsoil mounds these should be removed prior to respreading the topsoil.

4.1.5. If necessary, drainage structures will be established within the pit, to alleviate any ponding and surface erosion.

4.1.6. Rehabilitation will be done progressively throughout the life of the pit.

4.1.7 The site will be monitored every year and for three years after closure of the pit. If rehabilitation is inadequate, appropriate measures will be taken by the pit operator to ensure success.

4.1.8. Any topsoil or other materials imported to the site shall be tested and certified so as not to introduce weeds or disease (e.g. die-back).

4.2 Specific Conditions for Bush Sites

4.2.1. Prior to opening a pit, seed from local endemic species will be collected from the site and stored for use in the revegetation phase of rehabilitation.

4.2.2. The general process of rehabilitation will be to first rip the floor of the pit at 1m intervals across the contour. Following ripping the pit needs to be shaped so that the surfaces are as smooth as possible, and the edges are battered down to blend in with the landscape. The batter slopes should be no steeper than 4H:1V. Next, the overburden, and then topsoil should be returned to the pit. The site should then be cross ripped at 1m intervals on the contour to encourage plant growth. Finally, the vegetation and debris should be returned to the pit.

4.2.3. Seeds collected prior to pit establishment should be scattered on the site at the time of year suited for germination (varies with location) if establishment from respreading vegetation has been inadequate. If a store of seeds is not available, seed from local endemic species should be collected from surrounding areas.

4.3 Specific Policy for Pastured Sites

4.3.1. Pits located on farmland shall be fenced to exclude stock to help ensure adequate regeneration.

4.3.2. Prior to establishment of the site, the landowner will be asked how they want the site rehabilitated.

4.3.3. For sites to be rehabilitated back to pasture the general process of rehabilitation will be in the following sequence:

i. The floor of the pit shall be ripped to a depth of at least 500mm along the contour.
ii. Following ripping, the pit shall be shaped so that the surfaces are as smooth as possible, and the edges are battered down to blend in with the landscape.
iii. The overburden and then topsoil should be returned to the pit.

4.4 Abandoned Pits

4.4.1. The method for rehabilitation is the same as in the section for current pits.

4.4.2. If fill is no longer available, spoil from roadworks etc will be used. Topsoil, if no longer on site, will be carted to the area to ensure regeneration will be satisfactory. All material introduced to the site shall be tested and certified so as not to introduce weeds or disease.

4.4.3. The site will be monitored every year for three years after rehabilitation works. If rehabilitation is inadequate, appropriate measures will be taken to ensure success.

4.5 Rehabilitation Bond to be Held

4.5.1. A bond shall be paid to the Shire by the applicant in accordance with the Shire of Dardanup Extractive Industries Local Law.

4.5.2. The bond is calculated using a unit rate per hectare of extraction site. The unit rate is as per the Shire of Dardanup's Fees and Charges adopted annually as part of the Shire's Budget process.

4.5.3. A bond agreement shall be established using the Shire of Dardanup's standard bond agreement form to record particulars of the bond, including the amount, time limits and other terms and conditions for the bond.

4.5.4. The bond shall be refundable on completion and rehabilitation of the site in accordance with the endorsed rehabilitation plan and to the satisfaction of the Shire of Dardanup.

4.6 Application

4.6.1. The requirements of this policy shall be applied to all extractive industry applications made under the Shire of Dardanup Extractive Industries Local Law and to Shire operated sites.

4.6.2. On completion and rehabilitation of an extractive site, the Director Infrastructure is to report to Council in the Information Bulletin that the matter has been dealt with and the outcome.

POLICY NO:-
Infr CP056 – BLANK – TO BE USED

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
Version		New	OCM	Res:	**Synopsis**	Policy created.
Version				Res:		

POLICY NO:
Infr CP057 – NON-STANDARD VERGE TREATMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		New	OCM	28/04/10	Res: 115/10	**Synopsis**	Policy created.
	1	ENG17	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP057	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP057	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP057	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP057	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

This policy complements the Activities in Thoroughfares and Public Places and Trading Local Law by:

- Serving to control, manage and permit non-standard verge treatments (i.e. those other than grass);
- Providing a mechanism for the assessment and approval of Applications for non-standard street verge landscaping treatments by the adjacent property owner or occupier; and
  Ensuring treatments are aesthetic, safe, water wise and have a positive impact on others.

3. POLICY

Council delegates its authority to the Chief Executive Officer to approve the installation of any gardens, reticulation, landscaping or treatments other than grass to the verge between the front property line and the kerb.

Applications for non-standard street verge landscaping treatments may only be lodged for consideration by the landowner(s) directly adjacent the affected verge and must be submitted in the approved Form (Shire of Dardanup Form 147).

Where a proposed non-standard street verge landscaping treatment extends beyond the Lot boundaries of the directly adjacent property, separate applications must be submitted by each of the landowner(s) of all Lots impacted by the proposed treatment.

All proposed non-standard street verge landscaping treatments are to be in accordance with this Policy and the Conditions of Approval and Design Considerations as laid out in the Shire of Dardanup Non-Standard Verge Treatments – Conditions and Guidelines Information Sheet. (Appendix 1)

Installation of an Approved non-standard street verge landscaping treatment may only take place after formal written notice from the Chief Executive Officer or their delegated officer.

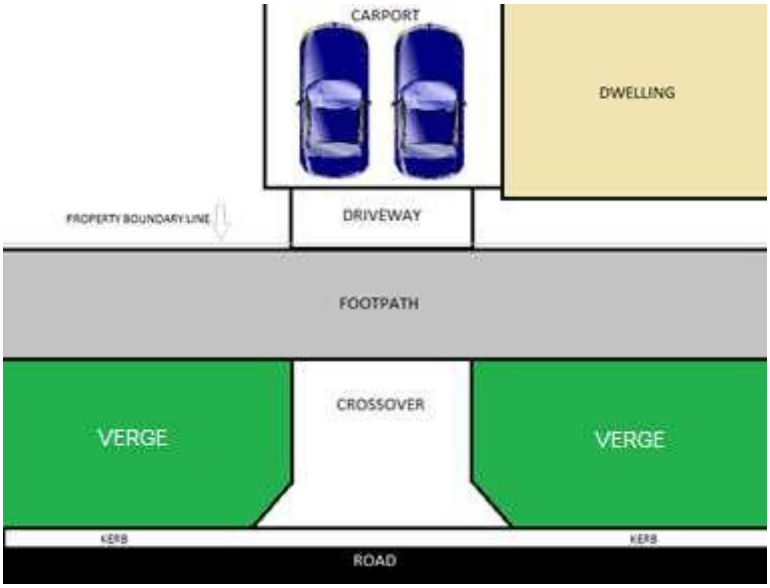
All costs for maintenance of the non-standard street verge landscaping treatment (including reinstatement in the event of works carried out by the Shire of Dardanup) are the responsibility of the landowner(s) directly adjacent to the affected verge.

4. REFERENCE DOCUMENTS

- Shire of Dardanup Appendix 1 -Non-Standard Verge Treatment - Conditions and Guidelines Information Sheet
- CP121 Tree Management Policy
- Shire of Dardanup Form 147

Appendix 1
Non-Standard Verge Treatments – Conditions and Guidelines Information Sheet

For queries relating to the following information please contact the Shire of Dardanup Infrastructure Compliance department on 9724 0000, or email records@dardanup.wa.gov.au



What part of the 'Verge' can be considered for treatment?

The verge is the area of a property that exists between the road and the property's boundary line.

Any part of the crossover (driveway) and any footpath that may be within the area of the verge will reduce the total verge area available for treatment.

Who is responsible for the verge?

Verges are part of the road reserve and are classified as 'Crown Land', meaning that the area is owned by the Government.

However, ongoing maintenance of the verge is the responsibility of the adjacent property owner. (see Shire of Dardanup Activities In Thoroughfares And Public Places And Trading Local Law Clause 2.10).

Can I make changes to my verge?

Section 2.2 of the Shire of Dardanup 'Activities in Thoroughfares and Public Places' local law requires that all developments or changes to the verge (**other than the installation of grass**) require prior Council approval.

To obtain approval, the property owner is required to submit a completed 'Form 147 – Application Form Verge Treatment', available from the Shire's website or administration building. Along with this completed form, the property owner will also need to provide a plan showing the proposed verge treatment, including dimensions and all materials to be used. For the purposes of this requirement, an occupier can act on behalf of the property owner, but must have their written permission to do so.

Proposed verge treatments will be assessed on an individual basis against the following criteria:

- **Safety –** No part of the verge treatment shall present a hazard that is assessed as being of a medium risk or greater to a pedestrian, cyclist, motorist or other user of the road environment.

  Hazards include but are not limited to the following examples:

  - Trip Hazards - sudden depressions, protruding (ie. Not flush) garden edging, kerbing, etc.

- Slip Hazards - loose aggregate and stones on hard surfaces etc.
- Obstructions - stakes, pickets, walls, etc.

Designs shall take into account the sight lines of vehicles using nearby intersections, crossovers, road geometry and driveways.

Consideration shall be made for pedestrians, gophers, bikes, etc. A clear zone of 2m wide from behind kerb shall be maintained where no footpath is provided.

Where no kerb is present to provide delineation of the verge, materials used shall be a different colour to the existing road surface to provide definition and reduce the chance of the verge being confused as part of the road.

Planting within 6m of an intersection is restricted to grass, ground covers, low shrubs or similar plant; and no plants may be planted between 6m and 10m of an intersection that exceeds or may exceed 750mm in height.

- **Drainage –** Stormwater run-off must not affect any other property, roadway or adjoining verge. If non-permeable materials are used on any part of the verge treatment, no more than 50% (fifty percent) of the total surface area of the verge affected by the treatment (excluding the crossover) shall be made of such impervious materials.
- **Water Conservation –** Council encourages the use of drought tolerant and water sensitive plants and ground covers. Visit watercorporation.com.au/waterwise for a list of recommended plants.
- **Ongoing Maintenance –** The ongoing maintenance requirements will form an important part of Council's assessment. The assessment will consider the overall maintenance requirements of the treatment as a whole, including pruning, stabilisation of hardstand areas, etc.

  All verge treatments must be maintained by the adjoining property owner/ occupier to ensure that any approved non-standard verge treatments do not degrade over time. Where there is a change in ownership the new owner will become responsible for any ongoing maintenance.

Important Note: *Applicants are advised to give careful consideration to the potential cost of reinstatement or replacement of the verge treatment in the event that the Shire must remove portions of the verge during roadworks/drainage work etc. The Shire* ***will not*** *reinstate any verge treatment removed in such a case, and the costs of reinstatement will fall to the property owner.*

- **Appearance –** Proposed works will be assessed on their aesthetic qualities and should be designed with the local streetscape in mind.
- **Impact on others (including public services) –** Treatments must not impact on your neighbours or service providers. For example, they must not restrict access to your water meter or mailbox, and only low growing plants to be planted under power lines.

Permitted Materials

Permitted verge surface treatments include:

- Turf (grass)
- Shredded organic mulch (e.g. woodchips). These must be easy to walk on and must not present a trip hazard to pedestrians. Mulch and woodchips must be retained so as not to wash onto the footpath or into the Shire's drainage system.
- Waterwise plants/landscaping/gardens



Hardstand Materials

Hardstand treatments are areas with a hard/impermeable surface. For drainage and safety reasons, hardstand treatments must not exceed 50% of the total verge area (excluding crossovers) and must be constructed by competent tradespeople.

Selection of hardstand materials must take into consideration the probability that the Shire (or Utility companies such as power/gas suppliers) will be required to carry out works in the verge at some future time. Therefore, only materials that can be easily removed and reinstated will be considered acceptable (such as):

- Concrete;
- Asphalt;
- Brick Paving;
- Synthetic turf (green only); or
- (in Rural areas) Crushed rock, crushed limestone, or compacted road base



What treatments are NOT permitted?

- Any materials which may create trip hazards for pedestrians such as loose decorative stones and rocks;
- Any permanent structural features such as kerbing (other than flush kerb), walls, and fencing;
- (In Urban areas) crushed rock, crushed limestone or compacted roadbase ie gravel/bluemetal.
- Materials which are likely to wash onto the road or into the Shire's drainage system such as Blue metal dust (a.k.a cracker dust).



If non-compliant materials have been installed on the verge the Shire of Dardanup may require that the property owner remove and replace them with an approved treatment, as per Section 2.11 of the *Activities in Thoroughfares and Public Places and Trading Local Law.*

This work will be carried out by the property owner/ occupier at their cost.

Other Considerations

Other requirements to be considered by the applicant include:

- Access to the water meter; and
- The requirements of the Shire's Tree Management Policy.

Can I park on my verge?

Parking on the verge of a registered vehicle that belongs to the owner or tenant of the adjoining Lot is generally allowed.

However, commercial vehicles; trailers; boats and caravans that are not attached to a motor vehicle are not permitted to remain on the verge (unless being loaded/unloaded within a reasonable timeframe).

Parking these non-permitted vehicles on your verge may result in daily fines, or potential impoundment or disposal of the offending vehicle or trailer.

Please note that this information sheet does not contain an exhaustive list of all potential conditions and requirements for verge treatments within the Shire of Dardanup. Any additional requirements will be advised to you during processing of your application.

For further information please contact Shire officers or request a copy of the Council's Residential Verge policy (CP057).

Shire of Dardanup

POLICY NO:-
Infr CP058 – ROADSIDE VEGETATION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		ENG18	OCM:	26/06/02	Res:	**Synopsis**	Policy created.
	1	ENG18	OCM:	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
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1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure that clearing of roadsides is completed in a professional and satisfactory manner.

3. POLICY

3.1 POLICY TO ENSURE COMPLIANCE WITH EXISTING LEGISLATION

The following Acts and any associated Regulations may have specific requirements pertaining to the management of road reserves and should be consulted prior to any roadside verge works.

State legislation:

- Aboriginal Heritage Act 1972
- Agriculture and Related Resources Protection Act 1976
- Bush Fires Act 1954
- Conservation and Land Management Act 1984
- Environmental Protection Act 1986
- Heritage Act 2018
- Land Administration Act 1997 ~~1933~~
- Local Government Act 1995
- Main Roads Act 1930
- Mining Act 1978
- Soil and Land Conservation Act 1945
- State Energy Commission Supply Act 1979
- Water Authority Act 1984

Commonwealth legislation:

- Environmental Protection and Biodiversity Conservation Act 1999

3.2 POLICY TO ADDRESS CONSERVATION ISSUES

3.2.1 Directional Felling Of Vegetation

Vegetation that is to be removed shall be felled as far as practicable and safe in the direction that minimises damage to surrounding vegetation.

3.2.3 Disposal Of Excess Waste Materials

Tree litter and excess material left over from verge clearing activities during road construction shall be either:

1. Mulched to an suitable consistency and spread at the site if the material is from native, healthy and disease free vegetation; or

2. Removed and disposed of at a designated site of low conservation value specified by the Shire's Environment Officer or representative.

3.2.4 Transfer of Soil and Materials

Wherever possible and especially in high conservation areas, that soil or materials used for road construction and maintenance operations shall not to be taken from identified disease infested sites.

In the event of major works that modify existing indigenous vegetation on a road side or where verges have become denuded of vegetation then rehabilitation of verges should be encouraged following the guidelines proposed by the Roadside Conservation Committee.

3.3 POLICY TO ADDRESS CLEARING AND MAINTENANCE ISSUES

3.3.1 Clearing and Maintenance of Roadside Vegetation

When undertaking road construction and maintenance activities the Shire will consult the Handbook of Environmental Practice for Road Construction and Maintenance Works as published by the Department of Biodiversity, Conservation & Attractions.

3.3.2 Weed Control

Weed control methods that minimise disturbance to native vegetation will be implemented using contemporary and best practice methods.

3.4 POLICY TO ADDRESS MANAGEMENT ISSUES

3.4.1 Proposals to Clear Vegetation

All proposals to clear vegetation by others on a road reserve must be submitted to the CEO in writing and should detail the location, number of trees and type of vegetation to be removed.

3.4.2 Applications to Clear Vegetation by Utility Providers

Service authorities operating in the Shire of Dardanup be advised of the necessity to consult with the Shire when planning to extend or maintain activities which involve the disturbance of road verge vegetation and that they be informed of high conservation verge areas and the appropriate practices in these areas.

3.4.3 Written Authorisation Processes

The removal of roadside vegetation by others under an exemption of the Environmental Protection Act 1984 must be authorised by the CEO in writing, prior to the commencement of such clearing.The authorisation may specify the conditions of the clearing process in terms of the policies outlined above. Clearing to be carried out within 3 months of written approval, after which time the approval lapses.

The removal of roadside vegetation by others that will require a clearing permit under the Environmental Protection Act 1984 must be requested to the Chief Executive Officer in writing, prior to seeking a permit from the Department of Water & Environment Regulation. The CEO may or may not support the proposed clearing and will provide such advice in writing to accompany the clearing permit application.

3.4.4 On- Site Implementation

Either the Shire Principal Works Supervisor or the designated contractor be given the onsite responsibility to ensure that no indigenous vegetation beyond the working zone be removed, disturbed or damaged.

3.4.5 Verge Tree Planting

Community groups or individuals wishing to plant verge trees are required to submit, in writing, plans of tree species and locations for planting to the Council and the Council will decide upon the suitability of the proposal.

3.5 VEGETATION

All roadside revegetation projects to be only of trees that are native to the area.

3.6 REVEGETATION PLAN

The Shire will include roadside revegetation proposals on his design plans for all reconstruction projects in Rural areas of the Shire.

Shire of Dardanup

POLICY NO:-

Infr CP059 – ROAD CONSTRUCTION PRIORITY

GOVERNANCE INFORMATION			
Procedure Link:	PR085	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM:	16/04/99	Res: 186/99	**Synopsis**	Policy created. 16/04/1999
	1	ENG19	OCM:	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP059	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
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1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure a consistent and uniform response to requests for the construction of new roads.

3. POLICY

Public roads will be constructed on a priority basis as determined ~~annually~~ by Council through its Road Asset Management Plan 10-Year Road Expansion & Upgrade Program and Long Term Financial Plan processes. If funds are available, the applicant may hasten road construction by offering to meet at least 50% of the construction cost of the road to a standard to be determined by Council.

2. Council is under no obligation to construct a road within a gazetted road reserve (section 3.53 Local Government Act 1995).

3. Land owners wishing to construct a public access to their land (this applies to cases that are not related to a subdivision) are required to complete the following:

   a) Supply Council with a plan of the proposal.

   b) Provide Council with agreement of all land owners where more than one land holder is involved.

   c) Agree to construct the road access to Council specifications and satisfaction.

   d) Agree to all costs involved including survey, design, and Department of Planning, Lands & Heritage costs.

   e) Where required, agree to provide land at no cost for the dedication of a road under the Land Administration Act 1997.

   f) The road is deemed to be a private road until dedicated in accordance with the Land Administration Act 1997.

4. Where the construction of a roadway within a gazetted reserve is considered too expensive, physically impractical and/or adversely impacting on an area of significance, the Council may approach landowners with proposals for alternative access. In this case Council may pay for the land required for road purposes, if it was resumed from private property (not benefiting from the new road). Council shall abide to the relevant section of the Land Administration Act 1997.

Shire of Dardanup

POLICY NO:-

Infr CP060 – STORM WATER DISCHARGE FROM BUILDINGS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History			OCM:	16/04/99	Res: 186/99	**Synopsis**	Policy created. 16/04/1999
	1	ENG20	OCM:	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP060	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
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Version	4	Infr CP060	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP060	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure that stormwater on private property is adequately planned and controlled so it does not adversely impact on the Shire's stormwater system and public land.

3. POLICY

The requirements for stormwater drainage of private land vary depending on the nature of the development.

Residential Development

Soak wells or other means of collecting, storing and soaking of stormwater shall be provided on the property and maintained in all instances where the aggregate impervious area including roofs, carparks, driveways, carports and patios exceeds 250 square metres or where the lot size is less than 400m².

When soak wells or another means of collecting, storing and soaking of stormwater is required, it shall be provided at the rate of 1.0 cubic metre of storage for each 65 square metres of impervious area.

An additional 1m³ per 65m² of impervious area shall be provided in areas of clayey or silty soils or in high groundwater table areas. The collection points and soak wells shall be located so as to minimise the amount of run-off entering the road reserve.

On "A" Class lots and where an independent system is suitable within the property, there is no requirement to seek approval if the system is installed in accordance with the requirements of this policy.

Where an independent system is not suitable within the property and connection to the local stormwater network is required, the proponent is required to make an application to the Shire for the connection of the proposed system.

Group Dwellings, Strata Lots, Commercial and Industrial Development

Stormwater run-off from all roofs, carparks, driveways and other impervious areas shall be collected and disposed of into suitably sized and located soak wells, or other means of storing and soaking of stormwater on site. Storage shall be provided at the rate of 1.0 cubic metres of storage for each 65 square metres of impervious area.

An additional 1m³ per 65m² of impervious area shall be provided in areas of clayey or silty soils or in high groundwater table areas.

Council requires the submission of stormwater drainage plans for all developments, together with the building licence application.

The applicant shall provide a stormwater drainage plan showing the following information:

- Table showing volume calculations, including lot area, impermeable area, minimum soak well volume required and additional volume required for high ground water or non-sandy soils.

- Plan of the site showing location, size and levels of soak wells, pipes and other drainage features.

- Where additional volume is required for high groundwater or non-sandy sites, calculations showing the additional storage volume and any levels necessary to ensure this is achieved. A sample stormwater drainage plan is attached at Appendix C (below).

- Details of any proposed connections to Council's drainage system.

- Construction details for soak wells, other drainage structures and any proposed connections to Council's drainage system.

- Rainfall run-off from the development of private property into Council's drainage system shall generally be retained on site.

General

Soak wells shall be provided in accordance with Appendix A (below) – Standard Requirements for Soak wells.

An overflow provision into Council's system for any further stormwater run-off may be provided at the developer's cost subject to approval of the Chief Executive Officer.

Connections to the Shire's stormwater drainage system shall be in accordance with the requirements of Appendix B (below)– Standard requirements for Connection to the Shire's Stormwater Drainage System.

If in the opinion of the Chief Executive Officer, the soak wells have become inoperative, the property owner is to undertake such maintenance as directed.

Large Developments

Nothing in this policy shall prevent an applicant carrying out a detailed drainage plan that demonstrates drainage of the development by alternative means. Preparation of a drainage plan shall be in accordance with a brief approved by the Chief Executive Officer and shall be carried out by a professional engineer experienced in drainage design. Recommendations of the drainage plan will be subject to acceptance by the Chief Executive Officer.

Infr CP060 - APPENDIX A – STANDARD REQUIREMENTS FOR SOAK WELLS

The following outlines minimum requirements for soak wells for new developments. The purpose of these requirements is to prevent increased stormwater run-off entering the Shire's drainage system causing overloading and flooding.

1. Soak wells shall be provided for all residential development where the aggregate impervious area including roofs, driveways, carports, patios, paved areas and carparks is in excess of 250m² or where the lot size is less than 400m2 and for all commercial and industrial development where direct connection to the Shire's drainage system is not available.

2. Storage shall be provided at a rate of 1m³ of storage for every 65m² of impervious area in areas of sandy soil without high groundwater. In case of residential development soak wells shall be provided where the impervious area is in excess of 250m2.

3. Storage shall be provided at a rate of 2m³ of storage for every 65m² of impervious area where there is high groundwater or soils are not free draining.

4. The first 1m³ per 65m² of storage to be provided in a soak well or approved equivalent. The second 1m³ per 65m² may be provided in soak wells or above ground in basins, swales or within car parking areas.

5. Collection points shall be located to minimise runoff entering the road reserve.

6. Drainage plans shall be submitted to the Council's Building Department including:

   6.1. Existing ground levels or contours.

   6.2. Proposed location and levels of roofs, driveways, parking and other paved or sealed areas.
   6.3. Details of soak wells including depth, diameter, location and construction detail.
   6.4. Location, size and level of pipes.

   6.5. Detail of any proposed connections to the Shire's drainage system including size, level and location.

   (Note: For requirements for connection to the Shire's drainage system, refer "Standard Requirements for Connection to the Shire's Stormwater Drainage System")

   6.6. Additional information for high groundwater sites (typically sites where winter ground water table is within 0.5m below base of soak wells)
   Assumed winter groundwater level, location of subsoil drainage and levels of crossovers, carparks and building floor levels for areas utilised for above ground storage for the second 1m³/65m².
   (Note: Standard Drawing MISC-02-01shows a typical drainage plan.)

7 The volumes and areas served by standard sized soak wells is summarised in the following table:

Soak well size Diameter (m) x depth (m)	Storage Volume	Area served - 2m² per 65m²	Area served – sandy areas 1m³ per 65m²
Ø 1.8m x 1.8m	4.6m³	150-m²	300 m²
Ø 1.8m x 1.2m	3.0m³	100 m ²	200 m²
Ø 1.5m x 1.2m	2.1 m³	70 m²	140 m²
Ø 1.2m x 1.2m	1.4 m³	45 m²	90 m²
Ø 1.2m x 0.9m	1.0 m³	35 m²	70 m²
Ø 0.9 x 0.6m	0.4 m³	12 m²	25 m²

8. Provisions for overflow into the Shire's drainage system is subject to the approval of the Director Engineering Services (refer to Standard Requirements for Connection to the Shire's Stormwater System)

9. The property owner is responsible for the maintenance of soak wells on private property. If in the opinion of the Director Engineering Services soak wells have become inoperative, the property owner shall undertake any necessary maintenance.

Infr CP060 - APPENDIX B - STANDARD REQUIREMENTS FOR CONNECTION TO THE SHIRE'S STORMWATER DRAINAGE SYSTEM

1. Connections to the Shire's stormwater system shall be approved in writing.

2. Overflow connections from soak wells shall be made from the final soak well of the private drainage system. A trapped manhole shall be placed at the boundary of the lot prior to entering the Shire's system.

3. All connections shall have a trapped manhole placed at the boundary of the lot prior to entering the Shire's system. Connections shall be fitted with a non-return valve to prevent surcharging from the Shire's stormwater system.

4. All connections shall have a provision for an overflow. Overflows shall be located to allow stormwater to flow overland to the street without entering buildings.

5. Connections shall only be made to manholes. No direct connections to pipes shall be permitted. Where a new manhole is required, it shall be approved by the Director Engineering Services and constructed at the applicants cost.

6. Connections may be constructed by the applicant or the by the Shire at the applicant's cost. Contact for construction of connections is the Engineering Department.

7. Where the applicant makes connections, the applicant is required to have a road-opening permit prior to commencing work and to comply with requirements for works in road reserves. Include traffic management plan.

8. Connections shall be smoothly and neatly grouted.

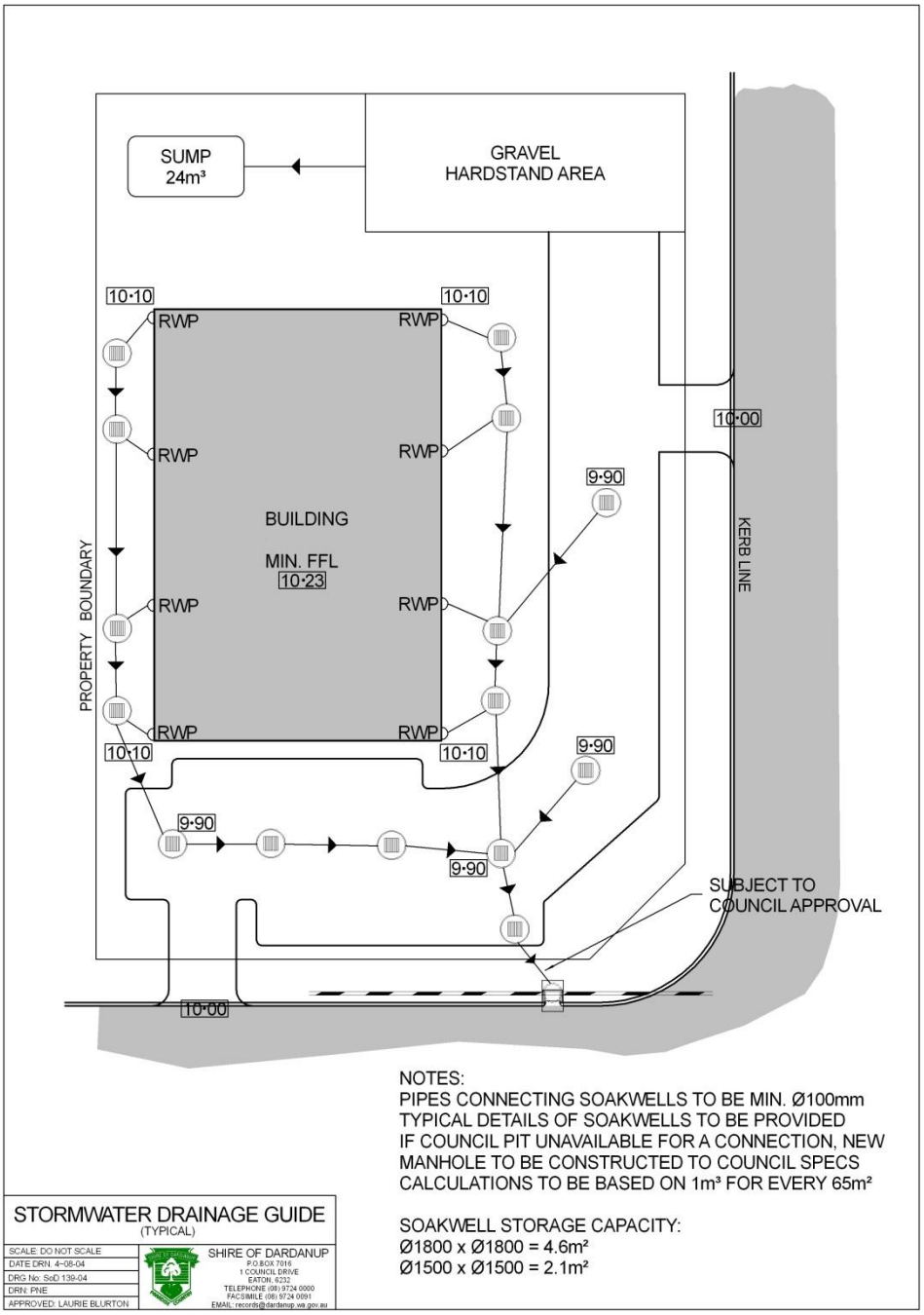
9. Maintenance of connections is the responsibility of the applicant. Council accepts no responsibility for any maintenance costs or damages arising through lack of maintenance of the connection, backflow prevention or overflow provisions.

10. The Shire requires pollution control facilities to be installed to remove sediments, rubbish and oils prior to connecting to the Shire's stormwater system. Pollution control is required on connections from carparks and paved areas in commercial, industrial, light industry and mixed business areas. Pollution control facilities and devices shall be selected and designed to suit the site and shall be approved by the Shire Engineer.

11. All Subdivision of lot classification less than an "A" must be provided with a drainage connection point for each lot.

12. The drainage connection shall be 90mm overflow.

Infr CP060 - APPENDIX C - SAMPLE STORMWATER DRAINAGE PLAN



POLICY NO:
Infr CP063 – ROADSIDE MARKERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	22/09/99	Res: 539/99	**Synopsis**	Policy created. 22/09/1999
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Version	5	Infr CP063	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure a consistent approach and the suitable control and management of roadside markers.

3. POLICY

Family and friends may wish to place roadside makers in the location to commemorate where a family member or a friend who has died in a car accident.

The following is applicable to the placement of roadside markers:

1) Council has no objections to the placing of small white timber crosses on the verge area at the scene of major road accidents providing that the applicant indemnifies Council against any action or damage claim arising from the installation of the markers.
2) Crosses to be no more than 400 mm in width and to be less than 850 long (600 mm out of the ground), built from 40mm x 18mm wood, painted white (non-reflective).

3) Crosses shall not be located:

   i. Closer than 3 metres from the edge of any bitumen/road seal.
   ii. Closer than 1 metre from behind the line of guideposts.
   iii. Closer than 1 metre from the edge of any shared path.
   iv. Where they may interfere with the role of any traffic control item; or
   v. In close proximity to residential dwellings where they may cause concern to the occupants.

4) Applicant to agree that whilst the crosses remain in existence, they are to be properly maintained by the Applicant.

5) Derelict crosses littering the verge area will be removed by the Shire.

6) In urban areas no crosses shall be erected without the consent of the residents of the street.

7) Council reserves the right to reject installations if procedures are not followed.

8) Installation of the roadside marker shall not occur without the prior approval from the Chief Executive Officer.

9) Council can remove crosses at any time if they are causing a problem with pedestrians or traffic.

Shire of Dardanup

POLICY NO:-

Infr CP064 – UPGRADE OF EXISTING ROADS – VOLUNTARY CONTRIBUTIONS BY ADJOINING PROPERTY OWNERS

GOVERNANCE INFORMATION			
Procedure Link:	PR099	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM		Res:		**Synopsis**	Policy created.
	1	ENG25	OCM	10/05/12	Res:		**Synopsis**	Reviewed Policy Adopted
Version	2	CP064	SCM	26/07/18	Res:	251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP064	SCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP064	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP064	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

This policy provides a mechanism and guidelines by which property owners and/or residents adjoining a road may contribute financially towards the upgrade of that road to a standard higher than is required for that particular road in the Council's Road Asset Management Plan.

The objective of this policy is to:

1. Define the circumstances under which a contribution for road upgrade is to be sought from property owners/residents adjoining the road;

2. Provide an opportunity for property owners/residents to fund the sealing of a road when works are scheduled to a gravel standard only;

3. Provide a method of calculating the contribution required from each property owner/resident; and

4. Provide guidelines for the payment of contributions and the delivery of works.

3. POLICY

The Shire of Dardanup may consider a request from property owners/residents for the upgrade of a road adjoining their property to a standard higher than is required for that particular road in the Shire's Road Asset Management Plan if the property owners/residents are willing to contribute towards the upgrade of that road.

The Shire may consider upgrading a part or whole of a road, and the upgrade costs shall be equally distributed between property owners/residents that are willing to contribute towards the cost. Ideally, all properties that will benefit from the road upgrade should contribute equally towards the upgrade of the road, thus, minimizing the individual contribution amount required. That is, all properties that have road frontage, are considered to benefit from the upgrade and should pay an equal proportion of the upgrade cost.

In the case where the Shire has scheduled works on a road to a gravel standard only (i.e. widening a gravel road, gravel re-sheeting), the Shire will provide an opportunity for property owners to contribute towards increasing the standard to a sealed road. Under these circumstances, the Shire will write to all adjoining property owners advising them of the proposed works and the opportunity to fund a higher standard road, together with a copy of this policy and estimated costs. A suitable deadline shall be provided for residents to respond in writing to the offer.

3.1 Contribution Amount Required

If there are no upgrade works identified in the Road Asset Management Plan for the road, then the full cost of the requested upgrade is to be funded by contribution. The contribution is calculated as follows:

Contribution per property = Upgrade Cost /No of Contributing Properties

If upgrade works are identified in the Road Asset Management Plan as being necessary, but are scheduled in the future, the property owners/residents may wish to bring the project forward. Under these circumstances, the full cost of the requested upgrade is to be funded by contribution. The contribution is calculated as follows:

Contribution per property = Upgrade Cost /No of Contributing Properties

If works are identified in the Road Asset Management Plan as being necessary and are scheduled to coincide with the requested upgrade, then the difference in cost between the requested upgrade and Shire's works is to be funded by contribution. This is valid in circumstances where the requested standard is higher than that proposed by Shire. The contribution is calculated as follows:

Contribution per property =
(Requested Upgrade Cost – Scheduled Works Cost)/No of Contributing Properties

Costs shall be based on estimations prepared by Infrastructure Directorate staff and approved by the Chief Executive Officer. Where works are deferred or delayed into a new financial year, the estimates shall be revised.

3.2 Payment

Where upgrading works are scheduled, 50% of the required contribution shall be paid before any works commence. Failure by any contributing party to make payment will place the works on hold until the matter is resolved. On completion of the works, the remaining 50% of the required contribution shall be paid by the contributing parties. Where a project is cancelled, contributions held by the Shire for that project shall be refunded.

Standard Shire procedures for invoicing and payment of outstanding accounts shall apply to the contributions to be paid.

3.3 Timing of Works

Any upgrading works agreed to by the Shire, shall be programmed into the Capital Works Program and shall be programmed such that it meets the objectives for the delivery of the overall works program for that financial year.

3.4 Use of Contractors

Subject to the approval of Council, property owners/residents may wish to engage contractors to carry out upgrade works on the road at their own expense. Under these circumstances, the property owners/residents are responsible for:

1. The preparation of engineering designs and drawings by a suitably qualified civil engineer, to be submitted for approval by the Shire.

2. Engaging a suitably qualified civil engineer to supervise and manage the delivery of construction works to the satisfaction of the Shire.

POLICY NO:
Infr CP066 – GUIDELINES FOR SUBDIVISIONAL DEVELOPMENT

GOVERNANCE INFORMATION			
Procedure Link:	PR027 - Subdivision Construction Guidelines PR043 - Variation to IPWEA Subdivisional Guidelines PR049 - Subdivision Application Engineering Review PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History			OCM	20/04/11	Res: 96/11	**Synopsis**	Policy created. 20/04/2011
	1	ENG27	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP066	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP066	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP066	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP066	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The aim of the policy is to adopt a formal set of guidelines to be used as a minimum standard for the design, construction, and verification of subdivisional development. It also provides Council Officers with guidelines to follow during the assessment, inspection and supervision of subdivisional development works undertaken within the Shire:

- To achieve a high standard of subdivisional development throughout the Shire of Dardanup.
- To specify requirements for the subdivision of residential, rural (including small holdings), industrial and commercial lots, in a clear, transparent, and consistent manner.

3. POLICY

a) All developers and/or their consultants are required to submit designs, drawings, and specifications for the subdivisional development of land within the Shire of Dardanup where it is required as a condition of WAPC subdivision approval and Addendum A (PRO62 – Subdivision Application Engineering Review) and Addendum B – (PRO49 – Subdivision Application Engineering Review).

b) The Shire of Dardanup adopts the 'Institution of Public Works Engineering Australia (WA Division Inc) Local Government Guidelines for Subdivisional Development – Edition 2.3 -' (the "Guidelines") along with the attached Addendum C (PRO27 – Subdivision Construction Guidelines and Addendum D (PRO43 – Variation to IPWEA Subdivisional Guidelines) as the minimum requirements for the subdivisional development of land within the Shire of Dardanup.

c) All designs, drawings and specifications prepared and submitted for the subdivisional development of land within the Shire will be assessed against the Guidelines and Addendum A – (PRO62 – Subdivision Engineering Drawing Review).

d) Any variations to the Guidelines proposed by the developer and/or their consultant, which are not covered by the Addendum D (PR043 – Variation to IPWEA Subdivisional Guidelines), will require approval by the Chief Executive Officer.

e) All construction works associated with the subdivisional development will be subjected to an inspection, verification, and approval process to ensure that all works are executed to the true intent and meaning of the approved drawings and specifications as per Addendum E - (PRO57 – Subdivision Site Inspection Guidelines).

f) Council may grant its consent for subdivisional development works within the Shire, taking into consideration the site requirements and development standards set out in the Guidelines and the Addendum D (PR043 – Variation to IPWEA Subdivisional Guidelines). Subdivisional works shall only commence once consent is granted.

g) All inspections and verification of construction activities and materials shall be in accordance with the Guidelines and Addendum D (PR043 – Variation to IPWEA Subdivisional Guidelines) as a minimum requirement.

h) Subdivision clearance shall only be granted if the subdivisional development is in accordance with the Guidelines and Addendum F –(PR063 – Subdivision Clearance of Engineering Conditions as a minimum requirement).

Addendum A

PROCEDURE

PROCEDURE NO & TITLE	PR062 SUBDIVISION ENGINEERING DRAWING REVIEW
Responsible Directorate	Infrastructure Directorate

1. PURPOSE OR OBJECTIVE

The IPWEA Subdivisional Guideline has been adopted for use *in its entirety* as the **minimum** level of requirements under the Shire of Dardanup Policy CP066 – Shire of Dardanup Guidelines for Subdivisional Development (Policy CP066).

In addition, Procedure PR043 – Variation to IPWEA Subdivisional Guidelines also includes supplementary technical information to support the Policy CP066
The purpose of this procedure is to provide guidance on specific subdivision issues that need to be considered during the review of engineering drawings submitted for approval to help provide consistent feedback and ultimately a consistent residential standard.

2. DEFINITIONS

Definitions are taken as those in the Local Government Act 1995 and associated legislations.

3. PROCEDURE

PRELIMINARY

- Ensure that WAPC Application Number is shown in titleblock of drawing set.
- Open up in TARDIS.
    - Use the WAPC number.
    - Search Approval with Conditions.
    - Search by date if known, check file if in doubt.
- Locate WAPC Subdivision Conditions/Approval document from WAPC and ensure they have not expired.
- Amongst the list of Conditions for authorities and service providers, highlight the Conditions pertaining to the Shire (Local Government), as well as consideration to the listed Conditions for others which may have an effect on Local Government.
- Retrieve a copy of the Approved Structure Plan and standard conditions of the scheme amendment.
- Ensure the drawings are supported by Specifications and Geotechnical Investigations.

PRECALCULATION PLAN

- Check that Precal Plan is in accordance with the Approved Structure Plan.
- Check truncations against the WAPC Approved Plan.
- Ensure road intersection truncations are 8.5m.

EXISTING SURVEY & DEMOLITION PLAN

- Ensure that existing trees are either marked for retention, removal or investigation by a certified professional.
- Refer to SPECIFICATION to ensure compliance with any conditions on vegetation clearing.
- Refer to WAPC Approval Conditions to ensure compliance with any conditions on vegetation clearing.

EARTHWORKS PLAN

- Check against IPWEA Guidelines for Subdivisional Development – Site Preparation Guidelines.
- Check all SHEET NOTES (General, Vegetation, Topsoil, Earthworks, Existing Infrastructure, Dust Management Bond) and refer against SPECIFICATION, WAPC Conditions, IPWEA guidelines, and against the drawing.
- Lot gradient shall not exceed 1:8 (12%).

- Lot gradient shall not exceed 1:14 for accessibility between lot boundary and setback for building envelope.
- 500mm height difference between the centreline of adjoining lots may/will require retaining especially if the build is close to the side boundaries. Small lots should have level pads with pad height difference larger than 200mm will require retaining.
- Check verge has 2% crossfall.
- Check overland stormwater flowpaths to ensure no low points that do not drain if all pits are blocked.
- Ensure drawing notes details of how the topsoil and excess spoil is to be dealt with.
- Ensure drawing notes that all disturbed areas will be hydromulched at completion.
- Consider acid sulfate soil risk and reference known Average Annual Maximum Groundwater Level (AAMGL) data. 'Acid sulfate soils assessment form' from www.der.wa.gov.au

ROADS PLAN

- Ensure intersection alignments are as per Approved Structure Plan.
- Ensure the road widths and intersection treatments are consistent with the structure plan and associated Traffic Impact Assessments.
- Check suitability for crossovers against Side Entry Pit (SEP) locations, street lighting and pram ramps. If conflicts occur consider relocating drainage or converting to grated gully pits.
- Ensure any new intersections with bitumen roads have complete intersection asphalted.
- Semi mountable kerbing to be used for residential frontages with semi mountable on corner radius's and sections of road with no driveway frontage.
- Barrier kerb at road curves to reduce vehicle kerb-hopping when a DUP is close to back of kerb.
- Remove flush concrete kerbs and red asphalt/paving from roadway where not required, ie. Embayed parking is okay but T junctions and roundabouts are unnecessary as they serve little purpose in clarifying the road edgeline while introducing potential maintenance concerns.
- In staged subdivisions ensure that any dead-ends of the constructed road have chevron boards and provision is made for vehicles to turn around.
- Ensure road subgrade is a minimum 300mm above AAMGL.

DRAINAGE & SUBSOIL DRAINAGE PLAN

- Ensure stormwater retention at source for 1:1 rain event.
- Try to retain stormwater as high in the catchment as possible.
- Ensure connection to a conveyance system for anything in excess of 1:1 and up to 1:5 ARI for residential and 1:10 ARI for commercial land uses.
- Ensure side entry pits are not positioned on inside curves to prevent damage.
- Pipework to be minimum 300mm dia. concrete, class 4 (or class 2 when sufficient depth).
- Drainage details to be consistent with Urban Water Management Plan if available and IPWEA Subdivisional Guidelines.
- Check that there is sufficient clearance between drainage pipe inverts and sewer inverts to ensure the pipes have a minimum clearance of 150mm. Check that drainage pits are not positioned too close to sewer alignments or service trench alignments where the pit diameter will conflict with the other services.
- Ensure the Maximum Groundwater Level (MGL) is determined and that a minimum of 500mm is provided between the MGL and any infiltration device.
- Ensure that subsoil drainage is provided where the separation between lot levels and the MGL is less than 1500mm.
- Ensure subsoil outlets are free flowing.
- Ensure drainage pipelines are aligned outside of the road pavement as much as possible.
- Maximum 100m between manholes.

- Check depth of cover especially under roads.
- Check entry points have been allowed for at low points.
- Check pits in new intersections are on gutterline.
- Any areas >1,000m² should have double SEPs.
- Easements shown and satisfactory for pipe diameter and depth.
- Check *PR043 – Variation to IPWEA Subdivisional Guidelines* for detailed specs on pipe velocities and grades.

INTERSECTION PLAN

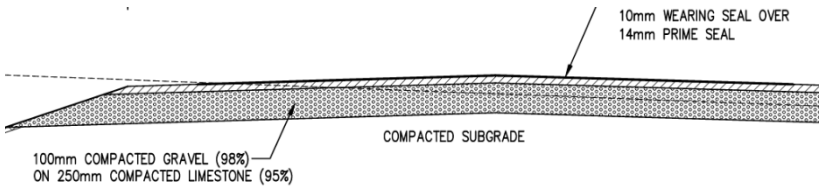
- Intersection corner sweeps should be 12m radius in residential areas.
- Check kerbside levels around corner radius to ensure no ponding – should be minimum 0.5% grade.

ROADS LONGSECTIONS

- Ensure that the minimum and maximum grades are consistent with the Procedure PR043 – Variation to IPWEA Subdivisional Guidelines.

ROADS DETAILS

- Ensure battleaxe blocks have hardstand access in accordance with Subdivision Battleaxe Driveway Guidelines.
- Ensure cross section shows all pavement layers and widths.
- Ensure any roads proposed to be unkerbed with roadside drains have sub base and base course extend out to batter as shown below.



TYPICAL ROAD PAVEMENT CROSS SECTION
TWO COAT BITUMEN SEAL & TABLE DRAIN
SCALE 1:50

- Ensure pavement layer thicknesses have been determined using the geotechnical results with Engineering Road Note 9 (MRWA) or the IPWEA Subdivisional Guidelines in sandy areas.
- Ensure all kerb details including keying at radius under 40m, expansion joints and contraction joints are shown.

DRAINAGE DETAILS

- Ensure Junction Pits have a central slot type concrete lid.
- Ensure grated pits have a bicycle safe wave grate lid.
- Check all required mortar fillets are shown.

FOOTPATH & FENCING PLAN

- Ensure paths shown are consistent with structure plan or Traffic Impact Assessment. Liveable neighbourhoods indicates that all roads within residential areas should have a minimum of one path on each road.
- Check that paths link to existing network.
- Footpaths minimum 1.5m wide, 1.8m wide against boundary or kerb.
- Footpaths should have 300mm offset from property boundary.
- Ensure plan shows details of pram ramps, contraction and expansion joints as well as typical section.
- Safety fencing shown on all retaining walls higher than 1.5m.

POWER PLAN

- Ensure a light pole is located at intersections to allow street name plates to be attached.

GENERAL NOTES

- Ensure that all drawing notation is relevant to the drawings and not an oversight of cutting and pasting from a previous job.
- Ensure services provision is made for future stages that will not require future excavation of built infrastructure – especially where developers land adjoins another developer's land. I.e. if road is built, ensure future lots on other side of road have services available without having to disturb road again.
- Check retaining wall footings are not visible from the verge.

SPECIFICATION

- Dust suppression/Soil stabilisation. Ensure that the dust management plan is consistent with IPWEA Guidelines, as well as "A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other activities" published by the Department of Environment and Conservation in January 2011.
- Ensure specification on pavement materials is consistent with IPWEA Guidelines.

4. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:			
Owner:	Development Engineer		
Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Manager/Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		
Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR027 - Subdivision Construction Guidelines PR043 - Variation to IPWEA Subdivisional Guidelines PR049 - Subdivision Application Engineering Review PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions		
DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001639801
Review Frequency	Biennial	Next Due:	11-09-2026

Version #	**Date & Decision Reference:**	**Synopsis:**
1	11-09-2024 Details	PR062 Created & endorsed by Director

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

PROCEDURE

PROCEDURE NO & TITLE	PR049 SUBDIVISION APPLICATION ENGINEERING REVIEW
Responsible Directorate	Infrastructure Directorate

5. PURPOSE OR OBJECTIVE

Subdivision applications are referred to the Shire from the Western Australian Planning Commission (WAPC). The applications are then referred to various directorates from planning for review and recommendation of conditions. The purpose of this procedure is to provide guidance on specific subdivision issues that need to be considered during the engineering review of subdivision applications.

6. DEFINITIONS

Definitions are taken as those in the *Local Government Act 1995* and associated legislations.

7. PROCEDURE

All subdivision applications should be cross referenced with any structure plans or scheme amendments that are relevant for the relevant parcel of land as well as any provisions shown in TPS 3. The road and lot layout should be consistent with that shown on the previous approvals.
The previous structure plan or scheme amendment documents such as drainage management plans and traffic impact statements should be reviewed to gain a good understanding of the objectives and concerns around the proposed development. Any conditions listed to be implemented at subdivision stage should be captured on the *Internal Referral*. Any engineering conflicts identified between the subdivision application and the previous planning framework should be brought to the attention of planning on the *Internal Referral.*
The subdivision application must also be reviewed against the existing built and natural environment to ensure that the development fits in and does not either impact on the existing status quo of the area, nor compromise the future development or environmental values of the area. Any concerns that are identified should be raised on the *Internal Referral.*
The WAPC have a published document Model Subdivision Conditions Schedule which at the time of preparing this procedure was dated June 2021. These model subdivision conditions are the preferred conditions which should be applied to subdivision approvals to ensure consistency with development standards. The conditions that engineering should be concerned about are:

- Part 4 Drainage and site works conditions;
- Part 10 Reserves conditions; and
- Part 12 Transport roads and access conditions.

The schedule includes good detail on which situation warrants the differing conditions and should be followed as best as possible.
Ideally, the conditions imposed on a subdivision approval should ensure that all required infrastructure is designed, constructed and handed to the Shire to satisfy the management of an urban environment once houses are built, and the community moves in.
The suitable conditions should be listed in the *Internal Referral.* If conditions are required which do not have a model condition, then non standard conditions can be listed as required. Non standard conditions will need justification for WAPC to accept them otherwise they will most likely be overlooked.

8. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:			
Owner:	Development Engineer		
Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Manager/Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		

PROCEDURE

Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR027 - Subdivision Construction Guidelines PR043 - Variation to IPWEA Subdivisional Guidelines PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions Model Subdivision Conditions Schedule

DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001639765
Review Frequency	Biennial	Next Due:	11-09-2026

Version #	**Date & Decision Reference:**	**Synopsis:**
1	11-09-2024 Details	PR049 Created & endorsed by Director

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

PROCEDURE

PROCEDURE NO & TITLE	PR027 SUBDIVISION CONSTRUCTION GUIDELINES
Responsible Directorate	Infrastructure Directorate

9. PURPOSE OR OBJECTIVE

This guideline is based upon the '*Institution of Public Works Engineering Australasia Western Australia Incorporated (IPWEA) Local Government Guidelines for Subdivisional Development – as amended,* (referred in this document as the IPWEA Subdivisional Guideline).

The IPWEA Subdivisional Guideline has been adopted for use *in its entirety* as the **minimum** level of requirements under the Shire of Dardanup Policy CP066 – Shire of Dardanup Guidelines for Subdivisional Development (Policy CP066).

In addition, Procedure PR043 – Variation to IPWEA Subdivisional Guidelines also includes supplementary technical information to support the Policy CP066

The sole purpose of this Guideline is to provide supplemental information in relation to Construction Works in cases where the Policy CP066 either does not address an issue directly, or requires the Shire to formally state its preferred outcomes. **This Guideline will be distributed to Consulting Engineers and Contractors at the commencement of any Subdivision works within the Shire**.

Order of Precedence of documentation:

- This Guideline is supplemental to and intended to be read in conjunction with the Policy CP066 and PR043 – Variation to IPWEA Subdivisional Guidelines.
- Where this Guideline is silent on any matter outlined in the Policy CP066, then the Policy CP066 shall be considered to take precedence.

10. DEFINITIONS

This Guideline adopts the definition and meaning for all terminology as defined in the Policy CP066.

11. PROCEDURE

DOCUMENTS REQUIRED FOR SHIRE APPROVAL OF DESIGN DRAWINGS AND SPECIFICATIONS

- Design drawings;
- Specifications; and
- Geotechnical investigation reports.

DOCUMENTS REQUIRED BY THE SHIRE PRIOR TO COMMENCEMENT OF CONSTRUCTION WORKS

1. Issued for Construction Drawings in A1 hardcopy and pdf format;
2. Transport route submission for approval by the Shire of bulk materials;
3. Soil stabilisation Strategy for the project including Dust management Plan submission for approval by the Shire;
4. Noise Management Plan submission for approval by the Shire;
5. Vibration management Plan submission for approval by the Shire. Note If there are existing residences in close proximity to the proposed works, the requirement for dilapidation surveys should be raised with the consulting engineer with trigger points documented in the Vibration Management Plan;
6. Traffic Management Plan submission for approval by the Shire;
7. Contract Advice including:
   a) name and address of the contractor;

b) name of the contractor's representative;

c) name of the consulting engineer's representative or superintendent;

d) timetable for construction in the form of a bar chart, indicating the starting and finishing dates for each stage of the works; and

e) contract price of the works.

Along with evidence that:

1. Residents who may be affected, (either directly or indirectly), by the proposed subdivisional works have been notified in writing of these works in accordance with the requirements of Clause 1.17.1 of the IPWEA Subdivisional Guideline;
2. Project Signage for subdivisional works requiring earthworks has been erected at a suitable location within the site to advise the public of:
   a) The project details;
   b) Names of Developer, Contractor, Consulting Engineer and Licensed Surveyor;
   c) Contact details for Consulting Engineer and Contractor; and
   d) Expected completion date of the project.
3. The developer has obtained insurance cover with a reputable insurer, for public liability, contractors' works and workers compensation risks, to a level of liability approved by the local government, and thereafter provide copies of all current certificates of insurance to the local government upon renewal.

SHIRE REPRESENTATIVE INSPECTIONS DURING CONSTRUCTION WORKS

A minimum of 7 days' notice is required for a start-up meeting or clearing or burning any section of the work.

A minimum of 48 hours' notice is required to enable arrangements to be made for an inspection.

Each stage shall be inspected prior to the next or following stage of construction being commenced.

The Shire shall carry out the inspection to the best its ability within 48 hours of the notification of an inspection being required.

The inspection and meeting phases that are recommended in approving subdivision construction are:

1. start-up meeting prior to any works commencing;
2. regular site meetings every two weeks;
3. demarcation of clearing limits prior to clearing activities;
4. inspection after completion of earthworks;
5. roads construction phases as per section 1.17.4.1 of the IPWEA Subdivisional Guideline;
6. drainage phases as per section 1.17.4.2 of the IPWEA Subdivisional Guideline;
7. at Practical Completion of civil components of works;
8. completion of landscaping and irrigation processes; and
9. prior to completion of defects liability period.

Inspections for road and drainage works shall conform to the requirements of Clauses 1.17.4.1 and 1.17.4.2, (respectively), of the IPWEA Subdivisional Guideline.

Inspections for road works

The minimum inspection and regular site meetings regime for the construction of road works is:

1. when the road has been boxed out and the sub-grade shaped and compacted;
2. when the sub-base has been placed, graded and compacted to shape, level and specifications;
3. when the base course has been placed, graded, compacted and water bound to correct shape and level before priming or where asphalt is used as a base course medium this surface has been laid and compacted;
4. immediately before and after kerbing. Check that within two hours of surface finishing, all exposed faces of the completed kerb are protected from moisture loss for a period of not less than four days after extrusion by covering with plastic sheeting or spraying with an approved curing compound;
5. before the placement of asphalt or sprayed surface wearing course; and
6. prior to construction of pathways.

Subgrade, subbase and pavement inspections will require the installation of survey pegs every 20m along the road alignment, offset 750mm from the face of kerb, with finished levels to allow stringing of the road section to be undertaken. The contractor is to provide stringlines, tape measures and adequate workers to conduct the stringline test.

The allowable tolerances are as below:

	Allowable Tolerances from Design		
	Width	***Finished Level***	***Thickness***
Sub-grade	-0mm to +200mm	-30mm to +0mm	N/A
Sub-base	-0mm to +200mm	-20mm to +10mm	-10mm to +5mm
Base Course	-0mm to +200mm	-10mm to +10mm	-0mm to +10mm
Finished Sealed Surface		-10mm to +10mm	+5mm to -2mm

Pavement material shall not be placed on the sub-grade or previous layers of pavement until the Shire representative has given their approval. Approval for the continuation of road construction will be based on the:

- Satisfactory stringing of the road at 20m intervals witnessed by the Shire representative;
- Sighting of satisfactory compaction results; and
- Material test results that meet the required specifications.

Subgrade inspections will also require Perth Sand Penetrometer (PSP) testing every 20m and adjacent to pits and road crossings as directed by the Shire representative. The contractor to provide the PSP and worker to conduct the tests. All stringline inspections will be recorded on a Shire Standard String Sheet and once approved, distributed to the consulting engineer and contractor.

Inspections for drainage works

The minimum inspection and regular site meetings regime for the construction of drainage works is:

1. when the trenches have been excavated and the pipes laid true to line and level but prior to backfilling;
2. when using sub-soil drainage pipes, after the aggregate has been placed but prior to backfilling; and
3. after junction pits, gullies and other structures have been constructed but prior to backfilling.

Where water sensitive urban design criteria have been used and much of the drainage system includes overland flows, inspections need to be carried out:

1. after earthworks completion;
2. after appropriate drainage structures have been completed but prior to backfilling; and
3. after plantings are completed.

Specific requirements for sealing of roads

Dryback
Moisture test results demonstrating that the field moisture content is no higher than 85% of the optimum moisture content of the pavement will be required to be accepted by the Shire prior to primer sealing commencing.

Primer seal spray rate
The minimum spray rate that will be accepted is 1.3l/m² unless authorised in writing from the Shire. The Shire will not authorise reduction of the minimum spray rate to account for poor weather conditions or wet surfaces. Reductions in spray rates will only be considered in rare extreme conditions.

Asphalt Placement
Asphalt shall only be placed in dry weather and approval to place asphalt is to be gained from the Shire prior to any placement of asphalt. The minimum characteristic marshall density that will be accepted is 95.0% for 35 blow or 94.5% for 50 blow mixes.

Sighting of test results

Where test results have not been sighted by the Shire representative for a stage of construction, the next stage can proceed on the proviso that the contractor provides written acceptance of full liability for the previous stage. Should remedial works be required they shall be at the contractor's expense.

PRACTICAL COMPLETION

Upon the satisfactory completion of all subdivisional work and soil stabilisation, the consulting engineer shall submit a Request for Practical Completion form confirming that the works have been inspected and are in accordance with the approved drawings and specifications and also confirming the completed value of the works.

Upon receipt of this notification, (which is to include all quality assurance certification as described below), the local government shall arrange a practical completion inspection of the completed works at a mutually convenient time.

The inspection shall require the presence of the Shire of Dardanup's representative, the developer or their representing consulting engineer and the contractor. The contractor's consulting engineer is to arrange for all road pavements to be swept, the drainage system cleaned out and gully and manhole covers temporarily opened for inspection. All drainage infrastructure needs to be accessible at the time of inspection.

Once practical completion has been achieved to the Shire's satisfaction, written confirmation will be forwarded to the Consulting Engineer detailing any defects or outstanding works.

QUALITY ASSURANCE CERTIFICATION

The contractor shall certify in writing that all relevant engineering designs have been constructed as per the specifications.
The developer, or their representing consulting engineer shall provide confirmation that the works have been completed in accordance with the approved drawings and specifications.
The developer, or their representing consulting engineer shall provide copies of all certifications to the local government. The certification documentation shall include:

- **Subgrade**
    - Compaction results under road pavements, drainage structures, retaining walls and footpaths.
- **Sub Base**

- Material used;
- Material test certificates attached; and
- Compaction results attached.

- **Basecourse**
  - Material used;
  - Material test certificates attached; and
  - Compaction results attached.
- **Primerseal**
  - Bitumen/emulsion test report;
  - Spraysheet record.
- **Asphalt**
  - Material sample tests results attached;
  - Core tests results attached; and
  - Confirmation that Ponding has been checked.
- **As Constructed Information**

'As Constructed' information detailing the variations and amendments from the approved engineering drawings shall be provided to the Shire prior to clearance of the Diagram of Survey.

All 'As Constructed' information must be certified as a true and accurate record by a suitably qualified professional.

Information provided in 'As Constructed' form will include drainage construction details, earthworks levels and road levels and alignments. The information shall be provided to the Shire in **ESRI (.SHP) digital format** by disc or emailing.

Data is to be provided in accordance with the following A-Spec specifications (see www.a-specstandards.com.au for details):

- Drainage: **D-Spec** format;
- Roads: **R-Spec** format;
- For all other asset classes: Pending the future adoption by the Shire of Dardanup of the relevant A-Spec specification(s), annotation of the original Approved Design Drawings (to be submitted in .PDF/A format) showing changes made during construction is acceptable.

Digital annotation of the original drawings is the Shire of Dardanup's preferred outcome, however hand annotation may be accepted in limited circumstances upon notification to and approval from the Shire e.g. should the Developer not have access to the necessary drafting resources.

The Shire requires spatial data to be provided in GDA 94 / MGA Zone 50 (horizontal) and Australian Height Datum (vertical) format.

In particular, information provided on as constructed plans shall include:

- **For All Constructed Assets**
  - The 'fully installed' cost of each constructed element (i.e. pavement/seal centreline, pit, pipe etc.) shown in the as constructed plan for which the relevant A-Spec specification includes a 'Unit Cost' field.

- **Drainage Construction Details**
    - Manhole Surface Levels;
    - Pipe Inverts at manholes and gully pits;
    - Structure details/dimensions; and
    - Alignments and locations of all Drainage.
- **Lot Earthwork**
    - Lot fill levels where required to satisfy flood conditions;
    - Design finished floor level (FFL), where required;
- **Road Details**
    - Road levels along the centre-line of roads at intersections and at distances of no greater than 60m along straights (rural) or 30m (urban), low and high points on the longitudinal profile;
    - Alignment of centre-line;
    - Any variations to the original approved plan in excess of original design standards to be shown;
    - Kerb types and positions;
    - Road pavement widths; and
    - Cross-sections, typical details (pavement design and surface type.)

Note: As constructed data missing any or all of the above critical values will not be accepted by the Shire of Dardanup.

CLEARANCE OF CONDITIONS

In addition to any specific Subdivision Approval Conditions imposed on the subdivision by the WAPC, the following Shire of Dardanup requirements must be completed by the developer prior to approval of survey release of a subdivision:

- creation of the Diagram of Survey showing full details of all lots, road reserves, easements (temporary and permanent) and reserves;
  Note: Where a site classification other than 'A' (i.e. 'S', 'M' or 'P') is determined for any Lot shown on the Diagram of Survey, a Section 70(a) notification is to appear on the title for that Lot. This is to provide advice to purchasers of the land that ***additional site costs will be incurred at time of building where the classification is other than "A".***
- Shire of Dardanup acceptance of Practical Completion, or the payment of an appropriate bond to cover outstanding works (see *'Early Clearance Bonds for Uncompleted Works'* below);
- payment of the appropriate engineering supervision fees;
- payment of a defects liability bond;
- payment of all or any monies required for works to be undertaken by the local government on the developer's behalf at some future date e.g. construction of roads, footpaths or development of public open space; and
- payment of any other specific monies relevant to the subdivision.

Defects liability bonds shall be determined in accordance with Clause 1.21.2 of the IPWEA Guideline in an amount equal to five per cent of the works as calculated on the total contractual cost of the subdivision being the subject of the clearance.

Early Clearance Bonds for Uncompleted Works

On application to and approval from the Shire of Dardanup, the Shire may accept payment from the Developer of a cash bond or bank guarantee (with no expiry date) *in lieu* of completion of the works in accordance with Council Policy CP404-Shire Acceptance of Bonds.

Applications for bonding outstanding works shall be in writing from the Consulting Engineer to the Director Infrastructure and shall include the following information:

- Full design drawings prepared by a Consulting Engineer for all works to be bonded including the concise extent, nature and location for the work to be bonded, including lot numbers, road names and WAPC subdivision reference.
- A timetable and arrangements for completion of the bonded work.
- An itemised estimate and the name and address of the Contractors responsible for the bonded works. The estimate will be checked by the Shire and the figure approved will be 30% loaded to account for time delay, cost increase, small job lots etc.
- *Note: In addition to allowance for the increased costs of delay, the loading level has been established in order to incentivise completion of the works by the Developer*
- Reasons for requesting the bonding of the incomplete works.
- A written undertaking to advise affected parties of incomplete works (i.e. Owners, Developers, Contractors, Consultants, and including new purchasers. Lot purchasers are also to be notified that Building Licence applications must be accompanied by a plan/diagram indicating Office of Titles approval.
- Any other relevant information which will assist the Director Infrastructure to assess the request.

In accepting a bond to secure clearance of conditions of subdivision approval, the Shire of Dardanup will apply at minimum the following conditions:

- Works must be substantially commenced (e.g. to the extent of road primer sealed and drainage pipes installed);
- Payment of the bond will be required prior to clearance of a Diagram or Plan of Survey;
- A bond may take the form of cash or the lodgement of a bank guarantee to be redeemed upon completion of the development;
- All outstanding works bonds must be accompanied by a specific Bond Agreement; and
- In the event that any outstanding work is not completed within 15 months, Council will give consideration to using the bond to appoint a consulting engineer to call tenders and supervise the completion of the work.

12. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:			
Owner:	Development Engineer		
Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Manager/Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		
Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR043 - Variation to IPWEA Subdivisional Guidelines PR049 - Subdivision Application Engineering Review PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions		
DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001621693

Addendum C

PROCEDURE

Review Frequency	Biennial	Next Due:	11-09-2026
Version #	**Date & Decision Reference:**	**Synopsis:**	
1	11-09-2024 Details	PR07 Created & endorsed by Director	

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

PROCEDURE

PROCEDURE NO & TITLE	PR043 VARIATION TO IPWEA SUBDIVISIONAL GUIDELINES
Responsible Directorate	Infrastructure Directorate

13. PURPOSE OR OBJECTIVE

The IPWEA Subdivisional Guideline has been adopted for use *in its entirety* as the **minimum** level of requirements under the Shire of Dardanup Policy CP066 – Shire of Dardanup Guidelines for Subdivisional Development (Policy CP066).
The following supplementary technical variations to the adopted guideline have been identified as areas where the Shire considers additional detail is required to guide subdivisional developments to maintain Shire engineering standards These variations shall apply to all subdivisional developments within the Shire of Dardanup and is in addition to the specifications and requirements of the *IPWEA Local Government Guidelines for Subdivisional Development – Edition 2.3* document (the "Guidelines").

14. DEFINITIONS

Definitions are taken as those in the *Local Government Act 1995* and associated legislations.

15. PROCEDURE

3.1 Site Stabilisation

3.1.1 Dust and Sand Drift

Developers or landowners shall develop and implement a dust management plan for land development and subdivision projects. The plan is to identify contingency measures that will be implemented to prevent any adverse impacts from arising from the development site.

The Shire requires the Developer to provide a dust management plan a minimum of seven (7) working days prior to any ground disturbing activities. Developers remain liable for pollution or dust nuisance from their sites, regardless of any contractual arrangement that imposes similar obligations on their Engineers and Contractors.

The Developer is also responsible to ensure that all works conducted by utility providers are monitored and measures are taken to minimise dust and sand drift.

In addition to meeting contractual obligations, Engineers and Contractors shall not cause dust nuisance or pollution in breach of relevant Acts, Regulations and Local Laws.

Stabilisation bonds are normally required by the Shire as a condition of approval, to be used as security against the performance of dust control and stabilisation measures. The bond amount is calculated as per section 2.2.1.5.5 of Institute of Public Works Engineering Australia (WA Division Inc) Subdivisional Guidelines Edition No.2 – 2009. The Shire may take action where a Contractor fails to act appropriately, and recover any costs incurred.

3.1.2 Hydro Mulching

Hydro mulching shall consist of the application of a mixture of water, seed, fertiliser, binding agent and bio-degradable filler to the surface of the ground. Hydro mulch which does not incorporate seed and fertiliser will not be accepted as a permanent soil stabilisation measure.

The designated areas shall be hydro mulched with seed approved by the Shire, which will be specified according to site requirements. The fertiliser, mulch and stabiliser shall be applied by mechanical spray, by an approved operator. Proposed seed mix shall be submitted to the Shire for approval seven (7) working days prior to works.

Generally, seed shall consist of Cereal Rye, Wimmera Rye and Harbinga Medic, sown at the rate of 320kg/ha. Nitrogen applied as "Urea" or "Agran" at the rate of 75kg/ha is to be included with the fertiliser. Stabiliser shall be "Ecologel 42" or "Curasol AG 45", or equivalent product, applied at 250 ℓ/ha. Other mixes may be submitted for Shire consideration and approval.

Mulch shall be of a paper-mache type.

Prior to hydro mulching, all areas to be treated shall be graded to present a smooth, even surface on completion of the hydro mulch application.

Hydro mulching shall take place between the months of April and August, inclusive to ensure the seed is given a greater opportunity to germinate. Hydro mulching beyond these dates will require approval from the Shire's Representative.

Where germination is deemed unsatisfactory by the Shire's Representative, re-seeding may be requested; if germination is still deemed unsatisfactory at the end of the Maintenance period, re-seeding may be required before the Stabilisation Bond is released.

3.2 Road Grades (*Section 3.3.2 Guidelines*)

The desired minimum longitudinal grade on all roads is 1% (1 in 100).

The minimum and maximum allowable longitudinal grades are indicated below.

Table 3.2 Allowable longitudinal grades in roads.

		Sealed Roads	Unsealed Roads
Desirable maximum %		8	6
Absolute maximum %		10	8
Desirable minimum %		1	1
Absolute minimum %	Straight Alignment	0.30	0.60
	Up to 60m radius curve	0.40	0.50
	Less than 60m radius curve	0.75	0.75

3.3 Kerbing (Section 3.3.5 Guidelines)

All kerbing is to be constructed with crack control joints every 1.5m and expansion joints every 6m.
Along any radius, expansion joints must be every 3.0m.

3.4 Battleaxe Access Legs (Section 3.3.17.3 Guidelines)

Minimum battleaxe leg widths should be calculated as per Table 3.4:

Table 3.4 Minimum battle-axe leg widths.

Lot Size	1000m^2 – 2 ha	2 ha – 5 ha	> 5 ha
	Min width		
Min. access leg width for a single lot	5m	6m	7m
Min. access leg width for two or more lots	8m	10m	12m
Min. pavement width for a single lot	4m	4m	4m
Min. pavement width for two or more lots	6m	6m	6m
Width of shoulders	500mm	500mm	500mm

3.5 Road Sealing Aggregates (Section 3.4.11.9 Guidelines)

The average least dimension requirements should comply with Table 3.5:

Table 3.5 Allowable ALD for aggregates used in road seals.

SIZE No.	1	2	3
Nominal Size	14mm	10mm	7mm
ALD	8-13mm	5-9mm	4-6mm

3.6 Clay Paving Units (Section 3.4.13 Guidelines)

The following requirements shall apply where brick or concrete block paving is approved:

1. The sub-grade, sub base and base course shall be prepared as specified for flexible pavements;
2. Bricks or blocks shall be bedded on a layer of clean, course sand free of any clay, stone or deleterious matter. The sand bedding shall be 30mm (+5mm -0mm) thick after laying and compacting of bricks;
3. Bricks shall be laid in a herringbone pattern unless otherwise approved. After laying, the brick paving shall be thoroughly compacted and all joints filled;
4. Bricks and blocks shall be 'high performance' pavers or equivalent approved pavers;
5. The finished pavement surface shall be uniform, matching the horizontal and vertical design profiles and edge details. The finished surface shall not deviate by more than 10mm from the base of a 3m straight edge when placed in any direction; and
6. The finished surface shall be firm and even, and free of any looseness.

When brick or block paving is proposed, brick or block type and colour is to be previously approved by the Shire.

Bricks or blocks shall be guaranteed by the manufacturer for structural soundness and performance for a minimum of 10 years from the date of laying and a written guarantee shall be provided to the Shire prior to work commencing.

3.7 Tolerances

Table 3.7 Allowable construction tolerances at different road pavement layers.

	Allowable Tolerances from Design		
	Width	***Finished Level***	***Thickness***
Sub-grade	-0mm to +200mm	-30mm to +0mm	N/A
Sub-base	-0mm to +200mm	-20mm to +10mm	-10mm to +5mm
Base Course	-0mm to +200mm	-10mm to +10mm	-0mm to +10mm
Finished Sealed Surface		-10mm to +10mm	+5mm to -2mm

3.8 Contamination

Measures shall be taken during road construction to prevent contamination to any part of the base layers. The constructed edge of the base material shall be deemed the limit of non-contaminated material, and as such, measurements of the base width will be determined from the constructed edges. Care should therefore be taken during construction by pushing subgrade material well away from the new road pavement at box-out stage; and by ensuring water does not pond on the new base pavement during construction.

3.9 Surface Course

The surface course, regardless of material, shall be constructed so there is no ponding.

3.10 Stormwater Drainage

The minimum allowable diameter of pipework is 300mm.
The maximum allowable length of pipe between manholes is 100m.
The minimum allowable velocity of water flow in pipes is 0.75m/s and the maximum 4m/s.
The minimum cover for class 2 pipes is 800mm.

All manholes that receive stormwater run-off shall be either Universal Side Entry Pits or Universal Gully Pits. Design grades shall meet the minimum requirements indicated in Table 3.10.

Table 3.10 Minimum allowable design grade for stormwater pipework.

Diameter (mm)	Minimum Design Grade
300	1:300
375	1:370
450	1:470
525	1:580
600	1:690
675	1:800
750	1:930
900	1:1,200
1,050	1:1,450
1,200	1:1,500
>1,200	1:1,500

3.10.1 Construction Tolerances

Pipework shall be constructed within the following tolerances: for pipes with design grades <1:500, the constructed grade shall be within 10% of design; for pipes with design grades ≥1:500, the constructed grade shall be up to 10% steeper or up to 5% flatter than design; outlet and inlet levels at manholes shall be within 10mm of design.

All stormwater pits shall be designed to have a minimum 10mm fall between the inlet(s) and the outlet.

All drainage structures are to be within 50mm of the design location.

The first step iron within manholes must be ≤1m from the surface, and all subsequent step irons spaced 300mm.

The finished clear opening for access into a manhole must be bigger than a 500mm diameter circle.

3.11 Non-Conformance / Corrective Action

The Shire of Dardanup may issue a non-conformance / Corrective Action Request (CAR) to the contractor and/or project superintendent/consultant. A CAR may be issued for the following:

- Non-conforming works;
- Non-conforming materials;
- Defective works;
- Defective materials;
- Any activities requiring approval undertaken without prior approval;
- Any activities having the potential to cause or causing property damage, nuisance or disruption to the public or others external to the construction site; or
- Any activities or situations which may risk the safety of personnel and/or the public.

The Shire of Dardanup reserves its right to halt works on the project site until the non-conformance is rectified.

CARs will be issued in writing via a completed form, email, letter or other means of written communication. The CAR shall provide the details of the problem and the action required to rectify the situation and the required timeframe.

The CAR shall initiate the recipient company's own corrective action system which must document and deal with the non-conformance.

16. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:			
Owner:	Development Engineer		
Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Manager/Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		
Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR027 - Subdivision Construction Guidelines PR049 - Subdivision Application Engineering Review PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions		
DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001622370
Review Frequency	Biennial	Next Due:	11-09-2026

Version #	**Date & Decision Reference:**	**Synopsis:**
1	11-09-2024 Details	PR043 Created & endorsed by Director

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

PROCEDURE

PROCEDURE NO & TITLE	PR057 SUBDIVISION SITE INSPECTION GUIDELINES
Responsible Directorate	Infrastructure Directorate

17. PURPOSE OR OBJECTIVE

The IPWEA Subdivisional Guideline has been adopted for use *in its entirety* as the **minimum** level of requirements under the Shire of Dardanup Policy CP066 – Shire of Dardanup Guidelines for Subdivisional Development (Policy CP066).

Procedure PR043 – Variation to IPWEA Subdivisional Guidelines also includes supplementary technical information to support the Policy CP066.

In addition, Procedure PR027 – Subdivision Construction Guidelines provides supplemental information in relation to construction works in cases where the Policy CP066 either does not address an issue directly or requires the Shire to formally state its preferred outcomes. This Guideline will be distributed to consulting engineers and contractors at the commencement of any subdivision works within the Shire.
The purpose of this procedure is to provide guidance on specific site inspection issues that need to be considered during the construction phase of subdivisions.

18. DEFINITIONS

Definitions are taken as those in the Local Government Act 1995 and associated legislations.

19. PROCEDURE

Documents required prior to construction works start up meeting

8. Issued for Construction Drawings in A1 hardcopy and pdf format;
9. Transport route of bulk materials submission for approval by the Shire;
10. Soil stabilisation Strategy for the project including Dust management Plan submission for approval by the Shire;
11. Noise Management Plan submission for approval by the Shire;
12. Vibration management Plan submission for approval by the Shire;
13. Traffic Management Plan submission for approval by the Shire;
14. Contract Advice including:
    f) name and address of the contractor;
    g) name of the contractor's representative;
    h) name of the consulting engineer's representative or superintendent;
    i) timetable for construction in the form of a bar chart, indicating the starting and finishing dates for each stage of the works; and
    j) contract price of the works.

Along with evidence that:

4. Residents, who may be affected, either directly or indirectly, by the proposed subdivisional works, have been notified in writing of these works in accordance with the requirements of Clause 1.17.1 of the IPWEA Subdivisional Guideline;
5. Project signage for subdivisional works requiring earthworks has been erected at a suitable location within the site to advise the public of:

e) The project details;

f) Names of Developer, Contractor, Consulting Engineer and Licensed Surveyor;

g) Contact details for Consulting Engineer and Contractor; and

h) Expected completion date of the project.

6. The developer has obtained insurance cover with a reputable insurer, for public liability, contractors' works and workers compensation risks, to a level of liability approved by the local government, and thereafter provide copies of all current certificates of insurance to the local government upon renewal.

The above information should be provided to the Shire prior to a start up meeting taking place. The management plans should be assessed for compliance with the Dust Guidelines and ensure they meet Shire standards.

If there are existing residences in close proximity to the proposed works, the requirement for dilapidation surveys should be raised with the consulting engineer/contractor with trigger points documented in the Vibration Management Plan.

Once satisfied, the various management plans must be approved by the Shire.

Upon receipt of the contract price, an invoice must be raised by the Shire for the Shire Supervision Fees in the name of the developer, based on the contract value for roads, drainage, paths and 15% of the earthworks. Where the developer has engaged a consulting engineer to design and supervise the works, the supervision fee charged is 1.5% of the contract value as above. Where no consulting engineer has been engaged, the supervision fee charged is 3% of the contract value as above. A *Form 30* should be used with a charge code of 0420 and General Ledger of 1424002. Supervision fees are exempt of GST in accordance with the Shire's Fees and Charges.

Upon receipt of the contract price, the *Subdivisions Non Cash Infrastructure Spreadsheet* needs to be updated to add the values for the stage of subdivision.

TARDIS CASE:	Subdivision Non Cash Infrastructure
DOC:	Subdivisions Non Cash Infrastructure Spreadsheet

Start-up meeting

A start-up meeting must be held onsite with the consulting engineer and contractor before any works commence onsite. The consulting engineer normally arranges the site meetings and takes and distributes minutes.

If any of the above items have not been finalised, they should be raised at the meeting to be completed before works commence.

The Shire representative should evaluate the site and raise matters of concern at the meeting in regard to:

- traffic management;
- site security;
- pedestrian safety;
- adjacent road sweeping; or
- any issues with works in the existing road reserve.

The frequency and preferred day/time of ongoing site meetings should be discussed and agreed.

A copy of the Shire's *PR027 - Subdivision Construction Guidelines* must be given to the consulting engineer and the contractor/site supervisor with an explanation that it sets out the expected inspection timetable and quality assurance documentation requirements. Special mention should be made of the requirements for D-Spec and R-Spec, as some consultants and contractors may not be familiar with the Shires standards in this matter.

Inspections during construction works

Addendum E
PROCEDURE

The contractor is required to advise when inspections are due for the drainage and roadworks in accordance with the *PR027 - Subdivision Construction Guidelines.*

Drainage

When attending the site to inspect drainage lines, the following items should be checked:

- The installed pipe diameters and class match those shown on the approved plans;
- The installed pit diameters match those shown on the approved plans;
- The pits have sand traps if noted on the approved plans;
- Step irons have been installed as shown on the approved drawings;
- The bases are in accordance with the approved drawings;
- The pipe sections are joined correctly with no rubber rings hanging down in the pipe;
- The pipes and pits are in new condition with no damage;
- The pits have mortar fillet around outside onto base; and
- The pipes have mortar fillet on outside to pits.

Once the Shire representative is satisfied that the pits and pipes have been installed correctly as above, the site supervisor should be advised of Shire acceptance so that the trenches can be backfilled.

Roads

When attending the site to inspect roadworks, the following items should be checked:

Subgrade inspection

- Check stringline dips at left side, centreline and right side every 20m along alignment;
- Check boxout is level and compacted a minimum 600mm behind face of kerb – ideally pegs should be located 750mm offset from face of kerb to avoid being run over by compaction equipment;
- Check compaction with Perth Sand Penetrometer (PSP) every 20m along alignment alternating between left side, centreline and right side. Minimum acceptable is 8 blows from 150 – 450mm depth;
- Check compaction around all drainage pits and all road crossings – check drawings for service road crossing trench locations. Minimum acceptable is 8 blows from 150 – 450mm depth;
- Ensure PSP is operated correctly to give accurate results;
- Finished surface should be smooth and firm underfoot;
- Contractor is responsible for providing pegs and workers to string and measure dips as well as operating PSP. Shire responsible to record findings on Shire standard string sheet and signoff when satisfied; and
- Request material test results for subbase and verify that it meets the specification prior to materials being delivered to site.

TARDIS CASE:	Subdivision Guidelines and Bond Registers
DOC:	Blank Standard String Sheet

Subbase inspection

- Check stringline dips at left side, centreline and right side every 20m along alignment;
- Check boxout is level and compacted a minimum 600mm behind face of kerb;
- Finished surface should be smooth and firm underfoot;
- Request compaction certificates and verify that it meets the specification;
- Record findings on Shire string sheet and signoff when satisfied; and
- Request material test results for basecourse and verify that it meets the specification prior to materials being delivered to site.

Basecourse Inspection

- Check stringline dips at left side, centreline and right side every 20m along alignment;
- Check boxout is level and compacted a minimum 600mm behind face of kerb;
- Finished surface should be smooth and water bound;
- Request compaction certificates and verify that it meets the specification; and
- Record findings on Shire string sheet and signoff when satisfied;

Primer seal pre inspection

- Request dryback test results and verify that it meets 85% Optimum Moisture Content (OMC);
- Ensure pavement is broomed to remove all loose materials; and
- Ensure weather is fine and no rain is expected during works.

Kerbing inspection

- Check that curves under 40m radius are keyed into pavement in accordance with approved drawings and specifications;
- Ensure the kerb area of the pavement is broomed to remove all loose material;
- Check that any flush kerbs have steel reinforcing installed in accordance with approved drawings;
- Check that contraction joints are at 1.5m intervals;
- Check that flush kerbing has all dags removed from edges;
- Check that the kerb type for each section matches the approved drawings;
- Check that expansion joints are cut at 10mm thickness at 6.0m intervals to full depth within 48 hours of concrete pouring; and
- Check that the mastic sealing of the joint is smooth and uniform.
- Check that within two hours of surface finishing, all exposed faces of the completed kerb are protected from moisture loss for a period of not less than four days after extrusion by covering with plastic sheeting or spraying with an approved curing compound.

Asphalt pre inspection

- Ensure pavement is broomed to remove all loose materials;
- Check the primer seal surface is intact and not damaged; and
- Ensure weather is fine and no rain is expected during works.

Footpath inspection

- Check that the boxed out area is compacted and wet down;
- Check that the formwork is straight and uniform in height;
- Check that the depth of formwork is 100mm; and
- Check that the contraction and expansion joints are in accordance with the approved drawings.

Where testing of a stage of construction is requested, the next stage can proceed on the proviso that the Contractor accepts full liability for the previous stage.

Should remedial works be required they shall be at the Contractor's expense.

Upon the satisfactory completion of all subdivisional work and soil stabilisation, the consulting engineer shall submit a *Request for Practical Completion* form confirming that the works have been inspected and are in accordance with the approved drawings and specifications and also confirming the completed value of the works.

TARDIS CASE:	Subdivision Guidelines and Bond Registers
DOC:	Request for Practical Completion template

Upon receipt of this notification, the *Subdivisions Non Cash Infrastructure Spreadsheet* needs to be updated with any variations in costs from the original contract advice.

TARDIS CASE:	Subdivision Non Cash Infrastructure
DOC:	Subdivisions Non Cash Infrastructure Spreadsheet

Upon receipt of this notification, which is to include quality assurance certification, the local government shall arrange a practical completion inspection of the completed works at a mutually convenient time.

The inspection shall require the presence of the Shire of Dardanup's representative, the developer or their representing consulting engineer and the contractor. The contractor is to arrange for all road pavements to be swept, the drainage system cleaned out and gully and manhole covers temporarily opened for inspection. All drainage infrastructure needs to be accessible at the time of inspection.

Practical Completion Inspection

Prior to conducting a practical completion inspection, the drawings should be scrutinised to ensure all items shown in the drawings are checked during the inspection. In addition, the following items should be confirmed:

- Drainage pit lids to be mortared to the top of the liners – check inside the pits using the inspection mirror;
- Soakholes in pit bases to be free of mortar to infiltrate and normally will require aggregate;
- Drainage pits to be clean;
- Footpaths to be swept and outside edges of footpath to be compacted in verge;
- Verge to be smooth and graded at 2% with service pits matching verge level;
- Kerb cracking should be grouted and if excessive replaced;
- Light poles should be vertical and clean;
- Street signs and chevrons should be installed;
- Completed disturbed areas should be hydromulched with seed and green dye; and
- Roads should be swept clean and linemarking installed.

R Spec and D Spec data must be verified by the Shire's Asset Information Officer as acceptable prior to issuing Practical Completion. The data is used to update the Shire's asset data bases following completion of subdivision. Once all of the quality assurance documentation has been received as detailed in the *PR027 - Subdivision Construction Guidelines* and verified as meeting the specifications, a letter of Practical Completion must be prepared and forwarded to the consulting engineer.

TARDIS CASE:	Subdivision Guidelines and Bond Registers
DOC:	Practical Completion letter template

Notification of the new infrastructure accepted by the Shire and the location of the documents as above must be sent to the officers responsible for programming maintenance activities via email.

20. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:	
Owner:	Development Engineer

Addendum E

PROCEDURE

Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Manager/Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		
Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR027 - Subdivision Construction Guidelines PR043 - Variation to IPWEA Subdivisional Guidelines PR049 - Subdivision Application Engineering Review PR062 - Subdivision Engineering Drawing Review PR063 - Subdivision Clearance of Engineering Conditions		
DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001639785
Review Frequency	Biennial	Next Due:	11-09-2026

Version #	**Date & Decision Reference:**	**Synopsis:**
1	11-09-2024 Details	PR057 Created & endorsed by Director

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

PROCEDURE NO & TITLE	PR063 SUBDIVISION CLEARANCE OF ENGINEERING CONDITIONS
Responsible Directorate	Infrastructure Directorate

21. PURPOSE OR OBJECTIVE

The IPWEA Subdivisional Guideline has been adopted for use *in its entirety* as the **minimum** level of requirements under the Shire of Dardanup Policy CP066 – Shire of Dardanup Guidelines for Subdivisional Development (Policy CP066).
Procedure PR043 – Variation to IPWEA Subdivisional Guidelines also includes supplementary technical information to support the Policy CP066.
In addition, Procedure PR027 – Subdivision Construction Guidelines provides supplemental information in relation to Construction Works in cases where the Policy CP066 either does not address an issue directly or requires the Shire to formally state its preferred outcomes. This Guideline will be distributed to Consulting Engineers and Contractors at the commencement of any Subdivision works within the Shire.
The purpose of this procedure is to provide guidance on ensuring all aspects of the engineering conditions have been addressed prior to clearing of the conditions.

22. DEFINITIONS

Definitions are taken as those in the Local Government Act 1995 and associated legislations.

23. PROCEDURE

The developer or their agents may request clearance of subdivision conditions once the construction works are nearing completion.
The Procedure *PR027 – Subdivision Construction Guidelines* contain conditions required for clearances to be granted and requirements for gaining early clearances when works are yet to be completed.
Once a request for clearance of conditions has been accepted by the Shire, Planning will provide documents detailing each condition relevant to engineering and request comment on whether the developer has satisfied the condition.
Check the Deposited Plan to ensure the lots shown for creation align with those shown on the engineering drawings and show full details of all lots, road reserves, easements and reserves.
Check the Deposited Plan to ensure that where a site classification other than 'A' (i.e. 'S', 'M' or 'P') is determined for any Lot shown on the Diagram of Survey, a Section 70(a) notification is to appear on the title for that Lot. This is to provide advice to purchasers of the land that additional site costs will be incurred at time of building where the classification is other than "A".
If Practical Completion has been reached, most of the engineering conditions will have been achieved with the possibility of some small outstanding items needing bonding such as path sections awaiting service link-ins. Invoices must be prepared for the outstanding works and the bonds need to be paid before clearance of the relevant condition is approved.
The condition requiring road frontage to be constructed also requires the Shire supervision fee and 12-month defect liability bond to be paid before the condition can be cleared.

Supervision Fees

Where the developer has engaged a consulting engineer to design and supervise the works, the supervision fee charged is 1.5% of the contract value. Where no consulting engineer has been engaged, the supervision fee charged is 3% of the contract value which is usually noted on the initial Contract Advice. A *Form 30* is usually completed to raise an invoice prior to the subdivision works commencing. Check in Synergy that the invoice has been paid through *Debtors Maintenance*.

12 Month Defect Liability Bond

The value of the 12 month defect liability bond is 5% of the contract value of roads, drainage and paths which also usually noted on the initial Contract Advice. A *Form 30* needs to be completed to raise an invoice. The debtor should normally be the developer and GST is not applicable to bonds.

Outstanding Works Bond

The Outstanding Works Bond must be assessed and approved in accordance with Council Policy *Infr CP404 – Shire Acceptance of Bonds.* A Bond agreement must be prepared and signed by both parties, prior to the raising

of an invoice in accordance with Procedure *PR069 – Preparation of Bond Agreements.* A *Form 30* needs to be completed to raise an invoice. The debtor should normally be the developer and GST is not applicable to bonds. When invoices are being prepared, a *Form 30* must be completed which will require Charge Codes and General Ledger numbers. The following table shows the codes to be used in completing the forms.

Invoice Type	Charge Code	General Ledger	GST status
Supervision Fees	0420	1424002	exempt
12-Month Defect Liability Bond	0110	4010308	exempt
Soil Stabilisation Bond	0110	4010308	exempt
Outstanding Works Bond	0110	4010308	exempt

Once the invoices have been raised and sent to the developer, checks must be made in synergy to determine when the invoices have been paid.

Bond Register

Once bonds have been paid, they need to be added to the Bond Register in TARDIS.

TARDIS CASE: Subdivision Guidelines and Bond Registers
DOC: Bond Register

The bond register contains a record of all engineering bonds paid to the Shire and when they are returned.

Geotechnical Report

There is usually a condition requiring a post geotechnical report to be submitted to demonstrate that the earthworks have been carried out correctly and report on the Site Classification. This report is usually one of the last documents sent to the Shire and if is yet to be submitted, advice to the developer is often useful in case it has been overlooked.

Clearance

Once all of the conditions of subdivision applicable to the stage of works seeking creation of lots have been satisfied, fees are paid, bonds are paid, and any bond agreements have been executed, signing off on the conditions can be carried out on the documents prepared by Planning and the documents returned to Planning. Once all of the conditions are cleared by all departments, Planning will send a letter to WAPC confirming conditions have been met and the lots will be created.

24. DOCUMENT CONTROL

DOCUMENT RESPONSIBILITIES:			
Owner:	Development Engineer		
Reviewer:	Manager Infrastructure Planning & Design	Decision Maker:	Director
COMPLIANCE REQUIREMENTS:			
Legislation:	*Local Government Act 1995*		
Other (Plans, Strategies, Policies, Procedures, Standards, Promapp, Delegations):	Infr CP066 – Guidelines for Subdivisional Development PR027 - Subdivision Construction Guidelines PR043 - Variation to IPWEA Guidelines PR049 - Subdivision Application Engineering Review PR057 - Subdivision Site Inspection Guidelines PR062 - Subdivision Application Review		
DOCUMENT MANAGEMENT:			
Risk Rating:	Moderate	Records Ref:	R0001639805
Review Frequency	Biennial	Next Due:	11-09-2026
Version #	**Date & Decision Reference:**	**Synopsis:**	
1	11-09-2024 Endorsed	PR063 Created & endorsed by Director	

Note: Changes to Compliance Requirements may be made without the need to take the Procedure to Council or EMT/CEO for review.

POLICY NO:
Infr CP069 – WASTE MANAGEMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History	1	New	OCM	24/02/10	Res: 33/10	**Synopsis**	Policy created.
Version	2	ENG30	OCM	10/05/12	Res:	**Synopsis**	Policy reviewed.
Version	3	CP069	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP069	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP069	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	Infr CP069	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To ensure that domestic waste is managed in a manner that minimises the risk to public health and follows the Waste Authority's Better Practice FOGO Kerbside Collection Guidelines.

To ensure properties within the appropriate prescribed areas are provided with an effective and timely 2 bin collection service (general waste and recycling), or 3 bin (general waste, recycling, and FOGO- food organics and garden organics) collection service respectively.

To provide clarification on the level of service available to areas outside of the prescribed areas.

3. POLICY

The Shire of Dardanup has a 3-bin kerbside waste services consisting of a weekly 240 litre FOGO kerbside collection, and a fortnightly 240 litre recycling and 140 litre general waste collection, alternating on opposite weeks, respectively.

The 3-bin (general waste, recycling, and FOGO) prescribed areas are listed in the *Shire of Dardanup Health Local Law 2000* as being the urban area town sites of Dardanup, Burekup, and Eaton and the 'smallholdings' areas of Dardanup West/Crooked Brook Rural Residential properties (also known as Copplestone and Padbury Fields). As the small holdings development area continues to extend south into Crooked Brook, these extensions are considered within the same collection precinct, as per the Shire of Dardanup Local Planning Strategy.

The Shire of Dardanup has prescribed the 2-bin (general waste and recycling) collection non residential and non residential rural areas as industrial, commercial and rural. This waste collection service consists of a weekly general waste collection and fortnightly recycling collection.

3.1 Residential and Rural Residential Properties

Residential and Rural Residential properties with approved habitable dwellings within the prescribed area are provided with a Compulsory 3-bin Waste Collection Service consisting of, a single 140 Litre general waste bin and a single 240 Litre recycling bin and a single 240 Litre FOGO bin. Grouped dwelling sites may be supplied with 140 Litre bin where space for storage is limited if requested.

3.1.1 Residential

Residential properties with the townsites of Dardanup, Burekup and Eaton with an approved habitable dwelling within the prescribed area.

3.1.2 Rural Residential

Properties within the smallholding zoning of Dardanup West/Crooked Brooke Rural Residential (also known as Padbury Fields and Copplestone) are within the prescribed area. This includes all extensions of the Dardanup West Rural residential south of Garvey Road, as per the indicative outline within the Local Planning Strategy.

3.2 Non- Residential and Non Rural Residential Properties (Optional)

3.2.1 Light Industrial

A waste collection service may be offered to the light industry lots bordered by Harris Road and Martin Pelusey Road, subject to approval by the Chief Executive Officer and the service provider. This service is a 2-bin waste collection service.

3.2.2 Commercial

A waste collection service may be offered to the commercial properties with the townsites of Dardanup, Burekup and Eaton. This service is a 2-bin waste collection service.

3.2.3 Rural Properties

Rural properties that are not included in the prescribed areas but are located on the waste collection route used by the service providers may request to access the Waste Collection Service.

The properties within these areas are not charged the Rubbish Collection Service Fee. If, however, the owners request the kerbside waste and recycling services and the service providers agree to provide the service, the service may be approved by the Chief Executive Officer and the appropriate fees will be charged.

Council and or its service providers reserve the right to refuse an optional service to any property not within the prescribed areas.

3.2.4 Non-Residential Areas – Ferguson Valley Rural Extension

Rural properties along selected roads within the Ferguson Valley can voluntarily apply for a 2-bin (general waste and recycling) waste collection service. These roads are selected by Council, or under Chief Executive Officer delegation.

3.2.5 Non-Residential Areas – General Rural

Rural properties and small holdings that are not included in the prescribed area or within the waste collection service areas are not charged the Compulsory Waste Service Fee.

The kerbside general waste, recycling and FOGO services are generally not provided to these areas.

3.3 Additional Bin Service

Additional general waste, recycling and FOGO bins are available to properties within the collection area on request. Additional services will be charged at a rate equal to the rate as defined in the Shire of Dardanup Fees and Charges – Rubbish Charge (Additional Service).

3.4 Tip Passes

Tip Passes for the Shire of Dardanup Banksia Road Waste Transfer Station are available for purchase from the Shires Eaton and Dardanup administration offices, and directly from the Waste Transfer Station. The passes may be used for the disposal of Domestic Waste and general household yard waste.

POLICY NO:
Infr CP073 – ROADSIDE FIRE HAZARD MANAGEMENT – RURAL AND SEMI RURAL AREAS

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	22/02/95			**Synopsis**	Policy created. 25/01/2005
	1	A2.6	OCM	21/10/03	Res:	410/03	**Synopsis**	Reviewed Policy Adopted
		ENG35	OCM	10/05/12	Res:			Reviewed Policy Adopted
Version	2	CP073	SCM	26/07/18	Res:	251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP073	SCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP073	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP073	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To reduce the risk of fire by undertaking fire hazard management on roadside verges.

3. POLICY

Council recognises the concerns of rural and semi-rural property owners regarding potential fire hazards on some roadsides and the need to manage fuel load and its associated risks.

Slashing

The burning of dry grass and material from sections of roadsides, for the purpose of removing fire hazards, are subject to:

i) The adjoining property owner(s) supporting the burn. The Shire will assist in providing public notices to adjoining landowners.

ii) Burning is to be carried out by members of a registered Bushfire Brigade of the Shire under the supervision of the Fire Control Officer or Captain.

iii) Brigades are only authorised to burn by way of an approved Shire of Dardanup Prescribed Roadside Burn Application, issued with or without conditions as are considered appropriate for each section of roadside.

iv) All reasonable precautions are taken to protect flora and fauna during the course of roadside burning (pest plants and wild weeds excluded).

v) Traffic Management is prepared and implemented by appropriately qualified and trained personnel.

The Shire will provide assistance in arranging the traffic management plan and its implementation.

POLICY NO:
Infr CP074 – ASSET MANAGEMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	22/02/95			**Synopsis**	Policy created. 22/01/1995
	1	ENG36	OCM	17/04/13	Res:	106/13		Reviewed Policy Adopted
Version	2	CP073	SCM	26/07/18	Res:	251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP074	SCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP074	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP074	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

This policy aims to:

- Outline asset management objectives, targets and plans for the assets managed by the Shire of Dardanup.
- Establish a platform for service delivery associated with those assets.
- Provide the framework that enables the Asset Management Strategy and Plans to be produced; and
- Support a 'whole of life' and 'whole of organisation' approach to asset management.

3. DEFINITIONS

Asset Management is defined as:

> *The systematic and coordinated activities and practices of an Organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of its assets.*
> Source: International Infrastructure Management Manual (V4.0 - 2011)

An asset, with respect to Local Government, is defined as a tangible physical item that is required to deliver services essential for the normal and proper functioning of a community.

The Shire recognises that it has a varied portfolio of assets under its control. The Department of Local Government (WA) defines these assets as follows:

Local Government Asset Classes	Sub-Class Examples
Land	Reserves, Botanical Garden, Parks, Sportsground and Playing Fields, Landfill Sites, Cemeteries and other land assets requiring management.
Buildings	Administration buildings, animal shelters, libraries, public toilets, halls, heritage listed sites and other building assets requiring management.
Infrastructure	Road networks (sealed, gravel, reseals, formed) including car parks, pavement, seal, kerb and channel, drainage, traffic management, furniture and signs, lighting and paths, drainage networks (including open channel storm water drains), flood mitigation networks, water supply network, sewerage networks (including waste treatment facilities), bridges airports, wharves, piers, jetties and pontoons, infrastructure on parks, gardens and reserves, tunnels, retaining walls, sea and river walls, canals as well as other infrastructure assets requiring management.
Information Technology	Hardware (including computers, monitors, servers, network hubs), software (including all operating software – excluding internally developed software, specialist software e.g. finance/GIS, customer service systems), communications (telephone systems, radio systems, fibre optics conduits/pipe), application specific technology (CCTV cameras/systems, CCTV monitoring room equipment, GIS recording units) as well as other information technology requiring management.
Plant and Equipment	Vehicles (including corporate fleet, service vehicles e.g. rubbish collection vehicles/ranger vehicles, works vehicles; heritage plant), equipment (including: fixtures and fittings, furniture, street cleaning equipment, roads/paving equipment, parks equipment, heritage equipment, library books) as well as other plant and equipment assets requiring management.
Other Assets	Off road paths, beaches, urban open space, street scapes and any other assets requiring management.

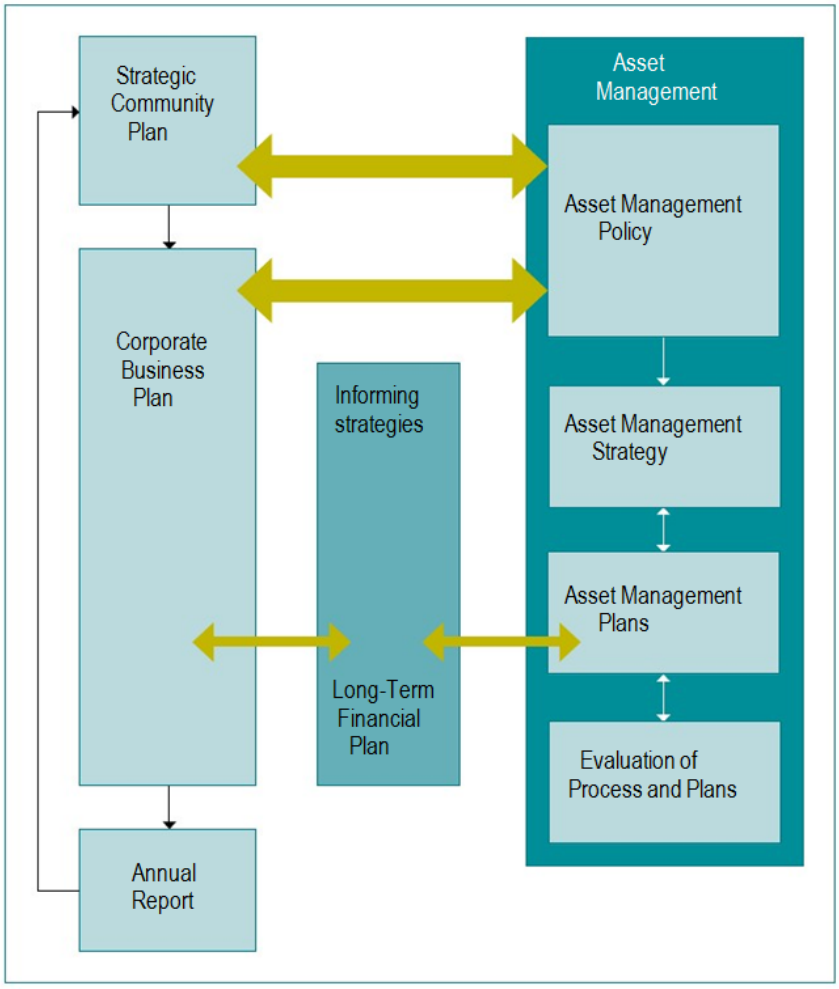
3. POLICY

The Shire of Dardanup recognises the importance of Asset Management in its core duties as a local government.

The Shire of Dardanup shares the responsibility for the management of each Asset Class as follows:

Asset Class	**Department Responsible**
Land	Infrastructure
Buildings	Infrastructure
Infrastructure	Infrastructure
Plant and Equipment	Infrastructure Corporate & Governance
Information Technology	Corporate & Governance
Other Assets	Infrastructure

This Asset Management Policy forms part of the Integrated Planning process that has been adopted by the Shire of Dardanup, linking into the Shire's Strategic Community Plan, Corporate Business Plan and Strategic Financial Plan as shown below.

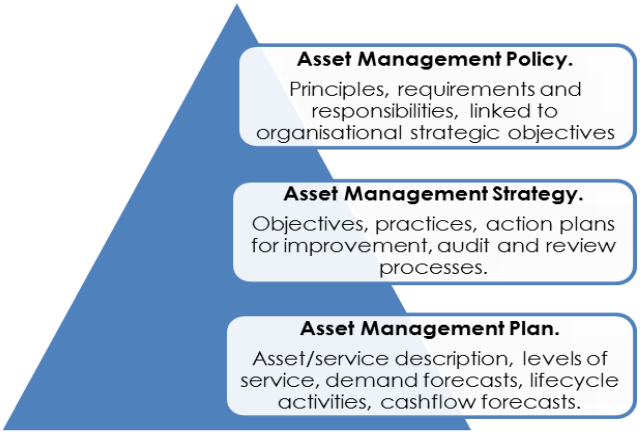


Source: Asset Management – Framework and Guidelines
Department of Local Government (WA) – May 2011

Council will ensure that its asset management practices and decisions:

- Provide effective and efficient management of assets owned and/or managed by the Shire of Dardanup.
- Provide transparency in the decision-making processes undertaken with respect to the management of assets.
- Comply with the requirements and intent of relevant legislation.
- Are consistent with Council's strategic, corporate, and financial directions; and
- Suited to the current and future community need and capacity.

Asset Management will be delivered in the Shire of Dardanup by Shire Officers following the procedures and guidelines outlined in the Asset Management Strategy and in the Asset Management Plans that have been developed for each Asset Class.



In the development of Asset Management documentation for use by the Shire of Dardanup, Shire Officers shall use the guiding principles outlined in the following documents:

- Asset Management – Framework and Guidelines
  Department of Local Government (WA) – May 2011
- International Infrastructure Management Manual
- Institution of Public Works Engineers, Australia (IPWEA) V4.0 – 2011
- Risk Management – Principles and Guidelines
  AS/NZS ISO 31000:2009
- Quality Management Systems (AS/NZS ISO 9001:2008)

Shire Officers shall ensure that the following areas are considered in the preparation of Asset Management documentation:

- Public Safety
- Sustainability
- Governance
- Financial Management
- Stakeholder Consultation
- Quality Management
- Risk Management
- Industry Best Practice

Asset Management documents will be "living documents" to be reviewed on a regular basis. This will ensure that the management of assets within the Shire remains current, relevant and in line with industry best practice.

A schedule for the review of these documents is outlined below:

Document	**Review**
Asset Management Policy	Every 2 years
Asset Management Plans	Every 4 years
Program of Works and Long-Term Financial Plan	Every 1 year

The International Infrastructure Management Manual (2011) describes a process for determining the "Maturity Level" of an organisation with respect to Asset Management. On a bi-annual basis, the Shire of Dardanup shall determine its "Asset Management Maturity Index" and report this in its Annual Report. The aim, to ensure the Shire is moving forwards with respect to Asset Management, management practices.

Shire of Dardanup

POLICY NO:

Infr CP076 – SHIRE RESOURCES FOR FIRE MANAGEMENT ACTIVITIES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	23/10/98	Res: 983/98	**Synopsis**	Policy created. 23/10/1998
	1	DEV1	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP076	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP076	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP076	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	5	Infr CP076	OCM	23/10/24	Res: 275-24	**Synopsis**	Amalgamation of Policy Infr CP076 and Infr CP056, to one Policy being Infr CP076. Infr CP056 revoked. Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The response to incidents needs to be managed as quickly as possible to get the incident under control, to protect life and property.

This policy enables the Chief Executive Officer, the Shire President, and the Chief Bush Fire Control Officer to expedite the use of Council owned plant and equipment, and/or hire plant and equipment, to protect life and/or property during a fire. It also enables the Director Infrastructure, the Manager Operations, and the Principal Works Supervisor to act quickly when requested to do so, where life and property is threatened.

3. POLICY

The Council authorises:

a) The use of Council's Plant and Equipment, at the discretion of the Chief Executive Officer or the Shire President in the absence of the Chief Executive Officer.

b) The Chief Bush Fire Control Officer to hire plant and equipment where it is considered necessary to engage additional resources to protect life and/or property, at the discretion of the Chief Executive Officer or the Shire President in the absence of the Chief Executive Officer.

c) The Chief Executive Officer to allow Shire works staff and plant to attend incidents within the Shire, or in adjoining Shires when practical to do so, with no costs to be charged against the landowner for any assistance given. Noting that:
   - the Chief Executive Officer is given discretion to seek payment of costs in cases whereby the incident is demonstrated as being the result of negligence or an act committed in contravention to a notice or requirement of law.
   - Shire staff are under the control of the Chief Fire Control Officer or incident controller whilst in attendance at the fire.

This policy does not limit the Shire President's authority to authorise expenditure in an emergency under section 6.8 (1) (c) of the *Local Government Act 1995*.

4. REFERENCE DOCUMENTS

Local Government Act 1995 5.41 (CEO)
Local Government Act 1995 6.8 (1) (c) (President)
Bush Fires Act 1954 36 (Council expenditure)
Bush Fires Act 1954 39 (d) (g) (Bush Fire Control Officers)

POLICY NO:
Infr CP117 – MAINTENANCE OF VERGES BY THE SHIRE

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	CP117	SCM	26/07/18	Res: 251-18	**Synopsis**	Created and Adopted by Council
Version	2	Infr CP117	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP117	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	4	Infr CP117	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To define the circumstances and locations whereby the Shire will undertake the maintenance of road verges.

3. POLICY

This policy applies to road verges in both built up areas and outside built-up areas in the Shire of Dardanup.

3.1 Outside Built Up Areas

3.1.1 *Rural Areas*

Adjoining property owners are not permitted to maintain road verges in rural areas unless it is the portion of road reserve beyond the road maintenance zone (i.e. between the outside batter of the roadside drain or embankment and the property fence line. This area must only be accessed from within the area that is permitted to be maintained.

Any works or access to the verge between the roadside drain and the road pavement is considered a high risk due to the road and speed environment and therefore property owners are not permitted to work in this verge area without the necessary safety precautions (i.e. approved traffic management plan and traffic control) and approval from the Shire.

The Shire of Dardanup will undertake any maintenance works deemed necessary along rural roads subject to programming, resources and priorities.

3.1.2 *Semi-rural Areas*

Adjoining property owners are permitted to maintain road verges in semi-rural areas along roads that are classed as local access roads.

Any works or access to the verge on roads classed as a local distributor is subject to the same conditions as with rural roads.

The Shire of Dardanup will undertake any maintenance works deemed necessary along semi-rural roads subject to programming, resources and priorities.

3.2 Within Built Up Areas:

3.2.1 Residential Areas

The Shire of Dardanup will undertake the maintenance and upkeep of road verges in the following locations and circumstances:

- Road verges adjoining public open spaces and reserves.
- Road verges in front of community and public building owned by the Shire of Dardanup.
- Eaton Drive except for the sections where properties have direct frontage to the road.
- Ferguson Road (Dardanup townsite).

- Boyanup Picton Road (Dardanup townsite).
- Russell Road between Clarke Street and Rose Street (Burekup townsite).
- Road verges adjacent to undeveloped land.
- Entry statements and landscaped features in estates. These areas shall be mapped and identified in the Shire's GIS system.
- Those sections of the verge that contain drainage infrastructure including tree pits, vegetated swales and WSUD drainage gardens.

The Shire does not undertake the maintenance and upkeep of side verges at corner lots.

3.2.2 Industrial Areas

The Shire of Dardanup will undertake the maintenance and upkeep of road verges in the following locations and circumstances:

- Road verges adjoining public open spaces, and reserves.
- Road verges adjacent to undeveloped land.
- Undeveloped road verges adjacent to developed properties (slashing of long grass and periodic spraying if and when necessary)
- Entry statements and landscaped features in estates. These areas shall be mapped and identified in the Shire's GIS system.

3.2.3 Commercial Areas

The Shire of Dardanup will undertake the maintenance and upkeep of road verges in the following locations and circumstances:

- Road verges adjoining public open spaces, and reserves.
- Road verges adjacent to undeveloped land.
- Entry statements and landscaped features where agreed to. These areas shall be mapped and identified in the Shire's GIS system.
- Any other areas via agreement with local businesses.

3.2.4 Trees

Refer to Tree Management Policy Infr CP121.

4. REFERENCE DOCUMENTS

Infr CP121 Tree Management Policy

POLICY NO:-
Infr CP118 – ISSUE OF TIP PASSES FOR ELIGIBLE COMMUNITY GROUPS AND NOT-FOR-PROFIT ORGANISATIONS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	CP118	SCM	26/07/18	Res: 251-18	**Synopsis**	Created and Adopted by Council
Version	2	Infr CP118	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP118	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP118	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To assist locally based community groups and not-for-profit organisations by providing subsidised access to the Shire of Dardanup waste service.

3. POLICY

Community groups and not-for-profit organisations based in the Shire of Dardanup are eligible to receive one tip pass per annum at no cost, subject to approval by the Chief Executive Officer. The tip pass provides for the disposal of 10 standard trailer (1.8m x 1.2m) loads of waste accepted at the Shire of Dardanup Banksia Road Transfer Station.

The Chief Executive Officer will determine each application based on the following eligibility criteria:

- The applicant must be a community group and/or not-for-profit organisation.
- The applicant must be based within the Shire of Dardanup.
- The applicant must operate within the Shire of Dardanup.

When a tip pass is granted, it is subject to the following conditions:

- It can only be used by the recipient issued the tip pass by the Shire and is not allowed to be used by or transferred to another person or organisation or duplicated and reproduced in any way.

- Only waste types that are currently accepted at the Shire of Dardanup Banksia Road Transfer Station can be disposed using the tip pass.

- The tip pass is only valid for the financial year that it was issued in. Further tip passes can be applied for in the next financial year.

- Failure to take heed of the conditions may result in the cancellation of the tip pass and no further tip passes being issued to the applicant.

Shire of Dardanup

POLICY NO:-

Infr CP119 – MAINTENANCE OF ACCESS TRACKS TO ISOLATED PROPERTIES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	CP119	SCM	26/07/18	Res: 251-18	**Synopsis**	Created and Adopted by Council
Version	2	Infr CP119	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP119	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP119	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To define the circumstances whereby the Shire will assist in the maintenance of access tracks to properties that are not provided with a dedicated road and are isolated within State Forest.

3. POLICY

This policy applies to properties in the Shire of Dardanup that are:

- Situated within State Forest;
- Not directly connected to a dedicated road;
- Accessed via a vehicular track through State Forest; and
- Rateable properties and pay rates to the Shire of Dardanup.

The Shire of Dardanup is committed to working with the State Government to arrange a dedicated access connecting to the property via the Land Administration Act 1997. This may involve the dedication of the existing track where possible or the consideration of new road alignments that may minimise the impact on forest areas.

Until such time that a dedicated road is provided to the property, the Shire of Dardanup will provide occasional assistance in the maintenance of the access to the property subject to the approval of the relevant state government department responsible for the land on which the track is located and upon request by the Property Owner. The frequency and scope of maintenance to be offered will be determined by the Chief Executive Officer.

Assistance is generally limited to the following conditions:

- Only one access track per property (i.e. assistance will not be provided to multiple accesses to one property);
- Maintenance is limited to a maximum distance of two kilometres per access track, measured from the last gazetted section of the road network, along the track to the property gate; and
- The Shire does not accept any liability for the track and its ongoing condition.

POLICY NO:-
Infr CP120 – ENVIRONMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	CP120	SCM	26/07/18	Res: 251-18	**Synopsis**	Created and Adopted by Council
Version	2	Infr CP120	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP120	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP120	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

- To maintain, protect and enhance the natural environment within the Shire of Dardanup.
- To ensure that policies, strategies and management plans are prepared and implemented for natural reserves, endemic flora and fauna and natural landscape areas in the care, control and management of the Shire.
- Promote community engagement of the environment and encourage responsible environmental behaviour and participation in the management of the environment.
- Effectively manage resource consumption, including water and energy that will assist in achieving a more sustainable environment.
- Create and foster partnerships that will advance the Shire's environmental objectives.

3. POLICY

3.1 Management of Natural Areas and Ecosystems

- The Shire of Dardanup will preserve, protect and enhance the ecology and biodiversity of natural ecosystems contained within reserves under the care, control and management of the Shire.
- The Shire of Dardanup will prepare and implement strategies and management plans for natural reserves and other naturally vegetated areas in the care, control and management of the Shire.
- All natural reserves created through subdivision and to be handed over to the Shire must be accompanied with an environmental management plan endorsed by the Chief Executive Officer.
- The Shire of Dardanup will actively engage and foster the community to educate and encourage interest and participation in the restoration and management of reserves and natural areas.

3.2 Conservation, Protection and Enhancement of Natural Area Resources Within the Shire.

The Shire of Dardanup currently recognises natural areas within Shire boundaries as assets, which intrinsically provide benefits to the Shire, the environment and the community, via the following means:

- Ecosystem services provided by natural areas such as; water quality improvement and filtration through existing wetlands, drainage; natural vegetation providing services such as shade, air quality improvement, etc.
- General services to the community, including passive recreation, health and wellbeing services and community engagement.
- Built landscape services such as sense of place, aesthetics, landscape enhancement etc.

Recognising these values, the Shire will implement natural area management best practice to:

- Minimise threats to natural environments through consideration of sustainable best practice where possible.
- Protect, conserve and enhance the most valued high conservation areas through sound environmental management

- Utilise opportunities to engage the community through education and engagement practices to help to protect and value natural assets in the Shire.

3.3 Design and Construction of Shire Infrastructure and Built Assets

When undertaking design and construction activities, the Shire of Dardanup will give consideration to, and incorporate the following with the intention of increasing sustainability and reducing the direct and indirect impacts on the environment:

- The use of recycled construction and demolition products in civil construction projects, for example the use of recycled road base and drainage rock.

- Procuring products and materials from renewable and sustainable sources, such as plantation timber.

- Aspire to sourcing end-of-life management of materials at procurement stage to promote sustainable disposal of final products as appropriate.

- Seeking design consultants, builders, suppliers and construction contractors who employ current best practice in environment and sustainability, and systems to minimise the environmental impact resulting from the project, implementation and ongoing processes.

- During the development of project designs, examine water and energy efficiencies and explore possible design and specification changes that can enhance the environmental performance of the asset while achieving both a sustainable and affordable solution and final outcome.

3.4 Shire Operations and Activities

The Shire of Dardanup will review and develop its operations and activities to find opportunities to reduce the impact on the environment, including:

- The implementation of best practice management and monitoring of ground water extraction and usage.

- Reducing irrigation water usage through irrigation efficiency improvements, hydro-zoning and waterwise landscape designs.

- Improve the quality of surface water runoff through Water Sensitive Urban Design and other drainage best practices.

- Where possible, consider the impacts of operations and activities on air quality and possible mitigation methods.

- Prevent and/or manage contamination of land.

- Support and implement the development and implementation of sustainable alternatives for the supply of water and energy.

- Explore opportunities to reduce the environmental impacts of the Shire's plant and vehicle fleet, including consideration of establishing an electric pool vehicle fleet and supporting infrastructure.

- Shire operations staff to be appropriately trained, skilled and equipped to work effectively in and around natural areas to minimise environmental impacts.

3.5 New Developments

When considering new developments, the Shire of Dardanup encourages developers and their consultants to consider the implementation of both sustainable and environmental best practices, including but not limited to:

- Alternative water supplies for both potable water and non-potable uses, including water recycling, grey water usage in irrigation, rain-water tanks, storm water harvesting etc.
- Renewable energy sources including solar and wind energy, as well as battery storage.
- Infrastructure provision to accommodate electric vehicles.
- The integration of smart technology to infrastructure and processes that will improve efficiencies and enable monitoring of performance.
- Implementation of Water Sensitive Urban Design principles and total water cycle management.
- Protecting and enhancing existing natural areas and wetlands, and using vegetation types that are endemic to the area.
- Retaining existing endemic vegetation and trees as landscaping assets and protection of these during development.
- Protection and retention of significant areas of endemic vegetation and trees, and the planting of endemic trees and other vegetation throughout development.

POLICY NO:-
Infr CP121 – TREE MANAGEMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:	PR050 – to be drafted	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	New	OCM	27/05/20	Res: 123/20	**Synopsis**	Policy Created
Version	2	Infr CP121	SCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP121	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP121	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To inform of the responsibility of tree management within the Shire.

3. DEFINITIONS

A tree under this policy is defined as:

> A tree located on the road reserve, Crown land or other land that is under the care, control and management of the Shire.

A locally significant tree may be identified as:

> A tree or a group of trees that hold particular cultural, heritage, environmental or scientific value (as per the National Heritage Trust Advisory document*). These trees may be significant due to their age, species, location, cultural significance, Biodiversity value (See National Heritage Trust document), habitat value (Habitat Trees)

4. REFERENCE DOCUMENTS

Council Policy Infr CP057 – Residential Road Verge
Council Policy Infr CP058 – Roadside Vegetation

5. POLICY

The Shire of Dardanup values all Shire trees as an integral part of the landscape, as providing vital benefits for the community with sound social, environmental and economic values.

The Shire accepts ownership and is responsible for the care, control and management of all trees on property owned and/or managed by the Shire. This includes, but is not limited to, the inspection, maintenance, removal and or replacement of trees.

The Shire does not accept ownership of trees situated on private property and/or non-Shire owned or managed land, and are considered to be the responsibility of the private property owner or manager of the land on which the tree is located.

5.1 Removal of Trees

Residents and ratepayers are not permitted to remove any tree on reserves or land owned or under the care, control and management of the Shire.

The Shire may remove trees on reserves or land under the care, control and management of the Shire, including those on street verges, if it is:

- An endemic tree, alive or dead, that is covered by an exemption to clearing permits, *under part V of the Environmental Protection Act of 1986,* or is subject to a clearing permit obtained from the Department of Environmental Regulation;

- A tree that is either:

- Dead;
- In a state of decline to the point that survival is unlikely;
- Structurally unsound, to the point of constituting;
- Damaging or likely to damage property, where alternatives to prevent damage are not possible;
- Part of a tree replacement program;
- Obstructing a Council approved works program, such as road and drainage work;
- Places the public at unacceptable risk; or
- A landscape or planted verge tree that is not on the Shire's approved species list.

In the case of a landscaped or planted verge tree that is not on the approved species list and does not meet any other criteria for removal, those trees shall continue to be maintained by the Shire until such time it is removed and replaced under the Shire's tree replacement program.

The Shire may grant a person or a company written permission to remove a tree or trees on reserves or land under the care, control and management of the Shire, including those on street verges.

Trees will not be removed or modified for the following reasons, unless in extenuating circumstances as approved by the Chief Executive Officer:

- Leaf debris and any arboreal windborne material;
- Leaves, nuts, fruiting bodies, bark, roots;
- Shading of solar panels;
- Aesthetics and views;
- Fauna, including insects, birds and mammals.

The CEO may apply conditions to any such approval including but not limited to, the reimbursement of the costs for removing the tree.

The Shire will consider any advice provided prior to making a decision on any specific issue, but is not bound by the opinion of any individual.

Where a tree is removed on a street verge, the Shire will plant a replacement tree selected from the Shire's approved species list. In the case where the replacement tree cannot be planted in the same location as the removed tree, the Shire shall plant the replacement tree in a nearby position.

All requests are to be made in writing to the Shire by using the appropriate Application Form.

The Shire has adopted Local Laws that allow for the issue of penalties to any person that damages or removes trees from Local Government property. Further to this, any costs associated with replacing a tree 'like-for-like' may also be at the person's expense.

5.2 Pruning of Trees

Residents and ratepayers are not permitted to prune any tree on reserves or land under the care, control and management of the Shire.

Generally, trees will be allowed to develop their natural canopy and will not be pruned except under the following circumstances:

- Vehicle clearances;

- Pedestrian height clearance;
- Public Utility requirements;
- Maintaining property clearances;
- Protecting assets; or
- Other circumstances as approved by the Shire.

At times when pruning is required this will be undertaken in accordance with AS4373-2007, Council Policy, and any State legislation for protection of habitat for endangered species.

All requests for tree pruning are to be made in writing to the Shire by using the appropriate Application Form.

5.3 Maintaining Tree Health

Trees are living organisms and as such, may be subject to change over time due to natural processes including storms, infestations by particular organisms, fire, flood etc. Under such circumstances the Shire will consider the appropriate treatment.

All requests for maintenance of tree health are to be made in writing to the Shire by using the appropriate Application Form.

5.4 Requests for New/ Replacement Street Trees

- Tree Planting

  The Shire is responsible for planting street and reserve trees under its annual tree planting program which includes requests from residents. The Shire will determine the species and select the location of the tree within the verge. Generally, one tree will be planted per property, while larger or corner properties may be subject to more.

- Street Tree Requests

  Residents can request for a tree to be planted on the verge abutting their property through the Shire's tree request program. The Shire will assess the suitability of the verge, determine the tree species and the location to align with services and infrastructure. The Shire is responsible for planting, staking, mulching, watering and pruning the tree.

5.5 Preservation of Locally Significant Trees

The Shire is committed to the preservation of locally significant trees and will keep a register of these trees and manage them appropriately.

5.6 Responsibility for Fallen Trees

Existing trees in reserves and other property may fall resulting in a safety risk to the public, damage to property and/or inconvenience thus requiring removal of the fallen tree(s). The responsibility for the removal and costs associated with the removal of fallen trees is as follows:

5.6.1 Trees that Fall onto a Shire Road

- Trees originating from Shire owned or managed land shall be removed from the road by the Shire for safety reasons. If the tree has fallen due to the actions of a person or company, the Shire will seek the reimbursement of costs from them. Otherwise, the Shire will remove the remainder of the tree from the verge.
- Non-native or planted (non-remnant) trees growing on private property and/or non-Shire owned or managed land shall be removed from the road by the Shire for safety reasons. The property owner or organisation responsible for the land on which the tree came from will be requested to remove the remainder of the tree. Reimbursement of costs is to be sought from them.
- Native and remnant trees growing on private property and/or non-Shire owned or managed land shall be removed from the road by the Shire for safety reasons. The property owner or organisation responsible for the

land on which the tree came from will be responsible for the portion of the tree on their land and for any damage to their property.

5.6.2 Trees that Fall Affecting Private Property and/or Non-Shire Owned Property

- Trees originating from Shire owned or managed land shall be, removed by the Shire and the Shire will refer any claims for the repair of damaged property to its insurer.

- Trees originating from private property and/or non-Shire owned or managed land shall be arranged between the property owners with no apportionment of responsibility or cost to the Shire.

5.7 Claims for Compensation

Where a compensation claim is made against the Shire as a result of alleged damage to property resulting from a tree or part of a tree, the matter will be referred to the Shire's insurer for a full assessment. Council accepts no liability in the first instance.

POLICY NO:-
Infr CP401 – HEAVY VEHICLE – ROAD CONTRIBUTION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	Infr CP401	OCM	28/10/20	Res:	292-20	**Synopsis**	Policy created
Version	2							
Version	3	Infr CP401	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	Infr CP401	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE AND OBJECTIVES

This policy provides the mechanism and guidelines that form the basis for negotiations for the upgrade of roads and/or recovery of costs resulting from increased asset consumption from freight tasks exceeding what would normally be accepted on the road network.
The objective of this policy is to:

1. Define the circumstances under which an upgrade and/or contribution would be sought from a freight generator;
2. Provide a method of calculating the contribution required from a particular freight task; and
3. Provide guidelines for the payment of contributions.

3. REFERENCE DOCUMENTS

- WALGA User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks
- WALGA User Guide – Estimating the Incremental Cost Impact on Unsealed Local Roads from Additional Freight Tasks
- Road Traffic (Vehicles) Act 2012
- Road Traffic (Vehicles) Regulations 2014

4. POLICY

The Shire of Dardanup, as it continues to grow, faces significant costs from road wear as a consequence of heavy vehicle traffic. The impacts of additional heavy vehicle traffic on shortening road life and increasing maintenance requirements are greater for roads that were not designed or constructed for this purpose.

Any Development Application (DA) received by the Shire of Dardanup that consists of the movement of freight and the subsequent operation of Restricted Access Vehicles (RAV) as prescribed in the Road Traffic (Vehicles) Regulations 2014 will be assessed to consider the proposed heavy vehicle route, type and volume of RAV movements that the proposed development will generate. It should be noted that this policy is therefore applicable to all vehicle configurations ranging from RAV Network 1 to 10 inclusive.

If the proposed freight task generated by the development seeks the use of a configuration not suited to the road design and /or represents an extra-ordinary load onto the road or where the freight task is clearly having a significant impact on the condition of the road, the Shire will negotiate with the freight generator to seek upgrades and/or road contributions as a condition of approval of the DA.

The Shire will enter into negotiations with freight generators and will condition the approval of the DA on the following basis:

1. If any part of the proposed route is not a current Shire of Dardanup RAV road that allows the proposed truck configuration, the Shire will:

    a. Seek any road upgrades required to enable the road to meet required standards applicable to the proposed RAV vehicle and is to be funded by the freight generator and completed prior to the freight task commencing;
    b. Seek a road contribution from the freight generator as a calculation of increased wear; or
    c. A combination of the above; or
    d. If agreement cannot be reached on the above, restrict the freight task to an “as-of-right” truck configuration.

2. If the DA is seeking to use RAV configurations greater than that currently permitted on any part of an existing RAV Network, the Shire will:

    a. Seek any road upgrades required to enable the road to meet required standards applicable to the proposed RAV vehicle and is to be funded by the freight generator and completed prior to the freight task commencing;
    b. Seek a road contribution from the freight generator as a calculation of increased wear;
    c. A combination of the above; or
    d. If agreement cannot be reached on the above, restrict the freight task to truck configurations that are currently permitted on the existing RAV Network.

If the proposed RAV route/type is a current Shire of Dardanup RAV road and of an equivalent approved RAV Network the Shire will seek a road contribution from the freight generator as a calculation of increased wear.

5. CONTRIBUTION METHODOLOGY

The estimation of road contributions shall be based on the WALGA Guides for Estimating the Incremental Cost Impact on Sealed Local Roads and Unsealed Local Roads from Additional Freight Tasks.

Any contributions received shall be held in reserve identified as a contribution to that particular road. The contribution shall only be expended on the road for which it was collected for when the road is renewed and/or upgraded.

Shire of Dardanup

POLICY NO:-

Infr CP402 – VEGETATION MANAGEMENT TO MITIGATE BUSHFIRE RISK IN URBAN NATURE SPACES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	Infr CP402	OCM:	30/06/21	Res:	185-21	**Synopsis**	Policy created
Version	2	Infr CP402	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	2	Infr CP402	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

To mitigate bushfire risk in Shire managed Urban Nature Spaces in proximity to residential dwellings, Shire assets and other infrastructure.

The Classification Framework for Public Open Space (Department of Sport and recreation, 2012) defines Nature Spaces as follows:

> Purpose
> Nature spaces provide a setting where people can enjoy nearby nature and protect local biodiversity and natural area values.
>
> Description
> Nature spaces provide opportunity for low-impact recreational activities, such as walking, cycling, picnicking, playing, watching or exploring natural features. Nature spaces may include bushland, coastal areas, wetlands and riparian habitats, and geological and natural features. Sites are managed to enable recreational access while protecting local ecological and biodiversity values.

This policy provides guidance in managing vegetation in urban Nature Spaces that pose CRITICAL and HIGH bushfire risks, as identified in "DRAFT Bush Fire Risk Assessment of Trees in Shire Streetscapes, Parks and Reserves, (2020)".

3. POLICY

When managing Nature Spaces, the Shire commits to ongoing mitigation of bushfire risk to adjoining residential dwellings, Shire owned assets and other infrastructure.

The Shire will do this by:

- Adhering to State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Managing bushfire risk on Shire managed Nature Spaces;
- Ensuring acquisition of Nature Spaces, including land development proposals, include bushfire risk mitigation measures;
- Continuous improvement in the Shires Operations functions to mitigate fire risk in Nature Spaces; and
- Ongoing advocacy for other land owning agencies to implement bushfire risk mitigation measures.

3.1 Adherence to SPP 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 – Planning in Bushfire Prone Areas aims to '*implement effective risk-based land use planning and development to preserve life and reduce the impact of bushfire of property and infrastructure'.* The Shire commits to adhere to the objectives of the SPP, being:

3.1.1 Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount;

3.1.2 Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process;

3.1.3 Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specific bushfire protection measures; and

3.1.4 Achieve an appropriate balance between bushfire risk management measures and biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.

3.2 Managing Bushfire Risk on Shire managed Nature Spaces

The Shire will mitigate bushfire risk in its Nature Spaces whilst protecting landscape amenity, environmental protection and biodiversity conservation values.

Using the precautionary principle, the Shire commits to managing each Nature Space to optimise its recognised use. This will be achieved by:

3.2.1 Consultation with adjoining land owners, residents and users of Nature Spaces;

3.2.2 Development of Nature Space Management Plans;

3.2.3 Ensuring each Nature Space has a fire break in accordance with Bushfire Prevention Orders;

3.2.4 Balanced fuel reduction programs, recognising the importance of fallen vegetation and litter for habitat and soil nutrition;

3.2.5 Prioritise periodic bushfire risk assessments of Nature Spaces; and

3.2.6 Revegetation planting programs that consider the Nature Space:

- Size;
- Topography;
- Location;
- Spatial offsets to dwellings and infrastructure;
- Appropriate species selection; and
- Maintaining emergency service vehicle accessibility.

3.3 Acquisition of new Nature Spaces

The Shire acknowledges that it will, from time to time, acquire new Nature Spaces by:

- Statutory conditions of land development, including subdivision;
- Transference of responsibilities of existing lands through Management Orders; and
- Otherwise gifted lands.

Prior to the acquisition of lands, the Shire requires the transferrer of the land to provide bushfire risk mitigation measures, including:

3.3.1 Undertake a Bushfire Risk assessment;

3.3.2 Preparation of a Bushfire Management Plan;

3.3.3 Document a proposal to mitigate bushfire risk, including emergency service arrangements, accessibility and fuel load management;

3.3.4 Document land management and Nature Space maintenance arrangements; and

3.3.5 Stakeholder consultation on the proposed acquisition of Nature Space.

3.4 Continuous Improvement in Shire Operations

The Shire manages over 12 Nature Spaces in urban settings. The Shire commits to ongoing improvement in its capacity to mitigate bushfire risk in its Nature Spaces whilst protecting landscape amenity, environmental protection and biodiversity conservation values.

This will be achieved by:

3.4.1 Appropriate staff training to build corporate knowledge and capacity;

3.4.2 Ongoing consultation with adjoining land owners, residents and users of Nature Spaces;

3.4.3 Routine removal of non-endemic, bushfire risk species, including weeds;

3.4.4 Routine pruning of tree limbs overhanging fences and other infrastructure;

3.4.5 Routine fuel load reduction, recognising the importance of fallen vegetation and litter for habitat and soil nutrition;

3.4.6 Well considered revegetation of endemic species that enhance the landscape, environmental values and biodiversity of Nature Spaces, in accordance with the objectives of this policy;

3.4.6 Routine inspections of Nature Spaces to ensure compliance with Bush Fire Orders and SPP 3.7;

3.4.7 Integration of these practices with other Shire Policies, including Environment, Tree Management, Roadside Vegetation and others; and

3.4.8 Periodic review of this policy and management practices.

3.5 Advocacy for Land Owning Agencies to Mitigate Fire Risk

The Shire recognises that fire mitigation management of bushfire risk areas requires collaboration and cooperation with other land owners. The Shire advocates for all land owners to meet their bushfire risk mitigation obligations and encourages this through:

3.5.1 Issue Bushfire Prevention Orders to all private land owners;

3.5.2 Encourage State Government land managers, including Main Roads WA, Public Transport Authority, Western Australian Planning Commission, and others, to manage their lands to mitigate bushfire risk;

3.5.3 Encourage public works undertaken by the State Government to include bushfire risk mitigation strategies in its project planning; and

3.5.4 Ensure the Shire sets a high standard in Nature Space bushfire risk mitigation as example for others to follow.

4. REFERENCED DOCUMENTS

4.1 Classification Framework for Public Open Space (Department of Sport and recreation, 2012);

4.2 DRAFT Bush Fire Risk Assessment of Trees in Shire Streetscapes, Parks and Reserves, (Shire of Dardanup 2020);

4.3 State Planning Policy 3.7 ‘Planning in Bushfire Prone Areas’ (Department of Planning, Lands and Heritage, 2020); and

4.4 Shire of Dardanup Bush Fire Risk Management Plan 2019.

POLICY NO:
Infr CP403 – COMMEMORATIVE PLAQUES IN PUBLIC SPACES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	Infr CP403	OCM	22/03/23	Res:	49-23	**Synopsis**	Policy created
Version	2	Infr CP403	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The Shire of Dardanup often receives requests from residents to install Commemorative Plaques within public spaces, to commemorate the lives of deceased prominent community members with a connection to the Shire.

The purpose of this policy is to establish the framework within which applications for Commemorative Plaques within the Shire of Dardanup will be assessed. This policy will:

- Provide Council with a consistent process for dealing with requests for the use of public space to allow for Commemorative Plaques.
- Establish criteria that defines which individuals will be eligible for a Commemorative Plaque.
- Provide a list of public spaces within the Shire of Dardanup where Commemorative Plaques may be erected.
- Provide a clear set of standards and design specifications for Commemorative Plaques.
- Outline the responsibilities of the applicant and Shire officers throughout the application and installation process.

3. POLICY

The Shire of Dardanup may, at its discretion, permit the installation of Commemorative Plaques recognising prominent community members based on the guidelines of this policy. The policy, however, does not extend to the following areas:

- Cemeteries or Niche Walls
- Roadside Commemorative Plaques near the location of a fatality. In these instances refer to Infr CP063 Roadside Markers..

3.1 Applications Process

Applicants must submit a completed application Form 237 to the Shire. Through this form, the applicant will provide the following information:

- Name of person to be commemorated.
- Details providing the justification for a Commemorative Plaque, and evidence to verify this.
- Type of Commemorative Plaque requested.
- Proposed location of the Commemorative Plaque.
- Name and contact details of the applicant.
- Any other relevant information.

The Chief Executive Officer has delegated authority to approve or reject any eligible request and will advise the applicants in writing as to the outcome of their application.

Any extraordinary requests will be taken to Council for consideration, and the applicants will be advised of their decision in writing.

Should an application be approved, the Shire of Dardanup will consult with the applicant to determine the exact location of the proposed Commemorative Plaque.

3.2 Eligibility

To be eligible for a Commemorative Plaque, the deceased person must have been a long-term resident within the Shire of Dardanup (10 years or greater). They must **also** meet one of the following criteria:

- Have strong historical links to the Shire of Dardanup, or links to a significant event in the Shire's past; and/or
- Have made a notable contribution to a particular community sector (e.g. cultural, political, economic, sporting, artistic, etc.)

In exceptional circumstances applications will be determined on a case-by-case basis by Council. Should the individual not meet the above criteria, Council may decide to approve the application.

Only one Commemorative Plaque per person shall be approved. Commemorative Plaque applications may be rejected if the person being commemorated has already been recognised within the Shire (for example, if a long-time volunteer for the lawn bowls committee already has a plaque erected at the bowls club, it is unlikely that they will receive a Commemorative Plaque recognising those same achievements within a public reserve). Applications for permanent Commemorative Plaques will only be considered where the person has been deceased for a minimum of 12 months.

Applications made by community members must be supported by the family of the deceased person, and the application form must contain the signature of the deceased person's spouse or children.

3.3 Type of Commemorative Plaque

The Shire of Dardanup may allow for either the installation of a plaque on an existing park bench, or the installation of a plaque on an existing structure such as a rock or wall.
Plaques are a flat piece of metal featuring an inscription, and must adhere to the following standards:

- Maximum size 100mm x 200mm
- To be constructed from either 3mm Marine Bronze, or 1.6mm Marine grade stainless steel
- Typeface and text must be clearly legible, and text to be approved by Shire staff.
- No more than 100 words.
- Only one plaque per bench permitted.

3.4 Location of Commemorative Plaque

The desired location must comply with existing Council policies and development plans for the upgrading of the area. The following locations may be considered for Commemorative Plaques:

- Eaton/Millbridge
    - Eaton Foreshore
    - Watson Reserve
    - Cadell Park
    - Glenhuon Oval Playground
    - Peninsula Lakes Park

- Dardanup
    - Carramar Park
    - Wells Recreation Ground

- Burekup
    - Burekup Oval

A particular location within these areas may be requested, however final approval will remain with Council. The exact location of the Commemorative Plaque will be confirmed on site by Shire staff.

3.5 Installation and Maintenance

The applicant will be responsible for all costs associated with the design, production, and installation of the Commemorative Plaque. Once an application has been approved Shire staff will provide the applicant with a written estimate of all costs. Payment must be provided in full prior to any works commencing.
The acquisition, production, and associated installation of plaques will be carried out by the Shire of Dardanup.

Once installed, all Commemorative Plaques will become the property of the Shire of Dardanup. Should the applicant want to carry out any maintenance or modification to the Commemorative Plaque, they must first obtain approval from Shire staff.

3.6 Removal of Commemorative Plaque

The Shire of Dardanup reserves the right to remove Commemorative Plaques should it receive information, which is subsequently confirmed, that indicates that the memorialised person was not of good character.

If it becomes necessary for the Shire to remove the Commemorative Plaque (for example due to damage, vandalism, or other operational reason) the Shire gives no guarantee that the Commemorative Plaque will be replaced.

If, for any reason, the applicant or family of the deceased person seeks to have the Commemorative Plaque removed, they must submit an application in writing to the Shire. The applicant will be responsible for any costs associated with removing the Commemorative Plaque and returning it to the applicant.

Commemorative Plaques will remain in place for a period no longer than 25 years, after which time they will be returned (if possible) to the original applicant.

COUNCIL POLICY NO:-
Infr CP404 – SHIRE ACCEPTANCE OF BONDS

GOVERNANCE INFORMATION			
Procedure Link:	PR069	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	New	OCM	22/11/23	Res: 271-23	**Synopsis**	Policy created.
Version	1	Infr CP404	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Infrastructure

2. PURPOSE OR OBJECTIVE

The purpose of this Policy is to facilitate the efficient processing of requests for accepting a bond in lieu of completing works.

The Shire is responsible for clearing conditions of Development Approval issued by the Council and the Joint Development Assessment Panel (JDAP), in addition to clearing conditions of Subdivision Approval issued by the Western Australian Planning Commission (WAPC).

In some cases, the developer is unable to complete some of the works in a timely manner, for reasons outside of their control, and requests that the Shire clears the condition and accepts a bond as a guarantee that the works will be completed within a prescribed time.

Where landscaping works are required as a condition of subdivision, the developer is responsible for maintaining the landscape during a two-year establishment period. If clearances are sought prior to the completion of this establishment period, a landscape maintenance bond is required.

This policy statement has been prepared to clarify the developer's responsibility in seeking clearances to conditions of approval under the control of the Shire of Dardanup and specifies the acceptable levels of risk in relation to accepting bonds, that the Council is willing to delegate to the Chief Executive Officer.

3. DEFINITIONS

Definitions are taken as those in the *Local Government Act 1995* and associated legislations.

4. POLICY

This policy will apply to all developments and subdivisions within the whole of the Shire of Dardanup.

4.1 Bond Requests

The request for the bonding of outstanding and/or incomplete works must be initiated by the developer or their agent. The request must be in writing and should include as a minimum:

- What outstanding and/or incomplete items are requested for bonding;
- Purpose and reason for bonding each item;
- Civil Construction items will require engineering drawings, specifications and cost estimates prepared by a consulting engineer;
- Landscape Construction items will require landscape drawings, specifications and cost estimates prepared by a consulting landscape architect;
- Cost of items to be bonded;
- A timetable and arrangements for the completion of the bonded work; and
- What benefit there is to the community in clearing conditions prior to works being completed.

4.2 Establishing the Value of the Bond

For Development conditions, the developer or their agent will provide a detailed itemised quotation for each item to be bonded. The bond amount will not include GST but will include a surcharge amount of 30% to cover price escalations.

For Subdivision conditions, the engineering consultant will provide the value of the outstanding works as listed in the schedule of rates in the contract. The bond amount will not include GST but will include a surcharge amount of 30% to cover price escalations.

For subdivision landscape maintenance bonds, the developer or their agent will provide a detailed itemised quotation for each maintenance item to be bonded per month. The Landscape Maintenance Bond will be no less than the total value of the maintenance activities required from Practical Completion for 2 summer periods ending 31 may. The bond amount will not include GST.

For Development Approval – Industry Extractive, rehabilitation bond amounts will be determined from the Shire of Dardanup Schedule of Fees and Charges for the current financial year in accordance with Policy Infa CP055 – Extractive Industries – Site Rehabilitation. The bond amount will not include GST.

4.3 Determining the acceptance of a bond request.

The Chief Executive Officer or their subdelegate will consider the request and approve it if it meets the following criteria:

- The outstanding works are unable to be completed due to issues beyond the control of the developer;
- For subdivisions, the drainage has been installed, and the roads have had the pavement constructed and the primer seal applied;
- The outstanding works will not create a hazard or inconvenience for the public in the interim;
- The submitted costs are deemed reasonable and do not exceed $500,000;
- The submitted timeline for completion of the works does not present any issues; and
- There is a demonstrated benefit to the community in accepting the bond.

Any requests that do not meet the above criteria, will be refused and can be referred to Council for further consideration.

4.4 Bond Approval conditions

Bonds for outstanding works will only be accepted under the following conditions:

- Bonds can only be accepted as cash or a bank guarantee;
- Bank Guarantees must have no expiry date;
- Bonds for outstanding works with a value less than $100,000 must be accompanied by an endorsed *Minor Bonded Works Agreement*;
- Bonds for outstanding civil works with a value over $100,000 must be accompanied by an endorsed *Major Civil Outstanding Works Bond Agreement*;
- Bonds for outstanding landscaping works with a value over $100,000 must be accompanied by a *Landscape Outstanding Works Bond Agreement;*
- Landscape Maintenance Bonds must be accompanied by a *Landscape Maintenance Bond Agreement*; and
- Bonds for extractive industries, if required by the Shire, must be accompanied by an *Extractive Industry Rehabilitation Bond Agreement.*

Templates of the above agreements and the instructions on how to complete the agreements can be found in the related procedure PR 069 – Preparation of Bond Agreements.

4.5 Shire Management of Bond

Cash bonds received by the Shire will be deposited into the Municipal Liability account. Once bond conditions have been fulfilled, and the Shire has approved the return of the bond, the bond value will be returned with no interest payable. Bank Guarantees received by the Shire will be registered as legal documents and held in a secure area. Once bond conditions have been fulfilled and the Shire has approved the return of the bond, the original bank guarantee will be returned.

If bond conditions are not met by the agreed timeframe detailed in the bond agreement, the Shire will write to the developer to determine an acceptable outcome. If the Shire is unable to determine an acceptable outcome, the Shire will write to the developer to advise that the bond agreement is in default, and the Shire intends to rectify the outstanding works utilising the bond monies.

Any Shire proposal to rectify outstanding works must be supported by contractor quotations and included in a Council Meeting Agenda for determination.

SUSTAINABLE DEVELOPMENT DIRECTORATE

POLICY NO:
SDev CP005 – KEEPING OF BEES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	26/06/19	Res:	181-19	**Synopsis**	Policy created.
Version	2	SDev CP005	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and adopted by Council.
Version	3	SDev CP005	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and adopted by Council.
Version	4	SDev CP005	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The purpose of this Policy is to provide direction to Council in the processing of applications to keep bees in accordance with the Shire of Dardanup *Health Local Law 2000 (amended 2014).*

The objectives of this Policy include:

- To provide an objective framework for the assessment and processing of applications to keep bees within the District.
- To require beekeepers to operate in compliance with specified industry codes.
- To permit the keeping of bees where this is consistent with public safety and social amenity.

3. DEFINITIONS

The terms used in this Policy are defined as follows, consistent with the Local Law.

Apiary	A place where honey bees are kept in hives
Bee Hive	Housing for a Bee Colony
Rural Beekeeping	Beekeeping on land that is not zoned Residential, Small Holding or Industry (Light/General)
Urban Beekeeping	Beekeeping on non-rural sites (Residential, Small Holding and Industry)

4. POLICY

This policy applies to the keeping of bees within the Shire of Dardanup. The Local Law prohibits the keeping of bees anywhere within the District unless approval to do so has been granted by the Council.

4.1 Rural Beekeeping

1. Applications to keep bees within rural areas (expected to be mainly rural sites in the General Farming zone under TPS3) are expected to comply with the "*National Best Management Practice for Beekeeping in the Australian Environment*".

2. Applications shall be in writing ('Form 204 – Application Form – Keeping of Bees' or similar information), with plans and supporting information to show how the "*National Best Management Practice for Beekeeping in the Australian Environment*" will be met.

3. Applications from landowners to have less than 20 self-managed hives will not be notified to neighbours, provided the hives are located more than 50m from any neighbouring dwellings and "*National Best Management Practice for Beekeeping in the Australian Environment*" will be met.

4. Applications from landowners for 20 or more hives, and all situations where hives will be 50m or less from neighbouring dwellings will be notified to neighbours. Where Development Approval is required for the use or works associated with the keeping of bees, notification may be combined with Town Planning notification.

5. Applications under 3 above, or 4 above where no objections are received, and where the activity will be managed in accordance with the "*National Best Management Practice for Beekeeping in the Australian Environment*" may be granted approval by Environmental Health Officers under delegated authority.

6. Where objections have been received or the applicant has not demonstrated that the activity will be managed in accordance with the "*National Best Management Practice for Beekeeping in the Australian Environment*", the application will be determined by Council. It is expected that these applications will not be supported unless the applicant is able to demonstrate that the activity will not result in adverse off-site impacts.

7. Applications from Registered Commercial beekeepers to temporarily locate hives on property within the Shire must contain beekeeper name and contact details, property address, number of hives and approximate dates that hives will be present on the property. Applications may be approved by Environmental Health Officers under delegated authority, and approvals will specify that all hives must be located a minimum of 50m from adjoining dwellings, and all DPIRD requirements including the display of signage at the entry to the property must be met.

4.2 Conditions of Approval - Rural Beekeeping

If Council (or staff under delegated authority) determines to approve an application to keep bees, conditions may be imposed on the approval including, but not limited to, the following:

1. Compliance with the "*National Best Management Practice for Beekeeping in the Australian Environment*", including the provision of water close to the hive location**.**

4.3 Urban Beekeeping

This applies to applications for beekeeping on non-rural sites (expected to be mainly residential, small holding and industrial):

1. Hive density and location in urban areas are expected to meet the "Western Australian Apiarists' Society Best-Practice Guidelines for Urban Beekeeping (2020)".

2. All applications must be in writing ('Form 204 – Application Form – Keeping of Bees' or the equivalent information), with plans and supporting information to show how the application will meet the "Western Australian Apiarists' Society Best-Practice Guidelines for Urban Beekeeping (2020)".

3. Management of hives by the site occupier is encouraged. Applications where the hives be managed by a person not living on the property will still be accepted but are not able to be approved through staff delegated authority and must be considered by Council.

4. All applications will be assessed and the owners and occupiers of adjoining properties and any schools, childcare centres, or aged care facilities within 100m of the lot are to be notified. Where Development Approval is required for the use or works associated with the keeping of bees, notification may be combined with Town Planning notification.

5. Applications with no objections, a maximum hive density consistent with the "Western Australian Apiarists' Society Best-Practice Guidelines for Urban Beekeeping (2020)" (the Guidelines), not within 100m of a Reserve, school, childcare centre, aged care facility, or other public space, and managed by the occupier with full compliance with the Guidelines are able to be approved by an Environmental Health Officer under delegated authority.
6. Council will determine applications that have one or more of the following elements:
    - Objections.
    - A greater hive density than specified in the Guidelines.
    - A hive placement other than as specified in the Guidelines.
    - Within 100m of a Reserve, or other public space.
    - Hives that will not be managed by the site occupier.
    - Do not comply with the "Western Australian Apiarists' Society Best-Practice Guidelines for Urban Beekeeping (2020)".

It is expected that these applications will not be supported unless the applicant is able to demonstrate that the activity will not result in off-site impacts.

4.4 Conditions of Approval (Urban Beekeeping)

If Council (or staff under delegated authority) determines to approve an application to keep bees, conditions may be imposed on the approval including, but not limited to, the following:

1. The maximum number of hives permitted.

2. The activity must comply with the "Western Australian Apiarists' Society Best-Practice Guidelines for Urban Beekeeping (2020)" at all times.

3. Advice notes:

4. It is the responsibility of the operator to comply with the requirements of other legislation.

5. Where building work is carried out, or the use of a building changes, a Building Application or evidence of compliance with the Building Code of Australia may be required.

6. Processing of all bee or honey products intended to be sold for human consumption (honey, royal jelly and propolis) will require food business approval, in accordance with the *Food Act 2008*.

7. A Development Application approval under TPS3 will be required when building works are carried out in association with the beekeeping activity, or the processing or sale of bee products, or when the extraction, bottling or packaging of honey occurs for the purpose of sale.

8. Permission will not be granted for the keeping of hives on Shire reserves or other public places administered by the Shire unless a lease or similar agreement has been made with the Shire as the administrator of the land giving the legal right to use the land for beekeeping purposes.

9. All beekeepers in Western Australia are required to register with the Department of Primary Industries and Regional Development (DPIRD) and comply with all DPIRD requirements.

4.5 Revocation of Approval

- If it is the opinion of an Environmental Health Officer the approved beehives are causing a nuisance, the Council may direct any bees or approved beehives to be removed.

- If Council is notified of a new concern regarding the keeping of bees on a particular property, the application will be reconsidered by Council and approval may be revoked.

5. REFERENCE DOCUMENTS

The Shire of Dardanup Health Local Law 2000
"National Best Management Practice for Beekeeping in the Australian Environment"
"Western Australian Apiarists Society Best-Practice Guidelines for Urban Beekeeping (2020)"
Shire of Dardanup Town Planning Scheme No. 3 (TPS3).

POLICY NO:
SDev CP028 – LOCAL PLANNING POLICY - VARIATION TO DEEMED-TO-COMPLY REQUIREMENTS OF THE R-CODES: MEDIUM-DENISTY SINGLE HOUSE DEVELOPMENT STANDARDS [R-MD CODES]

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:	1	NEW CP028	OCM	27/04/16	Res:	91/16	**Synopsis:**	Policy created.
Version:	2	CP028	SCM	26/07/18	Res:	251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP028	OCM	30/09/20	Res:	269-20	**Synopsis**	Reviewed and Adopted by Council
Version:	4	SDev CP028	OCM	28/09/22	Res:	243-22	**Synopsis:**	Reviewed and Adopted by Council
Version	5	SDev CP028	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP028	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The purpose of the policy is to outline acceptable variations to the deemed-to-comply provisions of the R-Codes for medium-density Single Houses in 'Development' zones as prescribed in Planning Bulletin PB112/2016, and in which locations these variations will apply.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015.*

3. DEFINITIONS

Front Load:	Lots where the primary vehicle access is via the front of the lot and the garage / carport is located at the front of the dwelling.
Rear Load:	Lots where the primary vehicle access is via the rear of the lot, from a street or right of way (ROW) and the garage / carport is located at the back of the dwelling.
R-MD / R-MD Codes:	Single House standards for medium density housing.
Structure Plan:	A Structure Plan or Activity Centre Plan that has been approved by the WAPC under Part 4 of the Planning and Development (Local Planning Scheme) Regulations 2015.

4. POLICY

4.1 Application

This Policy will apply in the following Structure Plan areas:

- Garden of Eaton Local Structure Plan
- Parkridge Eaton Local Structure Plan
- Roselands at Dardanup Local Structure Plan

4.2 Process

On submitting an application for a building permit for a Single House on a R30 or R40 zoned lot, the application will be assessed against the provisions of this Policy.

Development approval will not be required for a Single House that complies with the provisions of this policy (and all other deemed-to-comply requirements of the R-Codes), in accordance with clause 61(4)(c) of the deemed provisions of the Regulations.

The R-MD Codes provisions are provided in Appendix 1 to this Policy.

5. REFERENCE DOCUMENTS

Planning and Development (Local Planning Scheme) Regulations 2015
Planning Bulletin 112/2016 – Medium-density single house development standards – Development Zones

SINGLE HOUSE STANDARDS FOR R40 – MEDIUM DENSITY HOUSING:

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
R-MD – R40	Rear load 7.5m x 30m – 225m² Front load 8.5m x 30m – 255m² 8.5m x 25m – 212.5m² 10 x 20m – 200m² 10 x 25m – 250m² 12.5m x 20m – 250m²	4m	2m minimum, no average 1.5m to porch / veranda no maximum length 1m minimum to secondary street Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence	Boundary setbacks 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings) Boundary walls 2/3 length one side boundary, maximum 3.5m high and 3m average height	Boundary setbacks 1.2m for wall height 3.5m or less with major openings 1m for wall height 3.5 or less without major openings Boundary walls To both side boundaries subject to: No maximum length to one side boundary, 2/3 max length to second side boundary for wall height 3.5m or less	45% open space (55% site cover) 20m² courtyard 1/3 required OLA area may be covered Minimum dimension 4m	An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is greater, directly accessible from a habitable room of the dwelling and located behind the street setback area At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas The OLA has a minimum 3m length or width dimension No other R-Codes site cover standards apply	Rear load Nil – provided laneway is minimum of 6m wide Front load 4.5m or 0.5m behind dwelling alignment subject to averaging requirements	Rear load 0.5m garage setback to laneway Front load 4.5m garage setback from the primary street and 1.5m from a secondary street The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to: - Garage setback a minimum of 0.5m behind the building alignment - A major opening to a habitable room directly facing the primary street - An entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and - No vehicular crossover wider than 4.5m where it meets the street Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging	Two on-site bays	As per R-Codes	35% of the adjoining site area	No maximum overshadowing for wall height 3.5m or less No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%	4.5m to bedrooms and studies 6m to all other major openings 7.5m to balconies or similar	R-Codes clause 5.4.1 C1.1 applies, however the setback distances are 3m to bedrooms and studies, 4.5m to major openings to habitable rooms other than bedrooms and studies and 6m to unenclosed outdoor active habitable spaces

SINGLE HOUSE STANDARDS FOR R30 – MEDIUM DENSITY HOUSING:

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
R-MD – R30	Rear load 10m x 30m – 300m² Front load 10m x 30m – 300m² 15m x 20m – 300m²	4m	2m minimum, no average 1.5m to porch / veranda no maximum length 1m minimum to secondary street Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence	Boundary setbacks 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings) Boundary walls 2/3 length one side boundary, maximum 3.5m high and 3m average height	Boundary setbacks 1.2m for wall height 3.5m or less with major openings 1m for wall height 3.5 or less without major openings Boundary walls To both side boundaries subject to: 2/3 length to one side boundary, 1/3 max length to second side boundary for wall height 3.5m or less	45% open space (55% site cover) 24m² courtyard 1/3 required OLA area may be covered Minimum dimension 4m	An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is greater, directly accessible from a habitable room of the dwelling and located behind the street setback area At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas The OLA has a minimum 3m length or width dimension No other R-Codes site cover standards apply	Rear load Nil – provided laneway is minimum of 6m wide Front load 4.5m or 0.5m behind dwelling alignment subject to averaging requirements	Rear load 0.5m garage setback to laneway Front load 4.5m garage setback from the primary street and 1.5m from a secondary street The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to: - Garage setback a minimum of 0.5m behind the building alignment - A major opening to a habitable room directly facing the primary street - An entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and - No vehicular crossover wider than 4.5m where it meets the street Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging	Two on-site bays	As per R-Codes	35% of the adjoining site area	No maximum overshadowing for wall height 3.5m or less No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%	4.5m to bedrooms and studies 6m to all other major openings 7.5m to balconies or similar	R-Codes clause 5.4.1 C1.1 applies, however the setback distances are 3m to bedrooms and studies, 4.5m to major openings to habitable rooms other than bedrooms and studies and 6m to unenclosed outdoor active habitable spaces

POLICY NO:
SDev CP030 – LOCAL PLANNING POLICY - CONSTRUCTION OF OUTBUILDINGS IN THE 'RURAL RESIDENTIAL' ZONE PRIOR TO COMPLETION OF A DWELLING

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	

ADMINISTRATION INFORMATION								
History	1	NEW	OCM	18/05/16	Res: 112/16	**Synopsis**	Policy created.
Version	2		SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP030	OCM	30/09/20	Res: 269-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP030	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council.
Version	5	SDev CP030	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP030	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of the policy is for Council to establish a clear position for the construction of outbuildings on lots zoned 'Rural Residential', prior to the construction of an approved dwelling on the same lot.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the Planning and Development (Local Planning Scheme) Regulations 2015.

3. DEFINITIONS

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No.9, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

4. POLICY

4.1 Unless otherwise exempt in LPS9, the Regulations, or 'SDev CP091 – LPP - Exempted Development and Land Use Policy', all outbuildings within the Rural Residential zone require Development Approval prior to their construction.

4.2 All Development Approval applications under the scope of this policy will be assessed having regard to this policy, and may only be supported where the following conditions are met:

a) Building permit for a dwelling on the lot has been issued.

b) Only one (1) outbuilding prior to the completion of a dwelling may be supported.

c) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under *SDev CP104 Local Planning Policy Caravans as Temporary Accommodation.*

d) The proposed outbuilding shall not be used for any commercial or industrial use.

4.3 Notwithstanding Part 4.2 above, if the Shire considers that the outbuilding proposed on the vacant lot has the potential to visually impact upon the amenity of the locality, the application will be refused.

Application

This policy applies to the development of all outbuildings in the 'Rural Residential' zone under LPS9, where a proposed outbuilding will be constructed prior to completion of a dwelling on same lot.

This policy does not apply if there is an existing dwelling on the same lot.

5 REFERENCE DOCUMENTS

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LSP9).
SDev CP104 Local Planning Policy Caravans as Temporary Accommodation

POLICY NO:-
SDev CP032 – WOOD ENCOURAGEMENT POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History	1	CP032	OCM	14/12/16	Res: 350/16	**Synopsis**	Policy created.
Version	2	CP032	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP032	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP032	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council
Version	4	SDev CP032	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This policy promotes the use of wood as a first consideration when undertaking building projects and developments in the district, by recognising it as:

- A renewable and low carbon footprint building material; and
- A suitable building material that supports the lightweight construction approach recommended for Wanju.

3. POLICY

Council recognises all of the benefits that make wood a smart choice for buildings and infrastructure.

Council shall foster sustainable development where possible within the Shire of Dardanup by:

- Considering timber and wood products as a first option in the construction and fit out of its own building projects;
- Sharing information and encouraging education regarding the benefits of using wood in construction and fit out of buildings and infrastructure;
- Reinforcing Council's preference for quality wood buildings in the development of briefs for projects;
- Promoting timber products as a renewable resource, capturing the environmental benefits of the resource;
- Encouraging builders and developers to consider timber and wood products as a first option in their building projects; and
- Seeking to include the consideration of timber and wood products, where deemed suitable, in planning instruments and development guidelines, such as in local and district structure plans.

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

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

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

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

POLICY NO:
SDev CP033 – TRADERS ON SHIRE RESERVES AND ROAD VERGES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History	1	NEW	OCM	14/12/16	Res: 352/16	**Synopsis**	Policy created.
Version	2	CP033	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CP033	OCM	29/08/18	Res: 277-18	**Synopsis**	Amended by Council
Version	4	CP033	OCM	27/03/19	Res: 49-19	**Synopsis**	Revised Policy Adopted
Version	5	SDev CP033	OCM	26/08/20	Res: 266-20	**Synopsis**	Amended by Council
Version	6	SDev CP033	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council.
Version	6	SDev CP033	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE AND OBJECTIVE

The purpose of this Policy is to provide direction to the Shire of Dardanup Council in the processing of applications for Stallholder's and Trader's Permits to trade from public places within the Shire of Dardanup in accordance with the Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2009'.
The objectives of this Policy include:

- To identify and designate appropriate locations for vendors to operate;
- To allow for stallholders and mobile traders to operate in a manner that does not conflict with the normal functions of the Shire;
- To protect existing levels of public amenity experienced on the Shire's reserves and other public places;
- To set minimum standards in the interest of public safety, environmental protection and social amenity.

3. DEFINITIONS

The terms used in this Policy and their definitions are as follows:

TERM	DEFINITION
Public Place, Stall, Stallholder, Stallholder's Permit, Trader's Permit, Trader, Trading	As per Local Law
Trading permit	A stallholder's or trader's permit
Mobile Trader	A trader selling goods and services in a public place whose vehicle / equipment can be completely removed from site at the end of each day.
Roaming Trade	Trading from a vehicle on the road reserve, with the trader remaining in a particular location for as long as there is a customer making a purchase and then moving on from that location.
Local Law	Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law'

4. POLICY

This policy applies to mobile traders within the Shire of Dardanup and includes the following types of mobile traders:

1. **Type 'A'** — Mobile traders utilising a vehicle, caravan, trailer or stall for the purpose of trading in a public place;

2. **Type 'B'** — Mobile traders providing a service for which minimal equipment is required and which are flexible in terms of location (e.g. fitness, yoga, tai-chi classes etc.);

3. **Type 'C'** — Roaming Mobile traders utilising a vehicle, caravan or trailer for the purpose of trading utilising a public road reserve and remaining in a particular location for as long as there is a customer making a purchase and then moving on from that location.

4. **Type 'D'** – Residents trading from a stand or stall on the road verge adjacent to their residential property within residential areas of town-sites.

This Policy provides specific application and operational requirements for all mobile trading occurring on the Eaton Foreshore Reserves and other public places within the Shire of Dardanup. Trade locations must be suitable for trader activity based on ease of access for traders, minimal disruption to services (water, electrical), pedestrian and public safety, and traffic flow and other relevant considerations.

'Type A or C' Traders – Application Process — Eaton Foreshore Only

a) A maximum of three 'Type A or C' traders are permitted to operate, within an approved trade location, at Eaton Foreshore.

b) Approved trade locations are available on a first-come-first-serve basis, to any 'Type A or C' trader that holds a valid Permit to Trade issued by the Shire of Dardanup.

c) Approved trade locations are not exclusive to any particular trader and cannot be reserved.

d) Approved trade location/s at Eaton Foreshore will be decided based on agreement with the applicant and the relevant departments of the Shire. Departments shall have regard to pedestrian safety, traffic safety, vehicular flow, compliance with traffic laws, impact on facilities and services in the Reserve (water, electricity, infrastructure and equipment), and potential nuisance issues.

e) Traders must be engaged in an approved trade activity while occupying an approved trade location.

f) When the trade activity has ended, the mobile trade vehicle/s and associated infrastructure must be removed from the Eaton Foreshore.

g) Traders must carry suitable indemnity cover and must abide by the conditions of their Permit to Trade at all times.

Application Process

- 'Type A' Traders –Shire Reserves and Other Public Places
- 'Type B' Traders – Any Public Place including Eaton Foreshore
- 'Type C' Traders – Roaming Trade
- 'Type D' Traders – Road Verge Trading adjacent to resident's home.

a) Applications must be by 'Form 150 – Application Form – Trader's Permit – Food Vehicle' or 'Form 203 – Application Form – Trader's Permit – General'.

b) Applications can be submitted at any time throughout the year.

c) Applicants may specify only one vehicle / van / stall (including Type C) per application. Application fee and fee for trading duration apply.

d) Applications involving multiple vehicles / vans / stalls will be required to lodge a separate application for each vehicle, and pay a separate application fee and fee for trading duration for each vehicle / van / stall. Applicants will be issued with a separate permit for each vehicle / van / stall.

e) Applicants may specify one or more trading location per application.

f) Applications may be approved by staff under the delegated authority of Council.

g) Applications by Type B traders may be made for the Foreshore and other public places in the Shire, excluding Gnomesville.

h) Applications by Type C traders may be approved for a town-site/s in the Shire.

i) Limits may be imposed on the number of 'Type A and C' traders that are permitted to operate at a specific location any one time. When these limits are imposed, exercise of trading permits shall be on a "first come, first served" basis.

j) 'Type A' permits may be restricted to specific locations or general trading areas within specific reserves or other public places.

k) 'Type B' traders may be excluded from particular locations on a reserve or other public place.

l) The existing operation of a similar business on a reserve or other public place will not be a means to refuse any application for a trading permit.

m) Type C trade permits may not be issued for areas outside of town-sites due to higher speed limits, and potential traffic safety risks.

n) Type C trade is not permitted at Gnomesville as this form of trade is not accommodated under the Gnomesville Masterplan.

General Matters (Applicable to 'Type A', 'Type B', 'Type C' and 'Type D'):

a) Traders Permits will not be issued for Gnomesville unless permitted by the Gnomesville Masterplan and approved by Council.

b) Traders activities are not to interfere with other users of the reserve or other public place.

c) Traders whose trading involves the selling or distribution of food and/or drinks are to comply with the Food Act 2008 and the Food Standards Code.

d) Traders shall ensure compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.

e) The Shire reserves the right to vary the conditions of a stallholder's or trader's permit at any time.

f) The Shire may cancel a stallholder's or trader's permit pursuant to Clause 6.9 of the Local Law if the trader has not complied with a condition of the permit or provision of any written law which may relate to the activity regulated by the permit.

g) All stallholder's and trader's permits will be issued for a maximum of 12 months and will be valid from 1 July to 30 June of the following year. If granted after 1 July, stallholder's and trader's permits will be valid from the date of issue to 30 June of the following year.

h) Where an Organisation has an existing agreement with Council for the use of a reserve or other public place, written approval from that Organisation must be submitted with any trading permit application seeking approval to trade from the public place subject to an existing agreement.

i) Where an Organisation or individual has a lease agreement giving them the exclusive right of access to an area of public land, trading activities on that portion of land to which they are granted exclusive rights of access will not be subject to the Local Law or this policy as the land subject to the lease is not within the definition of a public place.

j) A trader shall not conduct trading at the Eaton Foreshore on the day of the Eaton Foreshore Festival, at the Dardanup Oval (Wells Park) or Dardanup Hall during the Dardanup Bull and Barrel Festival or while setup for the Dardanup Bull and Barrel Festival is occurring, or on any reserve or other public place while a Shire of Dardanup organised event is occurring, unless otherwise approved by the Shire event organiser.

k) 'Type D' applications from property owners to have a stand or stall on the road verge adjacent to their property will be assessed to check that it is safe for customers to reverse onto the carriageway before approval will be granted. Approvals will be granted for Local Access Streets only. Applicants will be recommended to have adequate level on insurance/liability cover for the trade activity.

l) 'Type D' applications may be approved under staff delegated authority provided all of the following are met:

- The primary purpose of the site must be residential.

- Approval will be limited to the sale of produce grown on the property (fruit, vegetables, flowers, plants and other plant products).
- Where produce is edible, approval will be limited those foods that are Very Low Risk (as determined by the Environmental Health Officer).
- Stands and stalls will be limited to a maximum of 2m2 excluding any umbrella used for shade and must be located on the road verge adjacent to the property boundary and close to the property driveway.
- No intrusion is permitted onto any footpath.
- The stand or stall is permitted to be in place on the road verge during daylight hours only and must be removed from the road verge and placed within the property boundary before sunset each day.
- The driveway of the property must remain unobstructed to allow customers to park off the carriageway where they will not obstruct the footpath.
- Where an application meets all of the above points, staff may request that the CEO consider a fee waiver of trading permit fees. ***Note:*** *where food is sold an application for registration of a food business is required, along with payment of the application fee.*

m) 'Type D' applications that do not meet the above criteria must be considered by Council. Where applications involve the sale of items not produced on the applicant's place of residence, neighbour's approval will be required, and trading permit fees apply unless the items sold are for a not-for—profit or charitable organisation. Where an application is approved by Council, applications for Trade Permits in the years following may be issued under staff delegated authority with the same conditions.

n) In determining applications for trading permits, Council will have regard to Clause 5.5 of the Local Law and the following criteria:

- Benefit to the community;
- Experience of the trader;
- Appearance and quality of the operation and equipment;
- Safety management measures implemented by the trader;
- Risk management measures implemented by the trader;
- The appropriateness of the activity/ business having regard to pedestrian, patron and vehicular safety within the area;
- The appropriateness of the activity/ business having regard to the purpose for which the land is reserved, used or zoned;
- The potential impacts (i.e. parking, traffic, noise etc.) of the trading activity on nearby residences and landowners;
- The availability of ablution facilities if required for the trading activity: and
- The extent to which previous trading permits have been utilised, if applicable.

Conditions of Approval (General)

If Council determines to approve an application for a stallholder's or trader's permit, conditions can be imposed on the permit including, but not limited to, the conditions of Clause 5.2, 5.3 and 5.6 of the Local Law and the following:

- The trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.
- The trader shall provide confirmation to the Shire of a valid public liability insurance policy to operate the subject trading activity, prior to commencement of the trading activity which is to be thereafter maintained. The Policy shall indemnify both the trader and the Shire against any death or injury to a person or property arising from the approved trading for a minimum value of $10 million.
- The solicitation of customers by touting or the use of public address systems shall not be permitted at any time.
- The trader shall keep their area of operation clean and tidy at all times to the satisfaction of the Shire.
- The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.
- This permit cannot be transferred to another trader.
- This permit is valid for a maximum period of 12 months, expiring on 30 June.
- The trader shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on the reserve or other public place which shall not recommence until such time as the trader is further notified in writing by the Shire.
- A trader shall not request any member of the public using the trading area to relocate from the designated trading area at any time.

- Applicants wishing to install signs are to comply with the requirements of the Town Planning Scheme, and the Shire's Infrastructure Services. And are to complete any necessary applications (prior to the installation of the sign).

Revocation of Stallholder's or Trader's Permit

Council may revoke a trading permit for the following reasons:

a) The nature of the trade is different to that approved;
b) Vehicles and/or equipment are not as described in the application;
c) Conditions of approval are not being adhered to;
d) The activity is causing a nuisance to other users of the public place or nearby residences/landowner.

5. REFERENCE DOCUMENTS

The Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2009'

POLICY NO:
SDev CP038 – EDUCATIONAL DONATIONS & PERSONAL DEVELOPMENT GRANTS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History			OCM		Res:	**Synopsis**	Policy created.
	1	DEV10	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP044	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
	3	CP044	OCM	14/08/19	Res: 243-19	**Synopsis**	Reviewed and Adopted by Council
	4	CP038	OCM	29/07/20	Res: 208-20	**Synopsis**	Amended and adopted by Council
	5	SDev CP038	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
	6	SDev CP038	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
	7	SDev CP038	OCM	25/01/23	Res: 04-23	**Synopsis**	Reviewed and Adopted by Council
Version	8	SDev CP038	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE AND OBJECTIVES

To provide positive financial support to not-for-profit community groups/organisations, educational institutions, and individuals to assist with the development of their chosen interest within the Shire of Dardanup.

To provide financial support to such requests that meet the policy criteria (subject to budget constraints) and promote the Shire of Dardanup as a positive, supportive, and caring community organisation.

3. POLICY

The policy sets out the criteria for each category of financial support available.There are two (2) categories that financial support can fall into.

- Educational Grants
- Personal Development Grants

3.1 Educational:

The Shire of Dardanup will make an annual donation for a Citizenship Award to all schools located in the Shire of Dardanup, and also to the Australind Senior High School on the following basis:

Primary Schools: Awards to the value (as adopted in the annual budget)
Middle and High Schools: Awards to the value (as adopted in the annual budget)

An allowance for these funds will be included in the draft budget, and notification will be forwarded to the schools via a formal letter upon adoption of the budget.

No application form is required to be submitted; however, a written request is required.

3.2 Personal Development:

The Shire of Dardanup will make an allocation of funds in its budget to promote the personal development (non-professional) of individuals that reside within the Shire of Dardanup. E.g. music, sports, arts, science, cultural or academic.

- An allowance for these funds will be included in the annual budget. Personal Development grants are available to all age groups;

All applications for Personal Development Grants, shall be made on the “Application form – Personal Development Grant” (Form 116).

- All applicants seeking financial assistance should reside within the Shire of Dardanup.
- To be eligible for the $400 for State or National representation, a letter from the governing body advising of the applicant's selection must accompany the application form.
- The applicant should submit documented estimates of expenditure as part of the application (as per application form).
- The proposed development/representation must take place within three (3) months of funding being made available.
- Prior approval must be sought for any substantial change to the assistance request.
- Only one (1) application by an individual or family, for financial assistance per financial year will be considered.

This financial assistance is limited as follows:

- $400 for State/National representation;
- Funding, up to $200, is available to attend Master classes in their chosen field interstate and or overseas.

Funding will not be available for the following:

- Entry fees into competitions or to attend competition events/functions;
- Purchase of personal equipment i.e. musical instruments, sporting equipment etc.;
- To attend pre-selection training/recruitment camps;
- Student exchange programs.

3.3 Assessment

Applications for Educational and Personal Development funding will be assessed by the Chief Executive Officer under the delegation of Council.

All applicants will be notified in writing of the outcome of their application for Shire of Dardanup assistance. Decisions regarding funding applications are final and will not be reconsidered in that funding round. Successful applicants will be asked to submit photographic evidence and testimonial for use on the Shire's promotional platforms to advise community of benefit and outcomes of the Personal Development Grants.

POLICY NO:
SDev CP044 – COMMUNITY & EVENT GRANTS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM		Res:		**Synopsis**	Policy created
	1	DEV10	OCM	10/05/12	Res:		**Synopsis**	Reviewed Policy Adopted
Version	2	CP044	SCM	26/07/18	Res:	251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	CP044	OCM	14/08/19	Res:	243-19	**Synopsis**	Reviewed and Adopted by Council
Version	4	CP044	OCM	29/07/20	Res:	208-20	**Synopsis**	Amended and adopted by Council
Version	5	SDev CP044	OCM	30/09/20	Res:	270-20	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP044	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and Adopted by Council
Version	7	SDev CP044	OCM	25/01/23	Res:	04-23	**Synopsis**	Reviewed and Adopted by Council
Version	8	SDev CP005	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE AND OBJECTIVES

To provide financial support to not-for-profit community groups and organisations for projects and events that benefit the Shire of Dardanup community.

3. POLICY

The policy sets out the criteria for each category of financial support available. There are three (3) categories:

Community Grants
Community Event Grants
Regional Event Grants

3.1 Community Grants

The Shire of Dardanup will make an annual allocation of funds in its budget to provide financial assistance to not-for-profit community groups and organisations that can demonstrate an association with the Shire.

Community grants are available for projects and activities within the Shire of Dardanup that;

Foster the distinctiveness of places through the personalisation of community areas;
Activate public places;
Build the skills and capacity of the community;
Leave a lasting positive impact on the community;
Promote accessibility and inclusivity for all members of the community; or
Empower groups to be proactive in the community.

Funding falls into three levels: -

Level 1: Quick Response Community Grants ($0 - $500)

Funding of up to $500 and a maximum 100% of the total project cost is available to incorporated not-for-profit community groups and organisations.

Level 1 grants will be open for application on an ongoing basis until the allocated funding has been exhausted.

Level 2: Community Grants ($0 - $1000)

Funding of up to $1,000 and a maximum 100% of the total project cost will be available to not-for-profit incorporated community groups and organisations.
Level 2 grants will be open for application twice per year.

Level 3: Community Grants ($1,001 - $5,000)

Funding between $1,001 to $5,000 and a maximum 50% of the total project cost will be available to not-for-profit incorporated community groups and organisations. The applicant must contribute at least 50% of the total project cost from either the applicant's organisation or confirmed funding or donations from other sources.
Level 3 grants will be open for application twice per year.

3.2 Community Event Grants

The Shire of Dardanup will make an allocation of funds in its budget to provide financial assistance to community groups and organisations who can demonstrate the capacity to run quality, well-organised events within the Shire of Dardanup.

Community event grants are available for free-to-attend events held within the Shire of Dardanup that benefit the community and activate places.

Funding falls into three levels: -

Level 1: Quick Response Minor Community Events ($0 - $500)

Funding of up to $500 and a maximum 100% of the total event cost is available to incorporated not-for-profit community groups and organisations.

Level 1 grants will be open for application on an ongoing basis until the allocated funding has been exhausted.

Level 2: Community Event Grants ($0 - $1000)

Funding of up to $1,000 and a maximum 100% of the total event cost will be available to not-for-profit incorporated community groups and organisations.

Level 2 grants will be open for application twice per year.

Level 3: Community Event Grants ($1,001 - $5,000)

Funding between $1,001 to $5,000 and a maximum 50% of the total event cost will be available to not-for-profit incorporated community groups and organisations. The applicant must contribute at least 50% of the total project cost from either the applicant's organisation or confirmed funding or in-kind support from other sources.

Level 3 grants will be open for application twice per year.

3.3 Regional Event Grants

The Shire of Dardanup will make an allocation of funds in its budget to provide financial assistance to community groups, organisations and businesses who can demonstrate the capacity to run quality, well-organised events with a regional attraction. Events should be held within the Shire of Dardanup and/or raise the profile of the Shire of Dardanup.

Regional Event Grants are available for events that;

Results in an economic impact to the Shire by way of increasing visitor numbers and expenditure;
Attracts media coverage that raises the profile of the region as a tourist destination;
Involves and inspires the local community;
Improves the vibrancy and vitality of the Shire of Dardanup;
Supports job creation; and
Highlights and profiles the unique features of the place and/or Shire.

Funding will be available of up to $10,000 per application and a maximum 50% of the total event cost. The applicant must contribute at least 50% of the total project cost from either the applicant's organisation or confirmed funding or in-kind support from other sources.

Regional Events Grants will be open for application on an ongoing basis until the allocated funding has been exhausted.

3.4 Eligibility

To be eligible to receive a grant from the Shire of Dardanup, the applicant must:

- Meet the criteria as detailed in items 3.1, 3.2, and 3.3 of this policy.
- Be based within the Shire of Dardanup, or the majority of members of the application organisation are residents of the Shire of Dardanup, or the application organisation provides a benefit to residents and/or business owners within the Shire of Dardanup.
- Submit an application through the prescribed forms and within the timelines specified. No late applications will be accepted.
- Submit documented estimates of expenditure as part of the application.
- Have all appropriate insurances.
- Carry out the activity within 12 months of approval of funding; or for Regional Event Grants within 18 months from approval of funding.
- Receive prior approval for any substantial changes to an application.
- Projects are only permitted to receive funding once, irrespective of financial year.
- Maximum one application per group/organisation in same funding round.
- Quick Response Grants (Community & Event): only one application per stream will be accepted each financial year.
- Successful applicants will be asked to submit photographic evidence and testimonial after completion of project for use on the Shire's promotional platforms to advise community of benefit and outcomes of the Shire's Grants Scheme.

The following are eligible for funding:

- Promotion and advertising;
- Event or conference sponsorship, and award ceremonies;
- Traffic management;
- Waste management;
- Security;
- Entertainment, artist and/or talent fees;
- Facilitator fees;
- Professional fees for services required for one-off events and activities, such as consultant fees;
- Venue hire;
- Catering;
- First aid;
- Portable toilets, public use only;
- Equipment hire;
- The purchase of capital equipment and minor assets;
- Materials and resources;
- Repairs and maintenance to facilities and assets;
- Insurances, licenses and permits required for one-off events and activities (excluding liquor licensing);
- Shire of Dardanup in-kind services on application. Any in-kind funding requested must be discussed with a council officer and is subject to availability and approval by the Chief Executive Officer.

Funding will not be available for the following:

- Ongoing operational costs including salaries and wages;
- Ongoing operational expenses;
- Retrospective funding or items already ordered;
- Deficit funding – for organisations that are experiencing a shortfall in cash or revenue or anticipated revenue;
- State or Commonwealth Government Departments or Agencies, or profit-based business enterprises;
- Events/gatherings or activities that are not open for attendance by the general public (for example: end of year wind-ups);
- Team uniforms;
- Personal travel;
- Activities or events that are in relation to an awareness campaign or charity event;
- Activities that exclude or offend minority groups within the Shire of Dardanup;
- Activities that already receive Shire of Dardanup funding the same financial year;
- Expenses related to a Lease or Hire Agreement with the Shire of Dardanup
- Applications that conflict with the Shire of Dardanup Strategic Community Plan.

- Organisations who have outstanding, overdue grant acquittals or any unspent funds owing to the Shire will not be considered for new grant applications until such time as outstanding funds and reports are resolved.
- If a satisfactory acquittal has not been submitted for previously funded applicants no further grants will be made available to the applicant.

3.5 Application Assessment Procedure

Applications will be assessed based on their merits however priority will be given to applicants who have not previously received funding. Applications are required to demonstrate the benefits to the Shire of Dardanup community. Preference will be given to projects with demonstrated community support.

It is anticipated that funding will not be provided every year for the same event or project as organisers should aim to become financially self-sufficient in the medium to long term.

The application and assessment procedure are as follows:

Applications must be made on the prescribed forms and within the timeframe specified.
Applications for Community Grants (Level 1) and Community Events (Level 1) will be assessed by the Manager Community Development and Director Special Projects & Community and referred to the Chief Executive Officer for determination under the delegation of Council. Decision on applications will be made within 6 weeks of receiving application.
Applications for Community Grants (Levels 2 & 3) and Community Events (Levels 2 & 3) will be assessed by the Manager Community Development and referred to the Grants, Awards & Scholarships Committee for determination. All applications will be presented to Council for final approval. Approval process takes a minimum of six weeks.
Applications for Regional Event Grants will be assessed by the Manager Community Development and referred to Council for determination. Approval process takes a minimum of six weeks.
All applicants will be notified in writing of the outcome of their application for Shire of Dardanup assistance.
Decisions regarding funding applications are final and will not be reconsidered in that funding round.
A Grant Acquittal (Form 116) and supporting documentation of the total expenditure must be submitted to the Shire of Dardanup, within three (3) months of the completion of the project.

3.6 Events Not Requiring Application

The following events will be funded annually through the Regional Event Grants category and will not be considered as part of the competitive funds:

Bull and Barrel Festival
Eaton Foreshore Festival
Dardanup Art Spectacular

COUNCIL POLICY NO:-
SDev CP047 – STATE ADMINISTRATIVE TRIBUNAL (SAT) REPRESENTATION POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History		New	OCM	18/12/19	Res: 366-19	**Synopsis**	Policy created
Version	2	SDev CP047	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP047	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP047	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this Policy is to:

(a) Outline the Shire's general position and approach to proceedings before the State Administrative Tribunal;
(b) Support the Shire's continued efforts to achieve general community compliance with relevant statutory requirements;
(c) Support the Shire's continued efforts to operate in an open and transparent manner; and
(d) Support the Shire's continued efforts to operate in a financially responsible manner.

3. DEFINITIONS

None relevant

4. POLICY

This Policy applies to State Administrative Tribunal matters, which involves but is not limited to the Shire's Planning, Compliance, Building and Health Services.

This policy does not deal with the procedures involved in making an application for review or the process of the review as these matters are the subject of separate legislation and regulations.

4.1 Status

(a) To the extent of any inconsistency between this policy and the SAT Act, the SAT Act shall prevail.

(b) To the extent of any inconsistency between this policy and the provisions of TPS3, the Scheme shall prevail.

4.2 Policy Measures - Communication

4.2.1 In order to maintain the integrity of the SAT review process and uphold its obligation to the SAT, elected members and employees should avoid discussions or correspondence concerning an ongoing SAT review with third parties, except where necessary or appropriate:

(a) to inform a person that a matter is before the SAT;
(b) to make a person aware of their ability to access relevant information on the SAT website at www.sat.justice.wa.gov.au, including information concerning the role of third parties in SAT reviews;
(c) to inform a person of the outcome of a step in, or the outcome of, the SAT proceedings; and
(d) to assist the SAT or the Council in the SAT review (e.g. to obtain advice from an expert or government agency, or to obtain a witness statement).

4.2.2 In the interests of avoiding any later conflict and in maintaining integrity in the process, direct communication between a proponent and the Shire's elected members (individually or collectively) should be avoided for the duration of proceedings before the SAT. Should contact be made by a proponent, the elected member/s are encouraged to:

(a) make the person aware of this Council policy; and
(b) advise the applicant to contact the Shire's responsible officer if they require any further information.

4.3 Policy Measures - Representation

4.3.1 Where the applicant has retained legal representation, the Shire will be legally represented.

4.3.2 Where an applicant has elected on their application for review to the SAT in a Class 1 planning matter to not have legal representation, the Shire shall be represented by either officers or appointed consultants.

4.3.3 Where a Council decision is the same or essentially the same as an officer's recommendation, or corrects or improves the content of an officer's recommendation, then officers shall generally provide a written response on behalf of the Council and/or attend a mediation or Tribunal hearing as an expert witness to represent the Council's position. Decisions in respect of which officers are to attend proceedings shall be determined by the Chief Executive Officer.

4.3.4 Where an application is made for the review of a decision that is substantially inconsistent with a recommendation made by Shire officers, then in the interests of the Council and Shire officers, and to assist the SAT, independent consultants may be engaged to represent the Shire during the SAT process, and will usually be engaged if the matter proceeds to a final hearing. This does not preclude Officers from attending mediation to provide the SAT factual information on behalf of Council

4.3.5 The decision to engage, or not engage, independent consultants as described in 4.3.7 above, shall be made by the Chief Executive Officer.

4.4 Policy Measures - Mediation Proceedings

4.4.1 The Shire acknowledges the Tribunal's desire to resolve matters by mediation where possible and will generally agree to participate in the SAT mediation process, provided there is a reasonable prospect of reducing or clarifying the issues in dispute, or achieving a negotiated outcome.

4.4.2 Discussions occurring for the purposes of mediation are conducted by the Tribunal on a "without prejudice" and confidential basis and the Council acknowledges that the content of this discussion cannot be discussed outside the mediation session.

4.4.3 Where a matter is referred to mediation, the consultant or officer with conduct of the matter:

(a) Shall participate constructively in the mediation in order to attempt to reach a compromise solution;
(b) Shall not agree to any compromise solution at the mediation beyond the scope of the officer's delegated power; and
(c) Shall refer any potential solutions arising out of the mediation back to the decision maker in the original application.

4.4.4 With respect to 4.4.3 (b) above, where the matter was originally considered by Council, any proposed compromise solution arising from the mediation shall be presented to Council for further consideration in accordance with the procedures for section 31 reconsiderations set out below.

4.4.5 Where practical, officers shall provide regular updates on proceedings before the SAT to elected members. The updates shall, however, generally be limited to issues relating to the programming of proceedings, including timeframes and likely cost implications. Specific details in relation to the proceedings shall generally not be discussed and officers and elected members shall acknowledge that such meetings are not decision-making forums.

4.5 Section 31 Reconsiderations

4.5.1 The Tribunal may refer a matter to Council under section 31 of the SAT Act, inviting Council to reconsider the original decision. This regularly occurs following the mediation process, or where there has been a deemed refusal. In the interests of achieving time and cost-effective outcomes for all parties involved, officers shall generally seek to resolve matters through a section 31 reconsideration process.

4.5.2 The responsible Shire officer, in consultation with their Director, shall have the discretion to advise the SAT member during mediation proceedings as to whether or not a reconsideration under section 31 would likely assist with the resolution of matter in a timely and cost effective manner.

4.5.3 Upon receipt of an invitation from the SAT to reconsider the matter, the officer or consultant shall assess the proposal and refer it to the Council. The Council may then affirm the original decision, vary the decision or set aside the decision and substitute a new decision.

4.5.4 Reports presented to Council for consideration under Section 31 of the Act following mediation will be presented as confidential reports, except where, in the opinion of the Chief Executive Officer there are exceptional circumstances which justify a contrary position.

4.5.5 Where a proposal the subject of a SAT review has already been advertised by the Council, the proposal will not be re-advertised before the Council reconsiders the proposal pursuant to a section 31 invitation except where:

(a) the SAT mediating member suggests re-advertising, or the applicant agrees; or
(b) the proposal to be re-considered is substantially different to the proposal in the form already advertised and may add planning issues not raised by the original proposal; or
(c) in the judgment of the officer or consultant with conduct of the matter, there are exceptional circumstances which justify re-advertising.

4.5.6 Following the Council's decision upon re-consideration, the Shire will inform persons who made a submission (whether on the original or amended proposal) of the Council's decision.

4.6 Involvement of Third Parties

4.6.1 The Shire may, however, raise awareness of the ability of a third party to make a submission to the SAT through the following methods:

(a) making this policy publicly available through the Shire's policy manual, which is published on the Shire's website; and

(b) informing those persons who lodged a submission during the public advertising of a proposal of the lodgement of a SAT application for review. The Shire shall make all reasonable endeavours to contact, in writing, such persons within a fourteen (14) day period of the Shire's receipt of a copy of the application for review.

4.6.2 Upon receipt of a request by a third party to make a submission, the SAT must consider whether the person has 'sufficient interest' in the proposal to justify their involvement and whether the involvement of the person would aid the SAT in progressing the matter towards an ultimate determination. The involvement of a third party is generally limited to final hearings, which are usually only programmed where mediation proceedings have failed to reach an agreed outcome between the applicant and the Shire.

4.7 Appeals against Decisions of the Tribunal

4.7.1 The Shire will not generally appeal a decision of the Tribunal unless, in the opinion of the Council following legal advice, it is considered that the Tribunal has made an error of law, and the issue at stake has significant implications for the Shire or local government in general.

4.8 Parallel Direction Notice under s214 of the Planning and Development Act 2005

4.8.1 Where an application for review of a decision is lodged and the matter is also the subject of a direction notice under s214 of the Planning and Development Act 2005, the Shire will generally defer enforcement of the direction notice until such time as the application before the Tribunal is determined. In the event that the review application is dismissed, the Shire will enforce the direction notice immediately without further consideration by Council.

4.8.2 The Shire may however decide to continue with enforcement or prosecution if the matter is considered to have significant implications for the Shire or community in general.

4.9 Notifying parties of proceeding outcomes

4.9.1 Upon the conclusion of proceedings before the SAT, information about the outcome is notified in the following manner:

(a) through the publication of a decision report by the SAT on the SAT website at www.sat.justice.wa.gov.au;
(b) through written advice being sent to those persons who lodged submissions during the public advertising of the proposal;
(c) through the inclusion of relevant details in the monthly 'Information Bulletin' presented to Council through relevant Committee and Council Meetings.

4.9.2 The information made available by the Shire will usually be limited to the decision outcome (e.g. approval or refusal) and shall not include information that is not generally publicly available – for example the nature of discussions before the SAT that were conducted in a confidential manner.

5. REFERENCE DOCUMENTS

- Local Government Act 1995;
- State Administrative Tribunal Act 2004 (SAT Act);
- State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004
- (Conferral Act);
- Town Planning Scheme No 3 (TPS3);
- Planning and Development Act 2005;
- Planning and Development (Scheme) Regulations 2015
- Building Act 2011;
- Building Regulations 2012;
- Food Act 2008;
- Caravan Parks & Camping Ground Act;
- Caravan Parks & Camping Ground Regulations 1997;
- Health (Aquatic Facilities) Regulations 2007;
- Health (Asbestos) Regulations 1992;
- Health (Miscellaneous Provisions) Act 1911;
- Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
- Public Health Act 2016;
- Dog Act 1976.

POLICY NO:
SDev CP067 - LOCAL PLANNING POLICY - NEW ROADS AND UPGRADES – PROVISION FOR AND CONTRIBUTIONS BY DEVELOPERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM	20/10/10	Res: 358/10	**Synopsis:**	Policy created. 20/10/2010
	1	ENG28	OCM	10/05/12	Res:	**Synopsis:**	Reviewed Policy Adopted
Version:	2	CP067	SCM	26/07/18	Res: 251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP067	OCM	30/09/20	Res: 269-20	**Synopsis:**	Reviewed and Adopted by Council
Version:	4	SDev CP067	OCM	29/09/22	Res: 243-22	**Synopsis:**	Reviewed and Adopted by Council
Version	5	SDev CP067	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP067	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This policy ensures that new roads are constructed and/or existing roads are upgraded where necessary on and for new developments. The policy also ensures that financial contributions are made towards the upgrading of road infrastructure that is required immediately or in future as a result of development in existing areas.

The objective of this policy is to:

2.1 Identify the circumstances where a financial contribution to be paid by developers for funding of new roads or upgrades to existing roads; and

2.2 Provide a method of determining the contribution required.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. POLICY

3.1 Application of Policy

This Policy applies to all developments, whether within existing built-up areas (i.e. infill development fronting an existing road network and includes town sites) or outside built-up areas and town sites and includes rural and semi-rural areas.

No contribution is required unless:

3.1.1 A specific contribution scheme (Development Contribution Plan) has been prepared and is applicable to the subject land; or

3.1.2 The Shire requires a Traffic Impact Assessment (TIA) in order to assess a proposal, and the TIA indicates that modifications to the existing road network to accommodate increased traffic, manoeuvres and road safety are required. In these circumstances, if Development Approval is granted it will include a condition stating that all costs associated with the design and construction of the upgrade will be met directly by the developer. The Council may consider accepting a contribution equal to the value of the design and construction of the upgrade plus a 5% administration charge.

3.1.3 The standards to be adopted for road upgrades under clause 3.1 shall be in accordance with the requirements stipulated in the Shire's Road Asset Management Plan, for the location of the land (i.e. within or outside built up areas).

3.2 The need to upgrade an existing road is based on the understanding that developments that significantly intensify road usage will create the need to upgrade existing roads to a higher standard. As each development incrementally

adds to an increase in traffic volume, each development approved which identifies the need for upgrades in a TIA must contribute proportionally to fund future upgrades.

3.3 Road upgrades will be carried out when traffic volumes require an increase in road standard. Therefore, the funds collected should be sufficient to enable the upgrade of the road to the next standard as depicted in the Road Asset Management Plan.

3.4 Where a development will generate additional traffic volumes in excess of ten vehicles per day per lot and/or includes vehicle types larger than Austroads Vehicle Classification System Class 2, a road upgrade shall be carried out as a condition of approval to the satisfaction of the Shire of Dardanup. The upgrade required shall meet the Shire standards for the increased traffic volume and class. An estimation of traffic volume shall be determined by the Shire of Dardanup or by an appropriately qualified consultant approved by the Shire of Dardanup and at the cost of the applicant.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LPS9).

POLICY NO:
SDev CP068 – LOCAL PLANNING POLICY - UNIFORM FENCING ABUTTING PUBLIC LAND AND STREET LANDSCAPING WITHIN SUBDIVISIONS – MAINTENANCE

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM:	20/10/10	Res: 358/10	**Synopsis:**	Policy created. 20/10/2010
	1	ENG29	OCM:	10/05/12	Res:	**Synopsis:**	Reviewed Policy Adopted
Version	2	CP068	SCM	26/07/18	Res: 251-18	**Synopsis:**	Reviewed and Adopted by Council
Version	3	SDev CP068	OCM	30/09/20	Res: 269-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP068	OCM	28/09/22	Res: 243-22	**Synopsis:**	Reviewed and Adopted by Council
Version	5	SDev CP068	OCM	25/09/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP068	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

There may be a requirement within subdivisions in the Shire of Dardanup for the provision of uniform fencing which abuts public land and also street landscaping. If these areas are not satisfactorily maintained prior to Council assuming control, expensive remediation may need to be undertaken at Council's expense.

The purpose of this policy is to ensure that when the Shire assumes the maintenance role for uniform fencing abutting public land, it is in a good clean order and that street landscaping is adequately established.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. POLICY

3.1 Any future requirement for the provision of uniform fencing abutting public land and street landscaping within any subdivision in the Shire of Dardanup shall be subject to being constructed and maintained to the satisfaction of Council.

3.2 The developer is required to pay a maintenance bond of 2.5% of the cost of construction of the fence, as a condition of this policy.

3.3 It is the developer's responsibility to ensure that for a 24 months after the date of completion of a fence abutting public land, the fence is maintained to its original condition and is free from graffiti and/or other unsightly stains or markings, at the expense of the developer.

3.4 It is the developer's responsibility to ensure that for 24 months after the date of completion of street landscaping, the landscaping is maintained in a healthy condition, all weeds are removed, and any dead or diseased plants are replaced, all at the expense of the developer.

3.5 The Shire will not support a subdivision, or clear a condition of subdivision, unless the developer agrees to comply with the provisions of this policy and has paid the appropriate maintenance bond to the Shire.

Application

The requirements of this policy will be considered where a condition of subdivision requires the provision of uniform fencing abutting public land and/or street landscaping.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Shire of Dardanup Local Planning Scheme No. 9 (LPS9).

POLICY NO:
SDev CP070 – EVENT APPLICATION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	30/09/20	Res: 271-20	**Synopsis**	Policy created.
Version	2	SDev CP070	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council.
Version	3	SDev CP070	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this policy is to support and encourage events in the Shire of Dardanup that benefit the community and meet the relevant objectives outlined in the Shire of Dardanup Council Plan 2022-2032; while ensuring events comply with relevant legislative and legal requirements for public safety, health, and amenity.

2.1 Scope

This policy applies to events held fully or partially on Shire owned and managed waterways, roads, land and facilities, and privately owned or leased properties within the Shire of Dardanup.

The following events fall outside of the Policy and therefore do not require an event application:

- Social gatherings, being small groups (generally less than 75 people over the age of 16 years) partaking in recreational activities with no significant infrastructure or entertainment.
- Events held in a building or venue that is approved for the purpose of events, and the event is within the approval limitations.
- Event held on crown land, where the event is run by the State or Federal Government.
- Political events or protests. This activity requires application and approval in accordance with the Local Government Act 1986, and other relevant legislation as required.
- Activities for which a Stallholder's Permit, Trader's Permit, or Permit to Perform has been issued.

3. POLICY

3.1 Event Application Criteria

An event permit is usually required for events where one or more of the following apply:

- The event type and expected number of attendees exceed or is not consistent with the planning or health approval for the proposed venue.
- The event is for more than 75 people over the age of 16 years.
- The event is advertised.
- Event registration is required, or ticket sales occur.
- Preparation or sale of food or drinks, including liquor, to the public is to occur.
- Amusement rides, bouncy castles, animals, laser or fireworks displays are part of the event.
- Erection of tents and marquees larger than 50m2, stages or other temporary structures is to occur.
- Use of drones, lighting towers, generators, cabling, switches, extension cords or other specialised equipment is to occur.
- Potential noise including music, use of amplified equipment, extraordinary vehicle noise.
- Trading in a public place is to occur (i.e. food vans, food stalls, market stalls, sales or hire of goods or wares)
- Liquor is being sold, supplied or consumed.
- A permit/approval/license issued by an external agency is required (e.g. permit for fireworks or pyrotechnics).
- Traffic management is required.
- Security, crowd control, first aid or other emergency services are engaged.
- The event could have a negative impact on the residents, community or the environment.
- The event could cause damage to Shire property or reserves.

- The activities proposed to be undertaken at the event have moderate to high level of risk to the public.

3.2 Events on Shire of Dardanup Parks, Reserves and Facilities

Event bookings can be made on Shire of Dardanup managed parks, reserves and facilities which are available to all events that promote the objectives of the Shire of Dardanup Strategic Community Plan.

Any park or reserve may be booked for an event; however, every endeavour should be made to ensure that at least 50% of the park or reserve remains available for use by the general public. Public facilities such as playgrounds, BBQs and the jetty cannot be booked exclusively, with the exception of gazebos.

The Shire will consider the appropriateness of the proposed venue for the purpose of the event when assessing a booking application. The booking applications for major events supported by the Shire will be given priority. Applications will be considered on a 'first-come, first-served' basis; in the event of two or more booking applications being received at the same time the Shire will prioritise the application of local individuals, groups, and organisations.

The Shire leases a number of its facilities to various groups and organisations, meaning those which are already leased may not be available for hire.

3.3 Application

An event permit application shall be made to the Shire on the prescribed form (Form 188) for any event meeting the criteria set-out under 4.1. of this Policy.

An event booking application shall be made on the prescribed form (Form 188B) for events on Shire of Dardanup managed parks and reserves. An event booking application shall be made on the prescribed form (Form 77) for events in Shire of Dardanup facilities.

Event applications and event bookings should be made at least eight (8) weeks prior to the proposed event date.

The Shire has the right to refuse and/or cancel any event applications for a range of issues, including but not limited to:

- The impact the event will have on the environment, residents and community.
- The impact the event will have on the Shire's reputation.
- The ability to meet all legislative requirements and to obtain all permits, licenses and approvals.
- The level of risk.
- The potential damages that could occur to the Shire's property.
- The potential conflict with other events or community use in that location.

3.4 Fees and Charges

The Shire shall determine all fees and charges for community facilities, parks and reserves on an annual basis and these shall be listed in the Schedule of Fees and Charges.

The event organiser will be charged an Event Application Fee when the following apply:

- An event application is required under section 4.1 of this policy;
- The event organiser is a commercial entity, or business and is not a:
  - Charity
  - Community-based organization
  - Sporting group, or
  - Not-for-profit entity
- Even if the event organiser is a recipient of the Regional Events Grant under clause 3.3 of policy 'SDev CP044 – Community & Event Grant Policy' the fee will be charged unless the event organiser that is a registered charity, community-based organisation, sporting group, or not-for-profit entity;
- An entry fee will be charged.

The Event Application Fee covers Environmental Health Services' fees and charges including:

- Assessment of the event application, including Risk Management Plans and Emergency Management Plans;

- Fees for Notification of a Food Premises (Food Act 2008) of from food operators that are approved to attend the event;
- Traders Permit fees, under the *Activities in Thoroughfares and Public Places and Trading Local Law 2007*.
- Fees for applications for temporary public buildings under *Health (Public Buildings) Regulations 1992*;
- General inspections of the event Environmental Health Services;
- Any other services provided by Environmental Health Services under the *Health (Miscellaneous Provisions) Act 1911*, the *Public Health Act 2016*, the *Food Act 2008*, and the *Caravan Parks and Camping Grounds Act 1995* only.

An event organiser that is a registered charity, community-based organisation, sporting group, or not-for-profit entity is exempt from paying an Event Application Fee and the following fees are also exempt:

- Fee for Notification of a Food Business (*Food Act 2008*), for food operators approved to attend the event;
- Traders Permit fees that may be required under the *Activities in Thoroughfares and Public Places and Trading Local Law 2007*.
- Fees associated with applications for temporary public buildings under *Health (Public Buildings) Regulations 1992*;

3.5 Responsibility

It is the responsibility of the event organiser to:

- organise an event that complies with all relevant legislation, is safe and does not have negative impacts on community or the environment;
- to obtain all relevant approvals/permits/licenses issued by the Shire of Dardanup and/or any other government department or regulatory body;
- adhere to any conditions set out in the Shire of Dardanup event permit, Conditions of Hire for Parks and Reserves, and any other government departments or regulatory bodies.

4. REFERENCE DOCUMENTS

- PR056 - Directional Signage Procedure for Public Events and Activities - Temporary Signs within Road Reserves
- Infr CP041 Directional Signage Policy for Public Events and Activities – Temporary Signs within Road Reserves
- Shire of Dardanup Event Guidelines
- Shire of Dardanup Form 188 – Application Form Event
- Shire of Dardanup Form 188B – Application Form Park or Reserve
- Shire of Dardanup Form 77 – Application Form Facility Hire
- SDev CP044 - Donations and Grants: Minor Community Events Assistance
- Shire of Dardanup AP015 – Casual Hirers Liability Insurance
- Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Local Law'
- Shire of Dardanup 'Local Government Property Local Law 2007'
- Shire of Dardanup Strategic Community Plan 2018-2028
- Health (Miscellaneous Provisions) Act 1911
- Health (Public Buildings) Regulations 1992

POLICY NO:
SDev CP078 – LIQUOR LICENCE APPROVALS RELEVANT TO SHIRE FACILITIES AND RESERVES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM		Res: 410/03	**Synopsis**	Policy created.28/02/1997
	1	DEV3	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	2	CP078	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	3	SDev CP078	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council.
Version	4	SDev CP078	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council.
Version	4	SDev CP005	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

Facilities and parks within the Shire are attractive to the public for holding picnics and functions, and Council encourages the use of these resources to develop a sense of community and outdoor lifestyle. The purpose of this policy is to expedite the approval process where members of the public book a Shire facility or park and desire to consume alcohol during their function.

3. POLICY

The Chief Executive Officer has authority to issue liquor licence approvals for the consumption of alcohol on Parks and Reserves and in facilities under the care and control of the Shire, subject to compliance with the Liquor Licensing Act by the proponent.

Where necessary for Liquor Licensing Act approval, it is the proponent's responsibility to obtain this approval.

General Conditions of Approval (Applicable to Shire facilities, parks and recreation areas):

- The applicant must be over the age of 18.
- The applicant accepts responsibility in ensuring that only persons who are over the age of 18 consume alcohol.
- If alcohol is to be sold, permission must be obtained from the Department of Racing, Gaming and Liquor. A copy of the Liquor Licence must be provided prior to the Function/Event and if not the Shire will cancel the Function/Event without any further notice. All conditions on the Liquor Licence must be strictly adhered to.

Shire Facility Conditions:

- Alcohol is only to be served and consumed within the building or facility in question. Consumption of alcohol outside the building or facility is not permitted.
- The Duty Manager reserves the right to close the Party/Event if any conditions of this policy are breached.

Parks and Recreational Grounds Conditions:

- Alcohol must not be consumed in a public place without a liquor license, or other suitable approval from the Liquor Licensing division of the Department of Local Government, Sport and Cultural Industries.
- That parties must depart no later than 10pm.
- That the areas used must be left clean and tidy, with all rubbish being removed from the site.

The signed application is to be presented to the CEO for approval.

Refer: Form 50 - Approval Form - Alcohol Consumption.pdf

POLICY NO:
SDev CP079 – COMMUNITY RECOGNITION AND COMMUNITY CITIZEN OF THE YEAR AWARDS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History	1		OCM	28/09/04	Res: 398/04	**Synopsis**	Policy created
	2	DEV4	OCM	10/05/12	Res:	**Synopsis**	Reviewed Policy Adopted
Version	3	CP079	SCM	26/07/18	Res: 251-18	**Synopsis**	Reviewed and Adopted by Council
Version	4	CP079	OCM	30/09/20	Res: 270-20	**Synopsis**	Reviewed and Adopted by Council
Version	5	SDev CP079	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP079	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The policy extends Councils capacity to formally recognise the contribution of individuals and groups made in the local community, however, did not secure an award through the WA Community Citizen of the Year process.

3. POLICY

Annual awards to be presented at the formal Australia Day function at the Eaton Foreshore, in conjunction with Auspire – Australia Day Council of WA:

- Community Citizen of the Year
- Young Community Citizen of the Year (16-30 years)
- Senior Community Citizen of the Year (over 65 years)
- Active Citizenship (Group or Event)

Unsuccessful nominees for Community Citizenship awards to be presented with a Community Recognition Award to formally recognise their contribution to their community.

Nominations for these awards to be advertised in partnership with Auspire through various mediums (such as newspaper, social media, Shire newsletter and website) in early September each year. Dates for nominations of awards are received from Auspire.

Council will consider nominations in December each year and all nominees and nominated award recipients be invited to attend presentations at the formal Australia Day Function at the Eaton Foreshore.

Certificate to be presented to nominees at the formal Australia Day function at the Eaton Foreshore.

POLICY NO:
SDev CP084 – LOCAL PLANNING POLICY – ADVERTISING SIGNAGE

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:		Draft	OCM	29/07/2020			**Synopsis:**	
Version:	1	SDev CP084	OCM	30/09/20	Res:	269-20	**Synopsis:**	Policy reviewed and endorsed by Council.
Version:	2	SDev CP084	OCM	31/03/21	Res:	61-21	**Synopsis:**	Amended and adopted by Council.
Version:	3	SDev CP084	OCM	28/09/22	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	4	SDev CP084	OCM	25/09/24	Res:	275-24	**Synopsis:**	Reviewed and Adopted by Council
Version	5	SDev CP084	OCM	27/08/25	Res:	232-25	**Synopsis:**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE AND OBJECTIVE

This Policy provides guidance on the assessment of advertisement signs within the Shire of Dardanup. This Policy outlines when advertisement signs require development approval, and the objectives and standards against which the Shire will assess applications for advertisement signs.

This Policy also seeks to exempt certain advertisement signs from the need to obtain development approval where minimum requirements are met.

The objectives of this Policy are to:

2.1 Ensure that advertisement signs are appropriate for their location, relate to the land and/or buildings for which it is placed, and do not adversely impact the amenity of the surrounding area.

2.2 Ensure advertising signage is of a scale appropriate to buildings, lot size and lot frontage/s of the site relevant to the application.

2.3 Ensure that advertisement signs only advertise services offered and/or products produced, sold, and/or manufactured on the land or building/s related to the approved use/s taking place.

2.4 To ensure advertisement signs do not pose an unnecessary risk to the safety of people and vehicles by virtue of their location, design, use and function.

2.5 To ensure that advertising signs are simple, clear, easy to read and maintained to a high standard.

2.6 Protect the cultural heritage significance of particular places and/or areas.

2.7 To provide for the rationalisation of signage on properties with multiple advertising requirements.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Under clause 3(5) and clause 67(g) of the Deemed Provisions the Local Government is to have due regard to a local planning policy in making a determination under the local planning scheme and applications for development approval.

3. REFERENCE DOCUMENTS

- Planning and Development Act, 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Dardanup Local Planning Scheme No.9 (LPS9)

4. DEFINITIONS

4.1 The words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015*, and as defined below.

4.2 The meaning of other specific words and expressions relevant to this Policy given below:

Advertisement Sign: Has the same meaning as an 'Advertisement' as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions.

Electronic Display Screen/Panel: Means an advertisement sign or a portion of an advertisement sign that displays an electronic image or video, which may or may not include text.

Election Sign: **Means a sign that is -**

a) The advertisement is erected or installed in connection with an election, referendum or other poll conducted under the *Commonwealth Electoral Act 1918* (Commonwealth), the *Referendum (Machinery Provisions) Act 1984* (Commonwealth), the *Electoral Act 1907*, the *Local Government Act 1995* or the *Referendums Act 1983*.

b) The primary purpose of the advertisement is for political communication in relation to the election, referendum or poll.

Fence: a freestanding structure put in place to mark a boundary and restrict movement across a property. It can be a permeable or solid structure. A fence may consist of several sections each section defined by a clear edge at which the angle of alignment of the adjoining fence changes.

Gable: is the generally triangular portion of a wall between the edges of a sloping roof.

Heritage Area: Has the same meaning as 'Heritage Area' as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions.

Heritage Place: Has the same meaning as 'Heritage Place' as defined in section 3(1) of the *Heritage of Western Australia Act 1990.*

Heritage Protected Place: Has the same meaning as 'Heritage protected place' as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions.

Sign: includes all forms of advertising devices, signage and bill posting including a notice, flag, mark, structure or device, or part thereof, whether or not words, numbers, expressions or symbols are shown thereon.

Sign surface area: where the sign is painted, printed or affixed on a building or fence and there is no contrasting background used to the predominant colour of the building elevation or fence, the surface area of the sign taken as the outer edge of the lettering, symbols images used. In the event contrasting colour(s) are used, the outer edge of the contrasting colour(s) will form the sign surface area. The surface area of the sign in a co-joined 'V' shape is the sum of both surfaces.

Third Party Signage: Means any advertisement sign advertising services and products unrelated to the subject site.

Wall: is the vertical external face of a constructed building comprising solid building material and includes any openings (windows/doors) but does not include a fence. A building may consist of several walls each wall being defined by a clear edge at which the angle of alignment of the adjoining wall changes

4.3 The definitions of various advertisement signs are contained within Table 1, 2 and 3: Advertisement Sign Requirements.

5. POLICY

5.1 This Policy exempts advertisement signs from requiring development approval where the advertisement sign is permitted in a Zone and complies with the development standards in Table 1 and the General Requirements listed in Part 7.1 of this Policy.

5.2 A Development Approval application is required for all other signs within the Shire, excluding signs for which approval is not required under Clause 61 of the Deemed Provisions. Development applications will be assessed against the

Development Standards contained in Table 2 where applicable, and the Development Requirements listed in Part 7 of this Policy. Advertisement signs that do not comply with the objectives listed in Part 2 of this policy are deemed unacceptable and will not be supported unless exceptional circumstances exist.

5.3 The exemption afforded by Clause 5.1 of this Policy does not apply in any of the following situations where the advertisement sign:

a) is located on land reserved under the Greater Bunbury Region Scheme or on a lot abutting land reserved under the Greater Bunbury Region Scheme, unless the development is exempted under the Greater Bunbury Region Scheme;

b) is located in a road reserve under the care and control of the Shire of Dardanup except for signs approved under Infr CP040 and Infr CP041;

c) does not comply with the Development Requirements listed in Part 7 of this Policy;

d) is illuminated or contains an electronic display screen and/or panel components;

e) is inconsistent with any relevant Design Guidelines or other Local Planning Policy;

f) is located in a place that is included on a Heritage List or on land located within a Heritage Area designated under the Scheme or located in a Heritage Protected Place;

g) is to be erected or installed within 1.5m of any part of a crossover or street truncation;

h) Where multiple signs are proposed **on** a single property and/or lot.

5.4 If a particular advertisement sign is not listed or defined, it shall be assessed on its individual merits in accordance with the objectives outlined in Part 2 of this Policy and the Scheme.

5.5 Before carrying out of any development listed associated with advertising signs, any other licences, permits or approvals required is to be obtained in accordance with any other law. A building permit may be required and applicants should consult with the Shire Building Division to determine if a building permit application is required to be submitted.

5.6 Signs listed in Table 3 are not permitted in the Shire of Dardanup.

6. INFORMATION REQUIRED TO ACCOMPANY DEVELOPMENT APPLICATION

An application for development approval for an advertisement sign is to be accompanied by the required information listed by Clauses 62 and 63 of the Deemed Provisions. At a minimum, a signage plan/s shall be submitted with each application with the following information:

- The name of the sign type as described in this Policy, for example, 'Wall Sign', 'Roof Sign' etc. or a full description of the sign;
- Details of the business or land use conducted on the premises to which the sign relates including the business name, business owner/proprietor, business address and contact details;
- Site plan: indicating the location of each proposed sign on the building and/or site and any existing signage that will be retained or removed;
- Elevations: showing the details/display of each sign, including wording, images, logos, colours and size dimensions, drawn to a professional standard;
- Specifications: including materials to be used, fixing methods, proposed illumination (if any) and any support structure/s;
- All application for development approval are to include footing details of the signage structure, or detail as to how the sign is intended to be fixed to the land or the building to which it applies;
- Fee: if a signage application does not form part of a larger development application, the fee will apply based on the cost of the proposed signage; and
- Approximate cost of the proposed sign.

Applications for development approval, which are not accompanied by the necessary information, will not be accepted for assessment and processing.

All applications for Electronic Display Screen/Panel Signs are required to be accompanied with an electronic display screen/panel lighting impact report from a qualified lighting engineer that specifies the maximum daytime, dawn/dusk, and night-time brightness relative to the surrounding development and land uses and the dwell/transition time.

All applications for advertisement signs within a Heritage Area/Place are required to be accompanied with a heritage assessment or statement prepared by a qualified practitioner that specifies the impact of the sign on the heritage of the area.

7. DEVELOPMENT REQUIREMENTS

7.1 General Requirements

a) Advertisement signs shall only advertise services and products available on the premises where the sign is located. Third party advertising not permitted.

b) Advertisement signs must be contained wholly within the property boundaries of a lot and a nil setback may apply where the sign will not overhang and the sign and its footings will not encroach into any reserve (including road reserve).

c) A sign is not to be erected or installed within 1.5m of any part of a crossover or street truncation and is not to cause interference with or be hazardous to vehicular traffic and pedestrians.

d) Street numbering shall be incorporated into advertisement signage, and shall be clearly visible from the street.

e) Except where required by clause 5.3 of this Policy, development approval is not required where the content of an approved advertisement sign is proposed to be changed, provided the dimensions, location and structure remain unchanged, and the wording is not to be of an offensive nature.

f) Advertisement signs shall not be located in a location or manner that unreasonably obstructs the view of existing public artwork or murals.

g) Signs are required to be securely fixed to the structure by which it is supported.

h) A signage strategy is required for multiple signs on a single property and/or lot.

i) Where a proposed sign is exempt, the applicant is to provide written correspondence of the proposed signage for the Shire to keep on record.

j) Signs needs to be of a high quality, and maintained to a high quality. If in the opinion of the local government, the sign is in conflict with the aims of the Scheme the local government may require the owner of the advertisement to repair or remove the advertisement.

7.2 Illuminated and Electronic Display Screen/Panel Signs

a) All Electronic Display Screen/Panel signs shall:

   i. be restricted to static images that are:
      - externally illuminated during hours of darkness; or
      - displayed electronically, i.e. in a digital format.
   ii. have a minimum dwell time duration of 30 seconds;
   iii. not contain a transition time from one display to another that exceeds 0.1 seconds; and
   iv. no display transitional effects such as fly-in, fade-out and scrolling.

b) Illuminated advertising signs, including electronic display screens/panels, abutting any road must:

   i. use a low level of illumination, not exceeding 300cd/m2, not flash, pulsate, or chase, and not cause a nuisance, by way of light spillage, to light received to the abutting sites to a maximum of 50 lux;
   ii. not contain fluorescent, reflective or retro reflective colours or materials;
   iii. not interfere with or be likely to be confused with traffic control signals;
   iv. screen any electrical cables from the public realm and be maintained in a tidy manner; and
   v. not be located in Residential areas.

7.3 Signage Strategy

a) A Signage Strategy (example illustrated in Appendix 1) required by Clause 7.1 of this Policy shall include the following information:

i. a scaled site plan, illustrating the location of any existing and proposed signage;
ii. elevation details illustrating the location and dimensions of any existing and proposed/future signage;
iii. details of any illumination if signage is proposed to be illuminated;
iv. evidence that all tenancies have equitable access to signage locations and
v. other plans and information that the Shire may reasonably require to enable the signage strategy to be assessed and determined.

b) All advertisement signs shall comply with the approved Signage Strategy, unless otherwise approved by the Shire under a separate development approval.

c) Further development approval is not required where an advertisement sign complies with an approved signage strategy.

7.4 Heritage Places

a) Any original and early signage (including remnants) that contribute to the cultural heritage significance of a heritage place shall be preserved.
b) The size, scale, location, materials and colours of any proposed advertisement sign on a heritage place must respect the heritage value of the site.
c) Advertisement signs shall not impact the heritage value/significance of an area.

7.5 Performance Criteria

Where standards in Clause 7.1 and 7.2 are not met, the variations will be assessed in accordance with the performance criteria outlined below:

a) Response to location and character

- Signs shall not result in an adverse impact upon the character or historical significance of the site.
- Signs shall not dominate the streetscape or detract.
- Signs shall not block important views or vistas to environmental or heritage areas or obscure architectural detailing.

b) Scale and design of signage

- The scale and design of signage is appropriate to the building and architectural details to which it relates.
- The scale and design is compatible with surrounding development and general nature of land use.
- Signs shall not contain reflective materials or finishes that would adversely affect amenity within the public realm or adjacent buildings.
- Signs shall not incorporate sound or vibration
- Signs shall not incorporate offensive content.
- All supporting structures, cabling and conduits shall be screened from public view.

c) Rationalisation of signage

- The rationalisation of signage is supported where possible.
- Multiple signs on a single site will not be supported, where rationalisation opportunities are possible.

d) Design, construction and maintenance

- Signs shall be constructed using high quality, durable materials and installed in a professional manner.
- Signs are maintained to a high standard.

e) Safety

- Signs shall be adequately installed and secured.
- Signs shall not cause confusion with, or reduce the effectiveness of, traffic control devices.
- Signs shall not cause driver distraction or otherwise impact on traffic or driver safety.
- Signs shall not obstruct safe and convenient pedestrian movement.
- Signs shall not pose a threat to public safety or health.

7.6 Contents of Signs

The content of any sign shall not contain any information that may be deemed by the Local Government to be misleading, offensive or derogatory in nature. Where a sign is deemed to fall into one or more of the categories above, the Local Government will request that revised content be provided.

7.7 Advertisement Signs required by Shire of Dardanup and Public Authorities

Advertisement signs required by the Shire of Dardanup and/or a public authority are exempt from requiring development approval.

8. APPLICATION

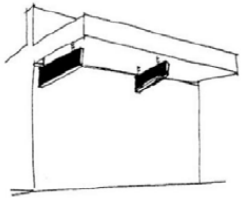
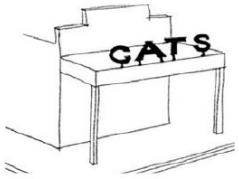
This Policy applies to the entire Shire of Dardanup Scheme Area and is to be read in conjunction with the Scheme and any other relevant local planning policy. This Policy does not deal with:

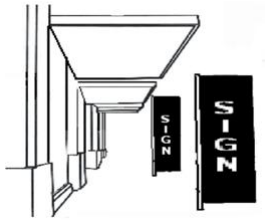
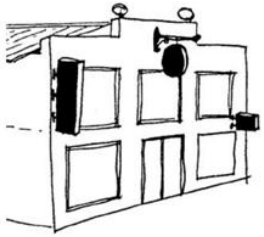
- warning signs and risk management signage installed by the Local Government on Local Government controlled land in accordance with the *Public Works Act, 1902*; and

- street parking signs, information signs, road signs, regulatory traffic signs and directional signs installed by the Local Government in local road reserves in accordance with the *Public Works Act, 1902*. The Local Government's approach to such signage is set out in Policy CP040 Directional Signage Policy for Fixed Signs within Road Reserves and Policy CP041 Directional Signage for Public Events and Activities – Temporary Signs within Road Reserves.

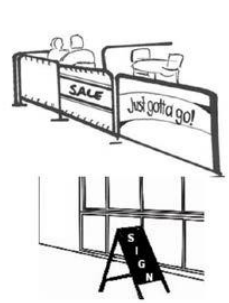
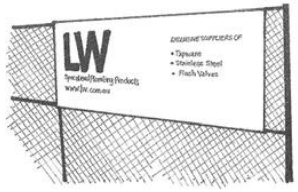
Signs which do not require approval.

The following signs do not require approval if the sign meets all applicable development standards and it only applies to the Permitted Zones. Any variations to the development standards proposed, requires an application for development approval. The signs types in Table 1 in all other Zones will require development approval.

SIGN TYPE		EXEMPTED ADVERTISEMENTS – DEVELOPMENT STANDARDS
SIGNS ON BUILDINGS	PERMITTED ZONES	
Awning Signs (below) An advertisement sign fixed to or suspended from the underside of a verandah, balcony or awning. 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	Awning Signs (below) shall: • Is a single faced sign • achieve a minimum height clearance of 2.7m from the natural ground level; • not exceed a height of 500mm; • not exceed an area of 4 m2; • not be within 3m of another such sign attached to the underside of the same verandah; • not project or overhang beyond the boundaries of the lot; • consist of one sign per tenancy; and • only be located near the entrance to a tenancy.
Awning Signs (above) An advertisement sign located above the outer fascia of a verandah, balcony or awning. 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	Awning Signs (above) shall: • Is a single faced sign • not exceed 500mm in height; • not exceed 500mm in depth; • not project beyond the outer metal frame or the surround of the fascia of the building to which it is attached; • not project or overhang beyond the boundaries of the lot; • consist of one sign per tenancy; and • only be located near the entrance to a tenancy.
Community Service Sign Is a temporary sign on non-rigid material hung on a building or fence to which advertises non-for-profit, short term events such as a fete, fair or festival for a charitable, religious, education, child care, sporting organisation or the like. 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	• One sign per street frontage. • Maximum area of 4sqm; • Located on the site of the proposed activity or the property of the relevant organisation where the activity is to occur; and • Not be displayed more than four weeks prior to the event advertised and removed not later than one week after the conclusion of the event.

SIGN TYPE SIGNS ON BUILDINGS		PERMITTED ZONES	EXEMPTED ADVERTISEMENTS – DEVELOPMENT STANDARDS
Freestanding Banner Signs A freestanding banner sign is an advertising device made from lightweight material attached to a pole weighted to the ground. These signs come in a variety of shapes and may also be referred to as 'Bali', 'Teardrop', 'Blade' or 'Wing' signs.		Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	• Dimension: max. 2.5m height max. 1.2m width • Must: • be limited to 2 per street frontage; • be securely fixed to a building or pole of sufficient size and strength to support the banner under all conditions; • be erected within the boundaries of the lot and not project beyond any lot boundary; • not be located within the street setback line; • not impede vehicle • sightlines for access to and from the property; and • not impede pedestrian access to and from the property
Projecting Signs An advertisement sign which projects more than 300mm out from a wall of a building, below the eaves or ceiling height.		Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	All Projecting Signs shall: • be limited to a maximum of one sign per tenancy; • have a minimum clearance of 2.7m from the natural ground level; • not project out more than 1m from the wall of which it is attached; • not exceed 4m2 in area; • not be placed within 2m of either end of the wall to which they are attached; and • not project above the top of the wall to which they are attached.
Wall Signs An advertisement sign which is affixed to the external part of a wall of a building, a gable end, or a building façade and no part of which is above the roofline of the building.		Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	Wall Signs shall: • not extend laterally beyond either end of the wall or protrude above the top of the wall; and • not cover more than 10% of the façade for each tenancy within a building and/or development site visible from the public realm; or • where there is an approved signage strategy, not cover more than 25% of a façade within a building and/or development site visible from the public realm.

SIGN TYPE		EXEMPTED ADVERTISEMENTS – DEVELOPMENT STANDARDS
SIGNS ON BUILDINGS	PERMITTED ZONES	
Window Signs An advertisement sign which is painted or affixed to either the interior or exterior surface of the glazed area of the window. **Note: This includes all areas of non-advertising window coverings which block views into or out of the window of the building to which they are affixed.* 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes	Window Signs that: • do not cover more than 50% of the total window area per tenancy; • not obstruct views onto the public realm; and • not detract from the streetscape
Property Transaction, Display Home, and Building Construction Signs An advertisement sign advertising the display, sale, construction or lease of buildings, land and/or development.   	All Zones	Property Transaction, Display Home, and Building Construction Signs pertaining to Single Houses, Grouped and Multiple Dwellings that: • a double faced sign having not exceeding an area of 2m2 for property transactions and building construction and 4m2 for Display Homes; • are limited to a maximum of one sign per street frontage for each property or tenancy; and • illumination is not permitted. Property Transaction and Building Construction Signs for shopping centres, commercial developments, that: • do not exceed an area of 5m2; • are limited to a maximum of one sign per street frontage for each property or tenancy; and • do not exceed a maximum height of 3m, inclusive of supporting posts/structures.

SIGN TYPE PORTABLE TEMPORARY SIGNAGE	PERMITTED ZONES	EXEMPTED ADVERTISEMENTS – DEVELOPMENT STANDARDS
Ground Based Signs An advertisement sign not permanently attached to the ground including, but not limited to a sandwich board sign which consists of two sign boards attached to each other at the top or elsewhere by hinges or other means, which is no higher than 1.2m above natural ground level. 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes Tourism Rural	Ground Based Signs that: • contain a maximum area of 1m2 each side; • are only displayed during the operating hours of the business to which the sign relates; • provide a clearance of a minimum of 1.8m to a footpath or pedestrian walkway; • are limited to a maximum of one sign per tenancy on a lot; • are not located more than 5m from the building to which the sign relates; • do not exceed a maximum height of 0.75m measured from natural ground level (including supporting structures).
Fence Sign An advertisement sign attached to a fence. 	Light Industry General Industry	Fence Signs shall: • Is a single faced sign; • be limited to a maximum of one sign per street frontage on any one lot; • be securely attached; • sit flush on the fence to which it is attached; • not contain any sharp or pointed edges below a height of 2.7m; • not cover more than 30% of the total area of the fence; and • not impact on views to the street and/ or building.
<u>Signage for sponsorships at sports grounds/ovals</u>	**<u>All zones and reserves where the use is permitted and approved.</u>**	**<u>Signs shall:</u>** • be securely attached to a fence; • be no higher than 1.2m from the ground; • sit flush on the fence to which it is attached; • not be illuminated; • always be internally facing.
Rural Producer Sign A sign erected on land lawfully used for rural or faming purposes which advertises goods or products produced, grown or lawfully manufactured on the land within the boundaries of which the sign is located. 	Tourism Rural Rural Residential	Rural Producer Sign shall; • Not exceed 2.5m² in area; • Not exceed 3m in height; • Be no more than one sign per lot; and • Only be erected and maintained on land on which the goods or products are produced, grown or lawfully manufactured
Home Occupation/Home Business Sign	Residential	Specific signage provisions – areas

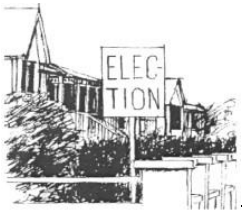
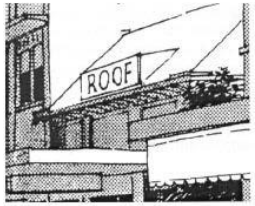
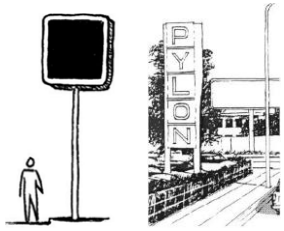
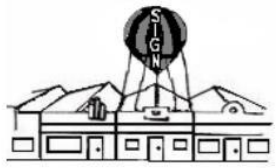
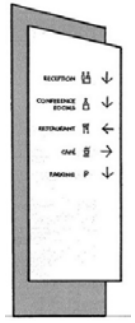
SIGN TYPE PORTABLE TEMPORARY SIGNAGE	PERMITTED ZONES	EXEMPTED ADVERTISEMENTS – DEVELOPMENT STANDARDS
		Signage on residential properties: • Shall be associated with an approved home occupation or home business. • No more than one sign per street frontage shall be supported • Signage shall be sited appropriately and not obscure vehicle and pedestrian sightlines. • Individual signage shall not exceed 0.5 of a square metres • No illumination permitted.
Election sign **As per the definition in Part 4 of this policy.** 	**All Zones**	• Not to be displayed on local government controlled land or a road or other public place. • The advertisement is not erected or installed until the writ or writs have been issued or, for an election, referendum or poll under the Local Government Act 1995, until the 36th day before the day on which the election, referendum or poll is to be held. • The advertisement is removed no later than 48 hours after the election, referendum or poll is conducted. • The advertisement is not erected or installed within 1.5 m of any part of a crossover or street truncation.
Roof sign Is an advertisement positioned at the top of a building (above an awning, verandah roof or the like) where the roof of that building would normally form the predominant backdrop to the sign when it is viewed from the ground. 	Mixed Use District Centre Light Industry General Industry Commercial Service Commercial Private Community Purposes Tourism	• A maximum area of 20% of the area of the roof panel on which it is located or 4m2 whichever is the lesser. • A maximum width of 2/3 of the width of the roof. • Does not protrude above the roof ridgeline. • Does not project more than 300mm from the portion of the building to which it is attached.

TABLE 2 – SIGNS THAT REQUIRE DEVELOPMENT APPROVAL

Signs that Require Development Approval

The following signs require development approval in all circumstances. Applications will be assessed on their merit and need to demonstrate compliance with the Development Standards in Table 2.

SIGN TYPE	DEVELOPMENT STANDARDS
Pylon Signs An advertisement sign which affixed to the ground having one or more supports where the overall height (inclusive of any supports) is greater than the sign's horizontal dimension. 	Pylon Signs shall: • The maximum sign face area is 10m2 per face, for a maximum of two faces; • Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary; • have a minimum clearance of 2.7m from the natural ground level; • be restricted to a maximum of either one pylon or monolith sign per street frontage, or where a lot has numerous tenancies/units, multiple pylon or monolith signs may be approved where separated by a minimum distance of 50m; • not exceed 2.5m measured horizontally across the face of the sign; • Where practical, make provision for infill panels to accommodate the needs of a property containing multiple tenancies/units; • not be more than 6m above natural ground level (including supporting structures), except where: • multiple tenancies/units are located on a lot, then the height can be increased to 7m above natural ground level (including supporting structures).
Balloon Sign An inflatable advertisement sign. 	Balloon Signs shall: • not exceed 7m in diameter; • not exceed 9m in height; • not be displayed for more than 14 days in aggregate for any one calendar year; and • be securely attached.
Monolith Signs An advertisement sign comprising of a solid, ground mounted structure, where the vertical dimension exceeds the horizontal dimension, but does not include a Pylon Sign or a Directional Sign: 	Monolith Signs shall: • not be more than 6m above natural ground level (including supporting structures), except where multiple tenancies/units are located on a lot, then the height can be increased to 7m above natural ground level. • have a maximum area of 15m2 • be restricted to a maximum of either one pylon or monolith sign per street frontage, or where a lot has numerous tenancies/units, multiple monolith or pylon signs may be approved where separated by a minimum distance of 50m. • Where practical, make provision for infill panels to accommodate the needs of a property containing multiple tenancies/units.

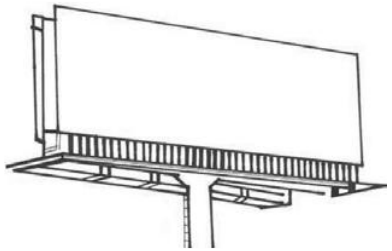
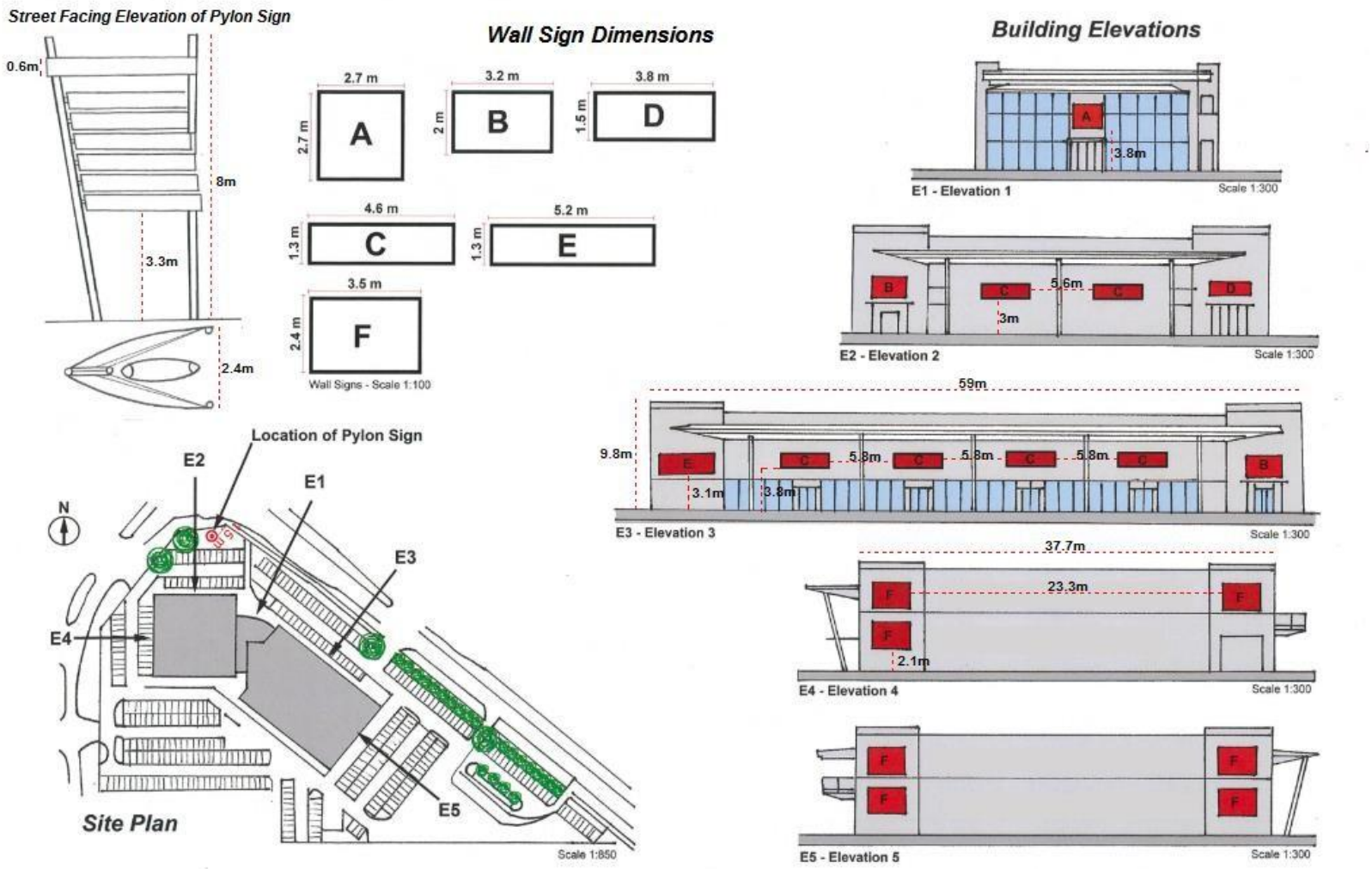
SIGN TYPE	DEVELOPMENT STANDARDS
Billboards An advertisement sign fixed to a freestanding structure or building may include LED components, however not classified as a pylon or wall sign. 	Not permitted, but Council may consider a hoarding sign subject to the following; • Number of similar signs approved by Council within 1km of the proposed sign; • Must be mounted as a freestanding structure; • Must not be located on a street frontage of a premises along which is located another billboard sign, billboard sign large, ground sign, pole sign, pylon sign or pylon sign – large; • Sign not exceed a maximum of 85m² in area; • Sign not less than 1.2m or greater than 20m (top of sign inclusive of supporting posts) above ground level; • Setback of the sign from the property boundary to be determined subject to the adjoining road hierarchy, width of road reserve, proximity of sensitive uses, size of the sign and any existing vegetation/screening; • Consideration to advice received from agencies upon referral of the proposal to the affected agencies.
Trailer Mounted Signs An object which is displayed for the purposes of advertisement (including a variable message sign); or an advertisement sign which is attached to or placed on a vehicle (car, truck, boat, trailer, caravan, machinery, whether moveable or not).  	• Maximum horizontal or vertical dimension being 2.0m • The vehicle Is removed when Cyclone warning 'Yellow' alert is issued • The sign is adequately secured to not cause risk to other road users. • Public authorities exempted.
Any Other Sign - Is a sign that is not listed or defined within the general terms of the definitions or otherwise mentioned in this Policy.	These are to be considered against the provisions of a sign definition of 'nearest fit' and the performance criteria.

TABLE 3 – ADVERTISEMENTS NOT PERMITTED

Signs not Permitted - the signs below are not permitted.

SIGN TYPE	ADVERTISEMENTS NOT PERMITTED
Tower Sign A sign affixed to, or placed on an open structural mast or tower. 	Tower Signs are not permitted.

APPENDIX 1 – Signage Strategy Example



POLICY NO:
Dev CP091 - LOCAL PLANNING POLICY – EXEMPTED DEVELOPMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:							**Synopsis:**	
Version	1	New	OCM	26/02/2020	Res:	25-20	**Synopsis:**	Draft Policy created
Version	2	Adopted	OCM	29/04/2020	Res:	82-20	**Synopsis:**	Adopted by Council
Version	3	SDev CP091	OCM	30/09/2020	Res:	269-20	**Synopsis:**	Reviewed and Adopted by Council
Version	4	SDev CP091	OCM	31/03/2021	Res:	61-21	**Synopsis:**	Amended and Adopted by Council
Version	5	SDev CP091	OMC	28/09/2022	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council
Version	6	SDev CP091	OCM	25/09/2024	Res:	275-24	**Synopsis:**	Reviewed and Adopted by Council
Version	7	SDev CP091	OCM	27/08/25	Res:	232-25	**Synopsis:**	Reviewed following gazettal of LPS9 and Adopted by Council
Version	8	Dev CP091	OCM	28/10/26	Res:	242-26	**Synopsis:**	Major review of policy adopted by Council after the required advertising period

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

To exempt certain development proposals from the requirement to obtain Development Approval under *the Shire of Dardanup Local Planning Scheme No.9* (LPS9). In addition to the use and development types identified as being exempt in:

- Schedule 2 ('Deemed Provisions') Clause 61 of the *Planning and Development (Local Planning Schemes)* Regulations 2015 and
- Schedule A – Supplemental Provisions of the Deemed Provisions of the LPS9.

3. OBJECTIVES

This Policy establishes the Shire's position in relation to development that is exempt from requiring development approval.

The objectives of this Policy are to:

a) Identify types of development proposals that are suitable for exemption from the need for development approval.
b) Streamline the planning approval process and to reduce red tape.
c) Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

- Planning and Development Act 2005 (the Act)
- Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
- Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9 inclusive of the land contained within the Ferguson Valley tourism area (SCA2) shown on the Scheme Map according to the legend thereon unless specified in the Table below.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not allow for X uses to be permitted (*LSP9 clause 18 (2) -X means that the use is not permitted by this Scheme*)

6. DEFINITIONS

Substantially commenced means it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the placing of footings and slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9 Clause, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

7. POLICY

7.1 Exemptions in Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015 apply to land even though it may be located in the Ferguson Valley tourism area (SCA2) under LPS9.

7.2 Development approval is not required for any development listed in Table 1 'Exempted Development' providing:

1. The proposal complies with corresponding 'Zone' and 'Conditions/Criteria' columns; and
2. The proposal does not vary any standards or requirements of the LPS9.

Development designated as Bushfire Prone Area under the Fire and Emergency Services Act 1998 and development approval is required under Clause 78D(3) for the development are not exempt under this policy.

Table 1 – Development Exempt from Development Approval

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Arbor, archway or gateway - or similar type of decorative structure that defines a pedestrian entrance.	All zones	Where the developments meets the following criteria: • Maximum height 3 metres; and • Maximum width 2.5 metres
Fences	General Industry, Light Industry and Service commercial zone	Where the fence meets the following criteria: • Constructed of 50mm steel mesh; • Maximum height of 1.8m from natural ground level with a maximum overall height of 2.1m where barbed wire is placed on top of the fence; • Supported by steel galvanised pipe posts: o 2.7m in length o Nominal bore of 40mm and outside diameter of 48mm o Spaced at 4m centres o Sunk 0.6m into the ground, encased in concrete having diameter of 150mm; and o Terminal posts are braced in line of the fence with diagonal pipe braces having nominal bore of 50mm and outside diameter of 60mm • Centre and bottom high tensile galvanised steel wire.
	Rural Residential, Rural Smallholdings, Tourism, Priority Agriculture and Rural zone	Where the fence meets any of the following criteria: • is located within a 14 metre visual truncation on a corner lot and is no higher than 1.5 metres; or • is located within a 3 metre visual truncation to a vehicular access way and is no higher than 1.5 metres; or • is no higher than 1.8 metres in all other cases; and • is constructed of post and wire or post and rail and

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		• is not located within a Heritage- Protected Place.
Feature walls (Landscape Walls)	All zones	Where the developments meets the following criteria: • Maximum 3m width at a max height of 2.1m from natural ground level; and • Setback behind the primary and/or secondary street setback. • Limited to one.
Outdoor Cooking facilities - Pizza Oven, BBQ	All zones	Where the developments meets the following criteria: • Maximum height 1.8m from natural ground level excluding chimney or flue; and • Structures above 1.8m from natural ground level need to be setback as required by the R- Codes (if applicable) or Scheme Setbacks. • The size of the structure shall not be larger than $3m^2$
Animal / Horse Shelters	Rural Residential, Rural Smallholdings, Rural and Priority Agriculture zone	Where the development meets all of the following criteria: • External surfaces are clad with non-reflective materials. • No clearing of vegetation is required. • Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. • Not within Special Control Areas (SCA) of the LPS9. • Setback 30m from dwelling(s). • Lot larger than $2000m^2$. *This exemption does not consider Horse Stables and the keeping of Horses on the lot.*
Commercial Vehicle Parking	Residential zone	Where the parking of the vehicle complies with Schedule 7 Clause (9)(a) – (e) of the Scheme. Limit of one (1) vehicle.
	All other zones	Only one (1) commercial vehicle and one (1) associated trailer is parked per property where the development meets the following criteria: • The parking of the commercial vehicle/s is ancillary to the approved use; or • Where the subject lot has a total area of equal to or greater than $10,000m^2$ (1 hectares); The subject vehicle is rated a gross vehicle mass of less than or equal to 6.5 tonnes.

<table>
<tr><th>DEVELOPMENT</th><th>ZONES</th><th>CONDITION/CRITERIA</th></tr>
<tr><td>Water tank</td><td>All zones</td><td>Where the development meets the following criteria:
• Maximum height 2.7m above natural ground level;
• Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation.
<table>
<tr><td colspan="2">Permitted sizes by lot area:</td></tr>
<tr><td>≥4,000m^2</td><td>10m in diameter
<u>212 000L tank</u></td></tr>
<tr><td><4,000m^2 but ≥2000m^2</td><td>3.88m in diameter
<u>32 000L tank</u></td></tr>
<tr><td><2,000m^2</td><td>6000L tank no greater than 2.4m in height</td></tr>
</table>
• More than one water tank is exempted in the Rural Smallholding, Priority Agriculture and Rural Residential Zones where the water tanks are clustered with the farmhouse and other outbuildings, and no clearing of vegetation is required.</td></tr>
<tr><td>Satellite Dishes, microwave antennae and radio masts</td><td>All zones</td><td>The installation of satellite dishes, microwave antennae and radio masts or other low impact facilities which satisfy the following requirements:
(i) there are no other existing satellite dishes, microwave antennae or radio masts on the subject lot;
(ii) in the case of satellite dishes in residential areas, the maximum diameter is 1.0 metres or less and is not located within any of the street setbacks; and in non-residential areas the maximum diameter is 3 metres;
(iii) in the case of microwave antennae, the maximum diameter is 1.0 metre or less, the antennae does not project higher than 3 metres above the ridge line of the building and is not utilised to transmit electromagnetic waves;
(iv) in the case of radio masts, the height does not exceed 8 metres, the radio mast is setback in accordance with the Scheme from any of the lot boundaries (or 6 metres whichever is greater) and the dimension of the antennae does not exceed 6 metres and is fully contained within the subject lot;
(v) where the structure involves Amateur (Ham) Radio equipment shall be less than 10m above natural ground level and is setback no less than 4m from any lot boundaries;
(vi) Is not visible from the primary street;
(vii) and shall be clustered or located with existing development on site.</td></tr>
<tr><td>Site Works and Retaining walls</td><td>Rural Residential, Rural Smallholdings, Rural, Tourism and Priority Agriculture zone</td><td>Where retaining walls, fill or excavation is not more than 0.5m above or below the natural ground level and
• Is compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation.
• Is not located within a Flood Prone Area (SCA4) and Strategic Minerals and basic raw materials area (SCA5);
• Is not located Heritage-Protected Place.</td></tr>
</table>

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Water Feature (including fish pond)	Residential Zone	Where the structure constructed associated with a dwelling – • Maximum height of 2.4m above natural ground level if located behind the primary street setback; • Maximum height of 1.2m above natural ground level if located within the primary street setback; and • Permitted with a nil boundary setback. *This exemption does not consider Dams or large water bodies).*
	All other zones	Where the structure meets the following criteria: • Maximum height of 2.4m above natural ground level if located behind the primary street setback; • located in accordance with the Scheme setbacks; • Max Width/ length of the feature no more than 6m; • Does not exceed water depth of 300mm. *This exemption does not consider Dams or large water bodies).*
Windmills	Rural Residential, Rural Smallholding, Rural, Priority Agriculture, and Tourism zone	Where the development meets the following criteria: • Incidental to a use occurring on the land which has Council approval, or does not require Council approval; • Compliant with the relevant setbacks/building envelope requirements for the applicable zone/designation. • A maximum height of 12m. • One Windmill is permitted per lot. • Noise must be compliant with the Environmental (Noise) Regulations 1997 **Where development is located in the Ferguson Valley tourism area (SCA2), Development Approval is required.*
Vegetation Removal	All zones	Where the vegetation modification meets the following criteria: • Exotic and introduced (includes non-local native (not endemic) vegetation species • Noxious, declared and pest plants and weeds • Works require to adhere to the Shire of Dardanup Annual Fire Prevention Order: o To create or maintain a 20m wide Building Protection Zone / Asset Protection Zone from the external walls of a dwelling; and o To create or maintain a 20m wide Building Protection Zone / Asset Protection Zones to a building that is less than 10m from the dwelling. • Dangerous vegetation with an arborist report submitted to the satisfaction of the Shire of Dardanup. *This exemption does not consider Tree Farming harvesting. The above does not remove the requirement for a Clearing Permit required by the Department of Water and Environmental Regulations (DWER).*
Temporary Offices and sheds	All zones	Where the development meets the following criteria: i) offices and sheds (including sea containers) used by builders directly associated with the building works

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		occurring on site for the duration of completing the works; and/or ii) offices (including sea containers) used by real estate agents directly associated to the sale of lots and/or dwellings on the development site for a period of 24 months.
Keeping of live stock	Rural and Priority Agriculture zone	Where the development meets all the following criteria: • Animal containment is setback 30m from dwelling(s) *This exemption does not consider Animal Establishment and or feedlots.*
	Rural Residential, Rural Smallholding and Tourism zone	Where the development meets all the following criteria: • Complies with Schedule 7 Clause 19 Stocking rates of the LPS9. • Animal containment is setback 30m from dwelling(s). *This exemption does not consider Animal Establishment and or feedlots.*
Unhosted Short-Term Rental Accommodation (Unhosted STRA) of: • Single houses; • Grouped Dwellings; • Multiple Dwellings; • Holiday House.	All zones	Where the development meets the following criteria: • The period of accommodation shall not exceed **90 days in a relevant 12-month period***; and • the number of guests accommodated within an Un-hosted STRA at any time, where such comprises a Single House, Grouped or Multiple Dwelling, complies with all of the following standards: o A maximum of **12 persons at any time;** o A minimum 4m2 per person in each bedroom containing beds; and o A minimum 2.5m2 per person in each bedroom containing bunks; and • the dwelling is **registered** under the *Short-Term Rental Accommodation Act 2024* Part 3. • Car parking is provided at the rate required by the Local Planning Scheme for the relevant land use and is accommodated wholly within the lot boundary. • For a Single House, Grouped or Multiple Dwelling on a lot over 1,000m2, and for any other land use listed under this exemption on any sized lot, a Bushfire Attack Level assessment by a registered Level 1 bushfire practitioner being submitted that demonstrates the Bushfire Attack Level does not exceed BAL-29. • Despite an exemption for Short Term Rental Accommodation of the predominant use, Development Approval may be required for the predominant use in accordance with the Local Planning Scheme. * A **relevant 12-month period** is: a. the period of 12 months commencing on the day on which the owner or occupier registered the dwelling under the Short-Term Rental Accommodation Act 2024 Part 3; or b. any subsequent 12-month period commencing on the anniversary of that day.
Carports and Patios	Residential zone	Where the development meets the following criteria: • A maximum wall height of 3.5m; • A maximum ridge height of 4.2m as per the Residential Design Codes; • Located behind the street setback;

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		• A nil side and/or rear boundary setback, and 1m setback to a secondary street boundary is permitted, for a maximum length of 12m along any boundary (post nil setback); • The roof cover being setback a minimum of 500mm from all lot boundaries; • All other 'deemed to comply' requirements of the R-Codes being met; and • All stormwater including roof run off disposal is to be contained on site.
Outbuildings and Seacontainers	**SEE CP 111 – Outbuildings and Seacontainers for exemptions of these types of developments.**	

POLICY NO:
SDev CP094 – LOCAL PLANNING POLICY - DARDANUP WEST/CROOKED BROOK AREA – PROVISION OF FORESHORE FACILITIES DEVELOPER CONTRIBUTION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM:	08/09/10	Res:	303/10	**Synopsis:**	Policy created. 08/09/2010
	1	DEV19	OCM:	10/05/12	Res:		**Synopsis:**	Reviewed Policy Adopted
Version:	2	CP094	SCM	26/07/18	Res:	251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP094	OCM	30/09/20	Res:	269-20	**Synopsis:**	Reviewed and Adopted by Council
Version:	4	SDev CP094	OCM	28/09/22	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	5	SDev CP094	OCM	25/09/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP094	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

In 2007 the "Dardanup West/Crooked Brook Structure Plan" (plan) was approved by the Western Australian Planning Commission. The plan provides strategic direction is for the development of Small Holding zoned (rural residential) lots in the area with the potential additional lot yield estimated to be 400 lots. As part of this policy, developers of land within the plan area are required to contribute to the establishment of foreshore facilities.

This policy shall only apply to land which has been rezoned to 'Small Holding' and is being subdivided into rural residential lots.

The objective of the policy is to ensure that the future development of foreshore facilities in the area covered by the plan is sufficiently funded via developer contributions so as not to place added burden on ratepayers.

3. REFERENCE DOCUMENTS

Shire of Dardanup Local Planning Scheme No. 9.

4. POLICY

There will be significant development in the plan area which will create the demand for foreshore facilities.

The cost of developer and Council funded foreshore facilities that will be required ~~is~~ was estimated at $207,909 as at 1 July 2010. Based on a predicted 25% usage from residents from outside the plan area $51,977 has been deducted from the total resulting in developers being required to fund $155,931 (as at 1 July 2010).

Based on a lot yield of 400 lots in the plan area the developer contribution is calculated at $390 per lot as at 1 July 2010, however these costs will be reviewed on an annual basis and be subject to increases in line with CPI. Where the Shire has an approved foreshore facilities Master Plan, costs are to be based on the actual cost of works in the Master Plan and will be subject to increases in CPI.

4.1 Foreshore Facilities

It is expected that three separate areas with foreshore facilities along the Preston River will be required, and these are indicated on the Dardanup West/Crooked Brook Structure Plan. It has been assumed that each area will consist of the following features, when determining the cost of developing these areas:

- Grassed Area: 2000m^2
- Natural vegetation: 2000m^2
- Picnic Settings x 2
- Pathways adjoining roadside parking and picnic area

4.2 Review of Developer Contributions

The developer contribution amount shall be reviewed on an annual basis in accordance with the following process:

- The review shall be undertaken in June each year.
- The new contribution rate shall come into effect on the latter of the 1st of July of that year or when the review has been completed and a new rate has been adopted by Council under the 'Fees and Charges' for that year.
- The review will consist of a review of estimates for the construction of the shared cost infrastructure unless there is an approved foreshore facilities Master Plan, in which case the actual cost of works in the Master Plan will be used.
- The review will consist of a review of contributions received and interest earned.

The construction estimates are based on works being undertaken by Council construction crews and all required materials being sourced and/or purchased through the Council.

The review of estimates will be carried out in conjunction with Council's annual budget deliberations. Therefore, the estimates shall be adjusted in accordance with plant, labour and construction material rates used in the development of Council's annual budget. All quantities used in the estimates will remain constant and shall not be adjusted during each review.

The Shire will request the WAPC apply the following subdivision condition to all subdivision applications in the Dardanup West/Crooked Brook Structure Plan area:

> *The subdivider making satisfactory arrangements with the Local Government to contribute towards the costs of provision of foreshore facilities identified in the Dardanup West/Crooked Brook Structure Plan area in accordance with the Dardanup West/Crooked Brook Area Road Provision of Community Facilities Developer Contribution Policy.*

Funds will be collected from the subdividers at the time of request for subdivision clearance and will be placed in a reserve for the specific purpose they are collected.

POLICY NO:
SDev CP096 – LOCAL PLANNING POLICY - SEA CONTAINERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History			OCM	08/03/12	Res: 57/12	**Synopsis:**	Policy created. 08/03/2012
	1	DEV21	OCM:	10/05/12	Res:	**Synopsis:**	Reviewed Policy Adopted
Version	2	CP096	SCM	26/07/18	Res: 251-18	**Synopsis:**	Reviewed and Adopted by Council
Version	3	SDev CP096	OCM:	30/09/20	Res: 269-20	**Synopsis:**	Reviewed and Adopted by Council
Version	4	SDev CP096	OCM:	28/09/22	Res: 243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	5	SDev CP028	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP028	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this policy is to regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:

(a) are located, screened and/or colour treated to appear visually integrated with the surrounding area; and
(b) do not result in an adverse impact on amenity or streetscape.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

4. DEFINITIONS

'Sea Container' - A re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

5. POLICY

5.1 The Shire will not permit sea container(s) on land zoned 'Residential' or within any designated townsite boundary as defined under LPS9, other than in accordance with part 5.2 below.

5.2 Temporary uses: A sea container for temporary use does not require Development Approval in any zone where the following conditions are met:

(a) one sea container only is placed on the lot for up to a maximum of 7 days in any 12 month period, and is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or
(b) one sea container only is placed on a lot for up to a maximum 12 months, and is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.

5.3 Industrial Lots: On lots zoned General Industry or Light Industry, sea containers do not require Development Approval where all of the following conditions are met:

(a) sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 5m from all other boundaries;
(b) sea containers are stacked no more than two sea containers high;
(c) sea containers are not located over drainage areas, septic tanks, or vehicle access ways; and
(d) no other structures are proposed to be attached to or cover the sea containers.

5.4 Other than in accordance with parts 5.1 - 5.3 above, an application for Development Approval will be required in all other circumstances. All applications will be assessed having regard to this policy, and may only be supported where all of the following conditions are met:

(a) The land is not zoned 'Residential' or located within any designated townsite boundary as defined under LPS9.

(b) The proposed sea container(s)
i) is/are ancillary to an approved or permitted use;
ii) will not be located within the front setback area of any lot;
iii) will not being located in areas designated for car parking, landscaping, effluent control or storm-water control;
iv) will not be used for human habitation;
v) will only be used for the purpose of storage, unless otherwise approved by Council;
vi) Other than on lots zoned General Industry or Light Industry, sea containers being completely screened from view from nearby roads, other public places, and adjoining properties, or:
- the exterior of the sea container(s) being painted to blend in with the surrounding development, or with the surrounding landscape if the lot is not developed, within 3 months of Development Approval, and maintained thereafter; and/or
- screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;

vii) Other than on lots zoned General Industry or Light Industry, sea containers must not be stacked on top of one another; and

(c) On a lot zoned 'Rural Residential', there must be an existing habitable dwelling on the lot and only one sea container will be supported.

5.5 Notwithstanding Part 5.4 above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity, or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.

6. APPLICATION

a) This policy applies to all land zoned under LPS9.

b) This policy does not apply to sea containers which have been previously approved by Council.

c) The storage of all sea containers in all areas will require development approval from the Shire of Dardanup, prior to placement.

7 APPLICATION FOR DEVELOPMENT APPROVAL REQUIREMENTS

a) An application for development approval shall be made on an Application for Development Approval Form 110 together with the following information:

i) A site plan showing the proposed location of the sea container(s) on the property distance of each sea container to all lot boundaries and the location of any existing buildings/structures , and the location of existing or proposed vegetation screens;

ii) Plans, dimensions and details of the sea container(s) which also includes the existing and proposed exterior colours;

iii) Photographs of the proposed sea container(s);

iv) Written details of proposed modifications and other works to be carried out to improve appearance and address amenity concerns (eg. painting, screen planting etc.).

b) Notwithstanding that development approval may be granted by Council, a building permit may also be required to ensure compliance with all relevant requirements under the Building Code of Australia and relevant Australian Standards, if modifications are to be made to the sea container.

8 STANDARD CONDITIONS OF DEVELOPMENT APPROVAL

If granted, the Shire's Development Approval may include the following conditions, as a minimum:

a) All development being generally in accordance with the approved development plans which form part of this Development Approval.

b) The exterior of the sea container s) shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surrounding landscape if the lot is not developed, within 30 days of the date of Development Approval and maintained thereafter; and/or

c) Screen planting of native vegetation that comprises a range of storeys, provides an effective visual screen and is a minimum of 2m deep, must be planted within 3 months of the date of Development Approval, and maintained thereafter; and

b) The approved sea container(s) shall not be used for human habitation purposes.

POLICY NO:
SDev CP099 - LOCAL PLANNING POLICY - DISPLAY HOMES – DEVELOPMENT STANDARDS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM:		Res:		**Synopsis:**	
	1	DEV24	OCM:	26/07/12	Res:	261/12	**Synopsis:**	Policy created. 26/07/2012
Version:	2	CP099	SCM	26/07/18	Res:	251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP099	OCM	30/09/20	Res:	269-20	**Synopsis:**	Reviewed and Adopted by Council
Version:	4	SDev CP099	OCM	28/09/22	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council
Version	5	SDev CP099	OCM	25/09/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP099	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. OBJECTIVE

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The objective of this policy is to provide development standards for display homes so that they are appropriately serviced and limit impacts upon residential amenity.

3. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)
Shire of Dardanup Local Planning Scheme No. 9

4. DEFINITIONS

Display home – means a building constructed as a dwelling but used for display purposes to encourage potential customers to purchase and/or construct similar dwellings.

5. POLICY

5.1 Display Homes shall be subject to the following provisions:

a) Unless Council agrees otherwise, a car parking area (which may be in the form of a double garage and double driveway exclusive of roadways and verges) shall cater for a minimum of four cars per display home, being paved and drained to the satisfaction of the Director Infrastructure.

b) Any illumination of a display home is to be directed onto the property itself. The Council will require lighting to be modified if it is of the opinion that adjoining properties and the roadway are unduly affected.

c) Display home signage shall comply with a Shire of Dardanup Signage Policy in the first instance, and in the absence of such a policy, signage shall comply with the following provisions:

   i) A maximum of one (1) freestanding advertising sign (maximum of 6m² and no more than 4m high) shall be permitted, provided it is setback a minimum of 2m from the front boundary.

   ii) No advertising sign shall be permitted within a corner lot's 6m by 6m visual truncation area.

   iii) Advertising shall be permitted on the garage door of an approved display home.

   iv) Illumination of advertising signs shall not be permitted.

v) Removable 'A-Frame' advertising signage shall only be located within the property boundary and be securely fixed to the ground to reduce the hazard potential to the public.

vi) Portable signs (including A-Frame signage) shall not be permitted on public reserves, public streets, road verges, vehicle roundabouts, pedestrian paths and accessways.

d) Development Approval for a display home is limited to a continuous36 month period. Any proposed time extension will require an additional application for Development Approval to be submitted and approved.

5.2 Application

a) This policy applies to all land zoned "Residential" and/or "Development".

b) As 'Display Home' is not listed in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9, it will be assessed as a 'Use not listed' and will be subject to Clause 18(4) – *Interpreting Zoning Table*.

c) The use of any residential property for the purpose of a display home will require an Application for Development Approval (Form 110) to be submitted for assessment accompanied with appropriate plans, details and the applicable application fee. Details of proposed signage shall form part of the application and will also require the submission of Form 110b.

POLICY NO:
SDev CP100 – LOCAL PLANNING POLICY - ANCILLARY DWELLINGS – RURAL RESIDENTIAL, RURAL SMALLHOLDINGS, RURAL AND PRIORITY AGRICULTURE ZONES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM:	08/03/12	Res: 56/12	**Synopsis:**	Policy created. 08/03/2012
	1	DEV25	OCM:	10/05/12	Res:	**Synopsis:**	Reviewed Policy Adopted
Version:	2	CP100	SCM	26/07/18	Res: 251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP100	SCM	30/09/20	Res: 269-20	**Synopsis:**	Reviewed and Adopted by Council
Version:	4	SDev CP100	SCM	31/03/21	Res: 61-21	**Synopsis:**	Amended and Adopted by Council
Version:	5	SDev CP100	OCM	28/09/22	Res: 243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	6	SDev CP100	OCM	25/09/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP100	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015.*

The purposes of the policy are to:

- provide guidance and set minimum standards with regard to proposals for ancillary dwellings on properties within the Rural Residential, Rural Smallholdings, Rural, and Priority Agriculture zones; and

- avoid inappropriate proliferation of residential-type development on individual properties in the Rural Residential, Rural Smallholdings, Rural, and Priority Agriculture zones, which has the capacity to result in land use conflict and places increased pressure to subdivide rural land.

3. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
State Planning Policy 7.3 Residential Design Codes (R-Codes)
State Planning Policy 2.5 Rural Planning
State Planning Policy 3.7 Planning in Bushfire Prone Areas

4. DEFINITIONS

For the purpose of this policy, 'Ancillary Accommodation' and 'Ancillary Dwelling' are considered interchangeable and have the same meaning.

Ancillary Dwelling – means a self-contained dwelling on the same lot as a single house which may be attached to, integrated with, or detached from the Single House (R-Codes) .

5. POLICY

5.1 Development Approval is required in accordance with the table below, and any application for such approval will be assessed having regard to this policy:

	ANCILLARY DWELLINGS		
RURAL RESIDENTIAL ZONE	No DA required if:		

	• there is an existing, habitable dwelling on the lot; • no more than one ancillary dwelling is proposed; • the 'development standards' in this policy are complied with; • there are no heritage considerations; and • there are no bushfire considerations that require a DA.		
Policy position/conditions	Any lot size: Maximum of one ancillary dwelling per lot is permitted subject to the conditions in this table.		
	For a lot over 2ha in area, Council will only support a maximum of two habitable structures on a single lot.		
RURAL SMALLHOLDINGS, RURAL, AND PRIORITY AGRICULTURE ZONES	No DA required if: • there is an existing, habitable dwelling on the lot; • no more than one ancillary dwelling is proposed; • the 'development standards' in this policy are complied with; • there are no heritage considerations; and • there are no bushfire considerations that require a DA.		
Policy Position/conditions	Any lot size: Maximum of one ancillary dwelling per lot is permitted. *For a lot over 20ha in area, Council will only support a maximum of two habitable structures on a single lot.*		

5.2 Development standards

- Ancillary dwellings are to be 'secondary' to the main dwelling and this should be reflected in their relationship with the main dwelling.
- The appearance of ancillary dwellings shall be of complimentary style to the existing dwelling and uphold the amenity of the locality.
- Ancillary dwellings should be clustered with the main dwelling, with provision of access and services to be shared with the main dwelling.
- Where an approved building envelope exists on the property, any additional structure shall be wholly contained within the approved building envelope.
- Council will not support transportable and/or 'donga' styled accommodation under this policy.
- Ancillary dwellings should not contain more than one bedroom and are not to exceed a maximum floor area of 100m² (excluding carport/ garage, verandas, patios, pergolas etc.)

- Vehicle access to an ancillary dwelling is to be shared with the main dwelling and no new crossovers to public roads will be permitted. Upgrades to the existing crossover may be required dependant on the condition of the existing.

- A minimum of one parking space shall be provided for any ancillary dwelling in addition to those required for the main dwelling.

- The existence of any ancillary dwelling shall not be used as justification for the subdivision of any property.

- Development in a Bushfire Prone Area will need to comply with AS 3959 (Construction of Buildings in Bushfire Prone Areas) relevant to the Bushfire Attack Level Assessment as determined by an accredited consultant. In considering an application for development approval for development in a Bushfire Prone Area the landowner is to demonstrate compliance with the requirements of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas.*

6 APPLICATION

This policy applies to the development of ancillary accommodation/dwellings on land zoned Rural Residential, Rural Smallholdings, Rural, and Priority Agriculture zones under the Shire of Dardanup Town Planning Scheme No. 9 inclusive of the land contained within the Ferguson Valley Tourism Area (SCA2) shown on the Scheme Map according to the legend thereon. Exemptions under this policy does not apply where the development is undertaken on land designated as bush fire prone and development approval is required under clause 78D(3) of the deemed provisions, such as where the bushfire attack level of the development is calculated as BAL-40 or BAL-Flame Zone.

POLICY NO:
SDev CP104 - LOCAL PLANNING POLICY - CARAVANS AS TEMPORARY ACCOMMODATION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:			OCM:	05/04/00	Res:	184/00	**Synopsis:**	Policy created. 05/04/2000
	1	DEV29	OCM:	10/05/12	Res:		**Synopsis:**	Reviewed Policy Adopted
Version:	2	CP104	SCM	26/07/18	Res:	251-18	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP104	OCM:	30/09/20	Res:	270-20	**Synopsis:**	Reviewed and Adopted by Council
Version:	4	SDev CP104	OCM	28/09/22	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	5	SDev CP104	OCM	25/09/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	6	SDev CP104	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015,* and the *Caravan Parks and Camping Grounds Regulations 1997.*

To ensure that the use of a caravan as temporary accommodation (when used in conjunction with the construction of a dwelling) does not impact adversely on the amenity of an area or the environment.

3. POLICY

Council may permit the use of a caravan for temporary accommodation in accordance with this policy, subject to the following conditions:

a. Temporary accommodation is not permitted on land zoned 'Residential' or within any designated townsite boundary and will only be supported on land zoned Rural Residential, Rural Smallholdings, Rural, or Priority Agriculture under LPS9.

b. Approval will be granted for a maximum of 24 months.

c. The property shall have an approved effluent disposal system installed, prior to occupation of the property, to the satisfaction of Environmental Health.

d. The caravan shall be stored inside an approved outbuilding at all times and shall not be visible from any public road or neighbouring property.

e. Council reserves the right to rescind an approval, if it is determined that the use of the property for temporary accommodation is causing it to be maintained in an untidy state or is having an adverse impact on neighbouring landowners, due to the emission of noise or other impacts.

The applicant is to complete and submit a Form 151 – Application Form – *Temporary Accommodation* for the Shire's consideration prior to using a caravan for temporary accommodation. If granted, approval will be provided to the applicant is writing.

POLICY NO:
Dev CP110 – LOCAL PLANNING POLICY – OPEN SPACES STANDARDS OF PROVISION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History		Dev CP110		03/09/2026	to	23/09/2026	**Synopsis:**	CP110 Advertised for Public Comment
Version	1	Dev CP110	OCM	28/10/2026	Res:	248-26	**Synopsis:**	CP110 Policy Adopted by Council

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE OR OBJECTIVE

This Local Planning Policy has been adopted by the Shire of Dardanup to ensure the following:

- All residents have fair and reasonable access to quality parks and recreation areas
- Future investment in new parks, upgrades, and renewals is managed, cost-effective and sustainable
- A consistent framework is in place to guide the quantity, quality, distribution and functionality of open spaces in new developments across the shire to ensure they meet the recreational, environmental and community needs of current and future residents.
- A local interpretation is available of the West Australian Planning Commission's (WAPC) Liveable Neighbourhoods Operation Policy (Liveable Neighbourhoods), suitable for the Shire of Dardanup
- Supporting healthy, active, and connected communities

This Policy specified the Shire's position on the planning, provision, location, design and embellishment of Open Spaces and is to be utilised by applicants, administration and Council in the design, assessment and determination of the following:

- Shire Renewal, Upgrade and Expansion Projects;
- Scheme Amendments;
- District and Local Structure Plans;
- Local Development Plans;
- Subdivision Applications; and
- Development Applications.

This Policy is not intended to be applied retrospectively to existing POS areas and to not directly require upgrades of services and assets already in place. Where upgrades are however proposed, the Policy is relevant and must be given due regard.

3. REFERENCE DOCUMENTS

Planning and Development Act, 2005
Planning and Development (Local Planning Schemes) Regulations, 2015 (Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
State Planning Policy 3.6 Infrastructure Contributions

Liveable Neighbourhoods, 2009 Element 4
IPWEA Local Government Subdivisional Guidelines (IPWEA, 2026)
Shire of Dardanup Open Spaces Asset Management Plan 2026-2030
All District and Local Structure Plans in the Shire of Dardanup approved by the WAPC
Department of Sport and Recreations "Guide to shared use facilities"
Department of Sport and Recreations "Classification Framework for Public Open Space"
WAPC's Operational Policy 2.4 - Planning for school sites
Relevant Australian Standards for Playground Equipment for Construction, Use and Maintenance

4. DEFINITIONS

For the purpose of this policy a Public Open Space (Open Space) refers to land which is available for public access and is reserved or used for active sport, passive recreation, preserving the natural environment, providing connectivity or aesthetic value to a Place and it considered creditable Public Open Space. Public open space is defined under the *Metropolitan Region Scheme 1997*, and in addition it may include land that is owned freehold and has a recreation purpose.

5. POLICY

5.1 General

- Open Spaces shall be identified in structure plans and subdivisional proposals for urban development consistent with the provisions of this policy
- Open Spaces should be provided in accordance with Liveable Neighbourhoods and the requirements of Schedule 1 and 2

- Land which is not considered to form Open Spaces includes, in addition to those specified in Liveable Neighbourhoods, the following:

    a. Drainage reserves for the treatment and/or storage of up to One (1) year average recurrence interval rainfall event.
    b. Any residential entry statement treatments unless they form part of a consolidated parcel of Open Space and so not compromise use.
    c. Restricted access conservation areas (i.e. fenced off from the public with controlled access).
    d. Any land that's primary purpose is a road verge, public access way or any land designated for a fully vegetated land use buffer with no demonstrated community recreation benefit.

- Open Spaces should be defined by its functional class, being a description of how spaces can be used by the community. These can include a combination of "restricted and "unrestricted" open space, as per the provision of Liveable Neighbourhoods and in accordance with Schedule 1 and 2 of this Policy, provided the "restricted" open space performs a genuine public open space function.

5.2 Distribution of Open Spaces

A variety of Open Spaces should be provided within a specified area that ensures a balance of sizes, hierarchies and locations within a community. However, small and fragmented areas of POS are not considered appropriate and will not be supported. The provision of Open Spaces should be in accordance with the requirements shown in Schedule 1.

5.3 Development of Open Spaces

Where a subdivision application proposes the creation of Open Spaces, the Shire will in its response to the WAPC, request that the standard condition for subdivision development be imposed requiring the applicant to develop the open space to the standard requirements detailed in this policy - and to the satisfaction of the Shire.

No clearing of vegetation or other works is permitted to occur within an area of open space until the Shire of Dardanup has granted approval for the subdivisional/development application earthworks drawings.

The Shire maintains the position that Open Space elements need to be delivered at the earliest reasonable phase in new developments. The Shire may consider bonding construction on the Open Space in line with the Shire's Policy Infr CPO404 – Shire Acceptance of Bonds.

5.4 Sport Open Space design

To ensure maximum potential for Sport Open Spaces to accommodate a full variety of recreational activity, it should be designed generally in accordance with the Department of Local Government and Cultural Industries Sport dimensions, guidelines and relevant Australian Standards.

5.5 Location of Public Open Space

Individual Open Spaces should form part of an interconnected network of spaces for the purposes of encouraging pedestrian movement, ecological connectivity and improving public amenity.

Areas of remnant native vegetation and ecological corridors (for critical fauna movement) should be protected and enhanced. Where the site adjoins remnant native vegetation, buffers should address fauna-sensitive lighting design in addition to noise, traffic and light spill mitigation measures.

Local Structure Plans should, to the satisfaction of the Shire, include Open Space locations, aesthetic vision, design principles, activity levels, retention of existing vegetation, significant tree surveys and concept plans.

5.6 Co-location of Public Open Space with School Sites

Co-location of Open Spaces with public school sites is supported in the interest of optimizing joint use and management, rationalizing water use and creating community hubs. Co-location should be investigated (but not assumed) at each site and is subject to:

- Creation of a larger, more multipurpose recreation or community precinct as a result of the co-location;
- The provisions of the Shire's 'Shared use Agreement' for Development and Shared Use Facilities with Department of Education in line with WAPC's Operational Policy 2.4 and the Department of Sport and Recreations "Guide to Shared Use Facilities.

These principles and associated protocol provide an understanding between the Shire and the Department of Education. The design for such facilities may need to be guided by a Local Development Plan as a condition of subdivision approval.

5.7 Co-location of Public Open Space with Drainage Reserves and Urban Water Management within Public Open Space

Co-location of Open Spaces with drainage reserve and infrastructure is supported provided the co-located Open Spaces provide an acceptable level of use to the community as a recreation space and meets the requirements of Liveable Neighbourhoods and Schedule 1. Where it is proposed to integrate stormwater management features within Open Space, the Space must be appropriately sized to accommodate features and not dominated primarily by the drainage function. Spaces must be designed to ensure drainage infrastructure, water features and vegetation minimise mosquito breeding habitat.

5.8 Multiple Use Corridors

Multiple-use Corridors (MUC's) will form part of the Open Space network where required along major spines of existing and realigned natural waterways and drains and may be include stormwater management and enhancement of wildlife corridor systems located throughout the Shire.

The primary purpose of a MUC is to accommodate existing drainage function, proposed stormwater management functions, environment wildlife corridor and recreational links. The drainage channel of the MUC used for the 20% AEP will not count towards creditable Open Space. Areas accommodating between the 1 EY to 20% AEP events may be considered for restricted POS credit if it can be demonstrated that the land provides an appropriate open space/recreation function.

5.9 Community Purpose Sites

Community Purpose sites contribute to community centers, meeting halls, libraries, and sporting precincts. These developments are increasingly important in growing areas and particularly viable in neighborhood centers. The inclusion of community purpose sites as part of the Open Space is acceptable subject to meeting one or more of the following criteria:

- The community purpose site being located within an activity center as part of forming an element of mixed primary use for such center.
- The community purpose site being provided adjacent to another parcel of Open Space and a function of the community purpose site relating to that Open Space (e.g. a community centre with facilities to support the sporting use of the Open Space).
- A need being identified by a community development plan or other community needs study.
- Discussion with and approval of the Shire of Dardanup.
- Alignment with a Community Infrastructure Development Contribution Plan (CIDCP).

Where community facilities are located on Open Space (e.g. a sporting pavilion), the space required to accommodate the facility should be considered as part of the Open Space planning process and included as part of the Open Space allocation. A specific community purpose site is not required in these instances.

5.10 Open Spaces in Industrial Areas

Open Spaces area generally not provided and supported within industrial areas. However, should drainage requirements include the provision of a multiple use type corridor, there should be attempts made to connect corridors of drainage areas together and provide planting and other supporting infrastructure that enable utilisation by the daily workforce within such areas.

5.11 Landscape and Vegetation Management Plans

Applicants must provide at the structure plan stage a Landscape and Vegetation Management Plan, an Open Space Management Plan and a Bushfire Management Plan (where applicable). At subdivision stage more detailed Landscape and Vegetation Management Plans and Maintenance Schedules may be required.

5.12 Irrigation within Public Open Space

Applicants must submit detailed irrigation drawings for the Shire Approval. In order to support Hydrozoning and efficient irrigation, it is essential that soil condition is identified at the early stages of park design. Poor soils may require substantial soil amendment to ensure plant vigour and health. A soil test must be provided as part of the landscape and irrigation detailed design submission and should be addressed within the Open Space concept. These designs are to provide the appropriate level of irrigation to service the site.

Irrigation should only be used in higher use areas (sports turf, key laws and kickabout areas etc.) and should include soil-moisture and weather-response irrigation controllers were possible in higher order parks. Scheme water is not acceptable for post establishment irrigation of Open Spaces. Non-irrigated zones are to use local native drought tolerant plant species.

5.13 Environmental Resilience and Climate Chage

All Open Space sites should be assessed against current and projected bushfire, flood, heat and coastal hazard risks, with very high risks sites only proceeding with a formal mitigation plan.

5.14 Playgrounds

The Shire required playgrounds is to be provisioned across the Shire as detailed in Schedule 1 and 2. All playgrounds must comply with the relevant Australian Standards and give specific consideration to the Shire's Disability Access and Inclusion Plan 2023 – 2028.

5.15 Toilet Facilities

Toilet facilities should be provided within Open Spaces in accordance with Liveable Neighbourhoods and the requirements set out in Schedule 1. The following aspects should be considered when decisions are made regarding the provision of toilet facilities:

- Accessibility to other public toilet facilities in the vicinity.
- Associated recreational infrastructure (barbeque/picnic/play equipment).
- Level and likelihood of anti-social behavior in the surrounding area.
- Significant surveillance by the public.

5.16 Cash-in-lieu of Public Open Space

The Shire will accept cash-in-lieu of Open Spaces where it is considered that the provision of 10% of the gross subdivisible area for Open Space will not result in spaces of sufficient size or quality to be of benefit to the community, or where sufficient space already exists in the surrounding areas. Where Cash-in-lieu is considered acceptable, this shall occur in accordance with the Planning and Development Act, 2005. In circumstances where a subdivider proposes to allocate more than 10% POS, there needs to be discussion with the Shire on the following:

- What is driving the additional need for Open Spaces.
- What other assets and uses are located within the Open Spaces, and are these impacting the additional need for these Spaces.
- If effective asset management is driving an increased Open Space size (for example drainage corridors needing to be modified to form a natural creek asset) and what options exist to address this in other ways.
- Whether cash in lieu is likely to be generated by other subdivisions in the locality.
- Whether there is certainty as to timeframes to generate cash in lieu funds.

5.17 Viable Asset Management

At times an applicant may seek to develop a level of Open Space which exceeds the standards set through the Policy. This may be in the form of adding additional infrastructure elements such as created water bodies, elevated board walk and structures surrounding such water bodies, fountains, highly embellished boulevard treatments, ornamental lighting, extensive public art features, significant adventure playgrounds, etc. While the standards set through this Policy are already high and considered acceptable to achieving the objectives of the Policy, the Shire is open to considering higher standards provided a viable asset management solution is agreed upfront.

This may be either:

- A specified area rate to be applied to the land, and the developer agreeing to impose a suitable notification on the title of all allotments indicating the presence of the specified area rating and the reason for it. The developer must also agree to publicize the presence of this; or
- An extended maintenance period of a minimum of seven years.

5.18 Consultation

Applicants need to consult with the Shire of Dardanup regarding the planning and development of Open Spaces at all stages of the planning process, to ensure that it meets the needs of the Shire of Dardanup and the community in the long term.

Schedule 1

Shire of Dardanup Hierarchy					Activities											Standards			
Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Useable (Creditable) Open Space Size (Ha)	Criteria	Minimum Standard Required[4]
1	Passive/ Environmental Reserve	Reserves primarily managed for environmental or waterway purposes, with limited or no formal recreational infrastructure. Public access may be informal or restricted to protect environmental values.	Local	Nature Space	✓		✓	✓						Short Stay/ Walkthrough	Connecting with nature Walking paths/trails Bushland/ wetland conservation	• Inclusion in restricted POS calculations unless a community recreation benefit is demonstrated to the Shire • Restricted access conservation areas (i.e. fenced off from the public with controlled access)	N/A	>0.1	• No earthworks (unless deemed necessary by the Shire) except to where it pertains to grading for universally accessible trails • Weed control management strategy required	• Bollards/fencing to control access • Circulation pathways • Access required for maintenance and emergency vehicles where necessary • Tree protection and understory revegetation • Directional or Interpretative signage (QR Codes) • Conservation fencing • Cement stabilised limestone trail surfacing
			Neighbourhood		✓		✓							Short Stay/ Walkthrough						
2	Pocket Park	Spaces that provide low-intensity, close-to-home amenity for surrounding residents. These spaces support casual use, passive recreation and visual relief within the urban environment and are not intended to function as major activity hubs.	Local	Recreation Space	✓		✓	✓	*					Short Stay	Connecting with nature Casual, unorganised sport General recreation Off-lead dog exercise considered Environmental conservation	• Small local parks provided at the expense of the appropriate provision of other POS types in the Hierarchy (as determined by the Shire) • Open Space parcels where the principal purpose is an entry statement to a housing estate or a road verge or buffer or any other area that has no community benefit as a Public Open Space • Open Space parcels where an unacceptable percentage of the area is impacted by only drainage infrastructure or unusable inundation areas • Inaccessible or widely distributed	400m	0.1-0.4	• Not the preferred type. If provided justification is required regarding maintenance, useability and function • May incorporate significant trees or other retained vegetation • May incorporate a limited, carefully considered drainage function where inundation areas for water quality/quantity also provide useable open space3 • May be provided to improve accessibility to Open Spaces where larger spaces are not feasible • May play a connectivity role as part of a linear Open Space network • Located throughout neighbourhoods	• Seating • Full landscaping with no irrigation (unless deemed suitable by the Shire) with waterwise planting • If irrigation required, it is to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways • Bollards to control unauthorised access • Provision of shade trees • Access required for maintenance and emergency vehicles where necessary • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles
3	Local Park	Spaces that provide everyday recreational and social opportunities for nearby residents, generally within walking distance. These reserves support informal recreation, play and social interaction and contribute to neighbourhood liveability.	Local	Recreation Space	✓		✓	✓	✓			✓		Short Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Environmental conservation	• Open Space parcels where an unacceptable percentage of the area is impacted by only drainage infrastructure or unusable inundation areas • Areas subject to poor drainage and flood prone areas are to be avoided.	800m	0.4-1	• Located on a pedestrian/cyclist network to maximise access • Bound by street frontages to maximise visibility • Located throughout neighbourhoods • Located adjacent to residences to maximise passive surveillance • Preferred POS type where surrounding dwellings are R40 or smaller • May incorporate a limited, carefully considered drainage function where inundation areas for water quality/quantity also provide useable open space3 • Provision of sufficient on-street car parking	• Seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Provision of natural shade (trees) over play area[2] • Picnic setting with natural shade (provision of shade trees) and a bin with bin surround • Drinking fountain with dog bowl • Full landscaping with irrigation, turf and with waterwise planting. Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways and bike racks • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles

* The provision of play spaces with local open space should only be considered where there is an identified gap in provision, otherwise play spaces should only be installed in neighbourhood and district spaces. Provision gaps will be identified by the Shire.
[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shades sail until such a time as tree shade is adequate
[3] If drainage inundation is required for stormwater quality/quantity management, the preferred method is a grassed amphitheatre type retention area. Bio-retention basins are only permitted in POS where a sufficient pollutant load in the stormwater runoff is demonstrated.
[4] The Shire will assess and advise if any minimum requirements stated are not suited or required in individual Open Spaces

Shire of Dardanup Hierarchy					Activities											Standards			
Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Useable (Creditable) Open Space Size (Ha)	Criteria	Minimum Standard Required[4]
4	Neighbourhood Park or Sporting Precinct	Spaces that support a wide range of recreational, sporting and community activities and function as key local hubs. These reserves typically contain higher-order infrastructure and facilities designed to accommodate organised sport and structured recreation.	Neighbourhood	Recreation Space[2]	✓		✓	✓	✓	✓	✓	✓		Long Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Community Event Space Environmental conservation Public/community art and placemaking	• Sites adjacent or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • POS parcels where a significant percentage of the area is impacted by drainage infrastructure or inundation • Areas subject to poor drainage and flood prone areas are to be avoided	2km	1-5	• Located central to the catchment to maximise accessibility • Located with road frontages and on main neighbourhood connector roads • Sufficient in size to be used for festivals and events up to 300 people where specified • Provision of sufficient on-street car parking and connectivity to public transport systems • Size and community demand will determine the desire for public toilets which is to be specified by the Shire. POS designs must accommodate space and service connections for future infrastructure assets mentioned above, regardless of whether they form part of the initial construction phase	• Benches/seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Shade over play area[3] • Picnic settings with picnic shelters • 1 x BBQ facility with 2 hot plates with shelter and drinking fountains with dog bowls • Public toilets as required • Bins with bin surrounds and bike racks • Full landscaping with irrigation, turf and with waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways/cycle paths and interpretive signage and wayfinding • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles include security lighting • Power and water connection points for events • Skatepark/pump track and associated lighting
				Sport Space[2]	✓	✓	✓		✓	✓	✓	✓	✓	Long Stay	Organised sport Casual, unorganised sport Community Event Space	• Sites adjacent or in close proximity to residences should be avoided or appropriate buffers provided so as to minimise impact of noise, traffic and light spill • POS parcels where a significant percentage of the area is impacted by drainage infrastructure or inundation • Areas subject to poor drainage and flood prone areas are to be avoided • Areas of limited resources for future demands and growth to be avoided, such as inadequate long-term groundwater supply or insufficient areas for future expansion	2km	3-5	• Located central to the catchment to maximise accessibility • Located with road frontages and on main neighbourhood connector roads • May be co-located with primary school facilities • Sufficient in size to be used for festivals and events • Provision of sufficient car parking with a mix on street bays and or onsite parking and connectivity to public transport systems • Size/community demand will determine the desire for pavilions, change rooms and/or toilets, which is to be specified by the Shire. POS designs must accommodate space for future infrastructure assets mentioned above, regardless of whether they form part of the initial construction phase	• Benches/seating or tiered viewing platform • Multi-use half court or full court • Cricket pitch and cricket nets • Permanent sporting goals (dependent on use) • Bins with surrounds and drinking fountains with dog bowls • Multipurpose junior/senior sports oval with sports lighting • Circulation pathways/cycle paths • Earthworks and retaining as required • Full landscaping incorporating a multi-station irrigation system, high-quality roll-on turf for playing areas, and waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Access required for maintenance and emergency vehicles where necessary • Power and water connection points for events • Tree and vegetation protection where possible • Maximize CPTED principles include security lighting

[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] A Hierarchy 4 Open Space may be a combination of a Recreation and Sport Space
[3] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shade sail until such a time as tree shade is adequate
[4] The level and numbers of provision of sporting items for a Hierarchy 4 Sport Space and the facilities required is to be specified by the Shire

Shire of Dardanup Hierarchy					Activities											Standards			
Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking[5]	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Size (Ha)	Criteria	Minimum Standard Required[4]
5	District/Iconic Open Space and Sporting Precinct	Spaces of district significance that contribute strongly to the identity, tourism appeal and liveability of the Shire. These areas provide high environmental, social and economic value and typically function as destination locations rather than neighbourhood amenities. They attract visitation from across the Shire and, in some cases, from outside.	District	Recreation Space[2]	✓		✓	✓	✓	✓	✓		✓	Long Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Community Event Space Environmental conservation Public/community art and placemaking	• Upgrade of existing sites adjacent to or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • Areas not serviced by a public transport system should be avoided	Serves the Shire	>5	• Located on or close to neighbourhood roads and connected to public transport systems and other community facilities • Easily accessible by pedestrians, cyclists and motor vehicles • Sufficient in size to be used for festivals and events • Easily accessible by pedestrians, cyclists and motor vehicles • Adress universal access and inclusion comprehensively	• Benches/seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Shade over play area[3] • Picnic settings with picnic shelters • 2 x BBQ facility with 2 hot plates, shelters and drinking fountains • Bins with bin surrounds and bike racks • Full landscaping with irrigation, turf and with waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways/cycle paths • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Public/community art and place activation • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles and include security lighting • Power and water connection points for events • On site car parking • Public Toilets • Skatepark/ pump track (as specified by the Shire)
				Sport Space[2]	✓	✓	✓		✓	✓	✓		✓	Long Stay	Organised sport Casual, unorganised sport Community Event Space	• Upgrade of existing sites adjacent to or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • Areas not serviced by a public transport system should be avoided • Areas of limited resources for future demands and growth to be avoided, such as inadequate long-term groundwater supply or insufficient areas for future expansion	Serves the Shire	>5	• May be co-located with primary or high schools • Located on or close to neighbourhood roads and connected to public transport systems and other community facilities • Easily accessible by pedestrians, cyclists and motor vehicles • Sufficient in size to be used for festivals and events • Adress universal access and inclusion comprehensively	• Benches/seating or tiered viewing platform • Multi-use half court or full court • Cricket pitch and cricket nets • Bins with surrounds and drinking fountains • Multipurpose junior/senior sports oval with sports lighting with permanent sporting goals • Circulation pathways/cycle paths • Earthworks and retaining as required • Full landscaping incorporating a multi-station irrigation system, high-quality roll-on turf for playing areas, and waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Access for maintenance and emergency vehicles and on site car parking • Power and water connection points for events • Tree and vegetation protection where possible • Maximize CPTED principles include security lighting • Toilets, changerooms, pavilion buildings

Shire of Dardanup Hierarchy					Activities											Standards			
Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking[5]	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Size (Ha)	Criteria	Minimum Standard Required[4]
				Nature[2] Space	✓		✓			✓	✓		✓	Long Stay	Connecting with nature Scenic walking paths/trails Bushland/wetland conservation Community Events	• Restricted access conservation areas (i.e. fenced off from the public with controlled access)	Serves the Shire	>5	• Ecological corridor and connectivity role at a regional scale, to support climate-driven species migration.	• Bollards or fencing to control unauthorised access • Circulation pathways • Access required for maintenance and emergency vehicles where necessary • Tree and vegetation protection • Understory revegetation • Directional or Interpretative signage (QR Codes) • Conservation fencing • Cement stabilised limestone trail surfacing • Benches/seating

[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] A Hierarchy 5 Open Space may be a combination of a Recreation, Nature and Sport Space
[3] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shade sail until such a time as tree shade is adequate
[4] The level of provision of sporting items for a Hierarchy 5 Sport Space and facilities required is to be specified by the Shire
[5] Where on site car parking is provided consider the use permeable surfacing and canopy tree shading to reduce the local urban heat island effect and to help manage stormwater.

Schedule 2

Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Length of Stay	Indicative Catchment Radius	Play Experience/ Function	Ages	All Abilities Considerations	Features to Consider
2	Pocket Park	Spaces that provide low-intensity, close-to-home amenity for surrounding residents. These spaces support casual use, passive recreation and visual relief within the urban environment and are not intended to function as major activity hubs.	Local	Recreation Space	Short Stay	400m	Early childhood play Small-scale social interaction Nature-based local play	0-5 years	As assessed by the Shire	Informal nature play using loose natural materials (e.g. logs, rocks and planting). No formal play structures over 600 mm or wooden playgrounds
3	Local Park	Spaces that provide everyday recreational and social opportunities for nearby residents, generally within walking distance. These reserves support informal recreation, play and social interaction and contribute to neighbourhood liveability.	Local	Recreation Space	Short Stay	800m	Mixed-age play experiences Moderate physical challenge play Exploratory and imaginative play Multi-user neighbourhood recreation Graduated physical challenge	0-12 years 12+ may be required if specified by the Shire	As assessed by the Shire	Small play structures Swings for infants and older children Basketball hoop and hardstand
4	Neighbourhood Park or Sporting Precinct	Spaces that support a wide range of recreational, sporting and community activities and function as key local hubs. These reserves typically contain higher-order infrastructure and facilities designed to accommodate organised sport and structured recreation.	Neighbourhood	Recreation Space	Long Stay	2km	Adventure and physical challenge play Integrated sport and play opportunities Social and event-based recreation All-ages / intergenerational and multi-purpose recreation area Teen-specific recreation developed through direct consultation	0-15 years	As assessed by the Shire however minimum of 2 accessible item required	Destination-style equipment Large climbing or rope towers Youth play Formal nature play Basketball hoop and hardstand Communal seating with shade away from active zones for tween/teen users
5	District/Iconic Open Space and Sporting Precinct	Spaces of district significance that contribute strongly to the identity, tourism appeal and liveability of the Shire. These areas provide high environmental, social and economic value and typically function as destination locations rather than neighbourhood amenities. They attract visitation from across the Shire and, in some cases, from outside.	District	Recreation Space	Long Stay	Serves the Shire	Signature destination play Tourism and visitor attraction Regional adventure play All-abilities destination recreation Nature immersion play Civic gathering and event space All-ages / intergenerational and multi-purpose recreation area, providing varying play and recreational opportunities for all ages from toddlers through to older adults within a single space Landscape play	All ages	As assessed by the Shire however minimum of 3 accessible items required	Regional destination playground Graduated adventure play and challenge benefit play Sensory play Youth recreation Integrated landscape play Basketball hoop and 3x3 hardstand Hand ball areas and ball wall Skate park / pump track Formal nature play
				Nature Space			Informal/sensory nature play Outdoor exercise	All ages	N/A	Informal nature play elements (balance logs, stepping stones, rock scrambles) Exercise equipment

Notes:
Child-developmentally appropriate play should cover the following four categories – cognitive play, creative play, social/dramatic play and physically active play.
It is important to provide sufficient physical challenge in play spaces to limit playground vandalism due to unmet needs
Where the Shire identifies a provision gap, the Shire can request provision for play spaces catering to age ranges outside of those specified above

POLICY NO:-
SDev CP111 – BLANK - TO BE USED

GOVERNANCE INFORMATION			
Procedure Link:		**Administrative Policy Link:**	

ADMINISTRATION INFORMATION						
Version			SCM	Res:	**Synopsis**	
Version			OCM	Res:	**Synopsis**	

POLICY NO:
SDev CP502 - LOCAL PLANNING POLICY – WAIVING AND REFUNDING OF FEES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version:	1	SDev CP502	OCM	30/09/20	Res: 269-20	**Synopsis:**	Policy Created
Version:	2	SDev CP502	OCM	28/09/22	Res: 243-22	**Synopsis:**	Reviewed and Adopted by Council
Version:	3	SDev CP502	OCM	25/09/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP502	OCM	27/08/25	Res: 232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this Policy is to:

1. To ensure there is a clear policy position within the Sustainable Development Directorate in relation to the waiving or refunding of fees for approvals and services provided by the directorate.

2. Ensure the waiving or refunding of fees is applied in a consistent and justifiable manner.

3. Eliminate the need to source funds from a Shire budgeted capital work project expenditure account for the purpose of paying fees that will ultimately remain with the Shire but transferred into a Shire planning, building or health revenue account at the expense of the project.

4. Reduce the processing time of applications for Shire funded capital works projects by not having to conduct the administration of fees.

5. Guide officers in waiving or refunding fees under delegation from Council.

3. SCOPE OF POLICY

3.1 Introduction

This Policy applies to circumstances where the Shire may consider a request for the waiver or refund of fees for an approval or service provided by the Sustainable Development Directorate and Shire of Dardanup funded capital works projects undertaken by the Shire.

3.2 Statutory Background

Planning fees are imposed in accordance with the *Planning and Development Regulations 2009*, Schedule 2. The prescribed fees are the maximum amount a local government can charge and may be waived or refunded (in whole or part) under regulation 52. Regulation 49 also permits a local government to recover costs and expenses incurred in the provision of a specified service. Building Permit fees are imposed in accordance with *Schedule 2 - Fees* of the *Building Regulations 2012*. Council set inspection fees may also apply. The Schedule of Fees and Charges adopted with the Council's annual budget contains the fees set for the current financial year.

3.3 Exclusions

3.3.1 Financial hardship, personal circumstances or family circumstances are not grounds for the waiver or refunding of fees.

3.3.2 Fees relating to regulatory matters arising under the *Dog Act 1976*, *Cat Act 2011* and the keeping and control of dogs and cats generally are excluded from the provisions of this policy. Requests to waive or refund fees in relation to these matters will not be considered.

3.3.3 For building applications, fees will not be waived or refunded in the following circumstances:

(a) For uncertified domestic building work – where the value of the works is less than $100,000.

(b) For certified domestic building work – where the value of the works is less than $200,000.

(c) For certified commercial building work – where the value of the works is less than $400,000 in value.

3.3.4 The following fees associated with applications for Shire funded capital works projects cannot be waived by the Shire of Dardanup as determined by the relevant legislation and as such, are required to be paid upon lodgement of the relevant application:

- BCTIF for a Building Permit Application if applicable (dependent on construction value);
- BSL for a Building Permit Application;
- Health Department of WA Septic System Application (Application to Construct or Install an Apparatus for the Treatment of Sewerage)

4. WAIVING OF FEES

4.1 The Director Sustainable Development may consider and decide a request to waive fees in accordance with this policy.

4.2 A reduction in fees by 50% may be approved where the applicant is endorsed by the Australian Taxation Office as a not-for-profit organisation.

4.3 The request to waive fees must:

(a) Be made prior to the submission of the application for the approval or services to which the fees relate;

(b) Be in writing setting out reasons for the request; and

(c) Include proof that the applicant has been endorsed by the Australian Tax Office as a not-for-profit organisation.

4.4 A 100% reduction in fees may be granted:

(a) For an application to change or vary an existing approval, where the need to change or vary the approval arises from an administrative error made by the Shire of Dardanup.

(b) For a development application made for approval to reconstruct (like-for-like) a building accidentally destroyed through a natural disaster or event.

(c) For a food business registration and food safety assessment fees, where the food business:

1. is registered and operated by a school; or
2. is registered and operated by a sporting group; or
3. is registered and operated by a non-for-profit or charitable organisation; and
4. the Director Sustainable Development is satisfied that the amount to be exempted is reflective of the benefit of the food business to the community.

4.5 All statutory application fees (excluding 3.3.4) normally paid to the Shire associated with the required approvals under the relevant planning, building and health legislation shall be waived for capital works projects undertaken by the Shire of Dardanup.

4.6 The waiving of statutory application fees (excluding 3.3.4) can only occur for capital works projects that occur on local Shire of Dardanup owned or managed land and funded by the local government.

5. REFUND OF FEES

5.1 The Director Sustainable Development may consider and decide a request to refund fees in accordance with this policy.

5.2 Fees may be refunded to an applicant in the following circumstances:

(a) If the application is submitted but subsequently found by the Shire to not have been required – 100% of the fees will be refunded.

(b) When a Building Permit or Building Approval Certificate has not been granted or refused. In line with the *Building Services Regulations 2011.* 100% of the Building Services Levy (BSL) and Building Construction Industry Training Fund (BCITF) 100% will be refunded.

(c) If the Shire has not undertaken any assessment work and the application is subsequently withdrawn in writing within 7 days of the date of the application – 75% of the fees will be refunded.

(d) For applications for development and building approval, if the Shire has commenced the assessment of the application – 50% of the fees will be refunded where:
  (i) the application has not been advertised; and
  (ii) the application is withdrawn in writing by the applicant within 21 days of lodgement of the application or is withdrawn as a result of a request for further information.

5.3 A fee will not be refunded by the Shire in the following circumstances:

(a) For development applications and building applications, clause 5.2(c) does not apply if more than 21 days have passed since the lodgement date of the application.
(b) For all other applications, assessment of the application by the Shire has commenced.
(c) For the BSL and the BCITF once a Building Permit or Building Approval Certificate has been granted or refused. However applications for refunds on the BSL and BCITF may be considered by those relevant Authorities only.

6. COST AND EXPENSES

6.1 The Shire will not waive or reduce any part of a fee that comprises:

(a) Costs or expenses that may be charged to an applicant where these are incurred through the provision of a service under Regulation 49, or waived or refunded (in whole or part) under Regulation 52 of the *Planning and Development Regulations 2009*.

(b) Outlays or expenses charged to the Shire by a third party that relate to the application.

7. ACTIVITIES UNDERTAKEN WITHOUT APPROVAL

Fees will not be waived or refunded under any circumstances to applications made under Local Planning Scheme No 9 where a use or development has already been commenced or carried out unlawfully and the purpose of the application is to render that use or development lawful under the Scheme.

8. DEFINITIONS

Applicant means the person or organisation who makes an application or formal request for an approval or service provided by the Health, Ranger, Building and Planning Departments at the Shire of Dardanup.

Application means an application or formal request for an approval or service provided by the Health, Ranger, Building and Planning Departments at the Shire of Dardanup.

Building application means an application for approval submitted in accordance with the *Building Act 2011*.

Development application means an application for approval submitted in accordance with the *Planning and Development Act 2005*.

Fees means fees levied in accordance with the Shire's Schedule of Fees and Charges for approvals and services provided by the Health, Ranger, Building and Planning Departments at the Shire of Dardanup.

Food business means a business, enterprise or activity as defined in Section 10 of the *Food Act 2008*.

Food business registration means the registration of a food business in accordance with Section 110 of the *Food Act 2008*.

Refund means the repayment of fees paid by a person or organisation to that person or organisation either in part or in full.

Waive means to reduce the fees payable by a person or organisation either in part or the full amount.

9. LEGISLATION REQUIREMENTS

- *Local Government Act 1995*
- *Building Act 2011*
- *Building Regulations 2012*

- *Bush Fires Act 1954*
- *Food Act 2008*
- *Planning and Development Act 2005*
- *Planning and Development Regulations 2009*
- *Public Health Act 2016*

POLICY NO:
SDev CP503 - LOCAL PLANNING POLICY – DEVELOPMENT ASSESSMENT UNIT

GOVERNANCE INFORMATION			
Procedure Link:	N/A	**Administrative Policy Link:**	N/A

ADMINISTRATION INFORMATION								
History:		New	DRAFT	CP129			**Synopsis:**	
Version:	1	SDev CP503	OCM	30/09/20	Res:	269-20	**Synopsis:**	Policy endorsed by Council.
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Version:	3	SDev CP503	OCM	25/09/24	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP503	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE

The purpose of this Local Planning Policy is to provide the guidelines, procedure and processes under which the Shire's Development Assessment Unit (DAU) operates.

The role and function of the Shire's DAU is to:

1. Ensure development applications are assessed, considered and determined in a timely, transparent, consistent and appropriate manner.

2. Ensure other applications (if required, including subdivision referrals, scheme amendments and structure plans) are considered in a timely, transparent, consistent and appropriate manner.

3. Ensure that other permits, licences and approvals issued by other operational areas of the Shire are discussed and/or referred to appropriate operational areas at the Shire prior to approval.

3. DEFINITIONS

Development Assessment Unit: The working group of Shire technical officers tasked with ensuring that applications receive relevant input, in order to assist the assessing planning officer to undertake their assessment in accordance with the local planning scheme and determinations in accordance with the assigned delegations.

4. BACKGROUND

The delegated powers and duties of Council to the Chief Executive Officer are listed in the Shire of Dardanup Delegations Register. Delegations are exercised in accordance with delegation granted in Sections 5.42 and 5.44 of the *Local Government Act 1995* and other statutes as applicable to specified officers.

To ensure an efficient and effective process, this policy provides guidance to the membership, scope and function of the DAU. This is to ensure applications are considered in a timely and efficient manner, in accordance with the assigned delegations.

A number of other approvals, licences and/or permits are issued by other operational areas at the Shire under the relevant Local Laws and Regulations. Such matters may be listed for discussion to ensure that appropriate technical input across the Shire's operational areas are taken into account by the assessing planning officer.

The DAU does not make determinations on applications but provides relevant comments for the assessing planning officer to take into account as part of their assessment under the prevailing local planning scheme.

Determination is in accordance with the delegated powers listed in the Delegations Register or by Council if delegation criteria are not met.

The Shire will also advise Council of the development applications received via the Information Bulletin. All delegated determinations are also advised to Council via the register of delegated decisions in the Information Bulletin.

- STATUS

(a) Relationship to the local planning scheme:
This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Deemed Provisions).

(b) Relationship to other documents:
This policy has due regard for, and should be read in conjunction with State Planning Polices, the Shire Local Planning Polices and other legislative documents.

5. PROCEDURES

5.1 Membership

Chairperson	Manager Development Services
Deputy Chairperson	Principal Planning Officer
Statutory Planning	Assessing Planning Officer to present their application
Representative from Building Services	Principal Building Surveyor
Representatives from Engineering Services	Manager Assets
Representatives from Health Services	Principal Environmental Health Officer
Representatives from Emergency Services	Coordinator Emergency Services and Rangers
Representative from Compliance	Statutory Enforcement Officer
Governance / Administration	Staff for minute taking purposes

5.2 Pre-lodgement Processes

The Shire encourages applicants to engage in pre-lodgement discussions on applications. This is intended to:

- Discuss basic considerations such as zoning, land use permissibility, development standards, policy requirements and associated considerations;
- Identify key matters to be addressed as part of a formal application;
- Identify and explore potential issues, and discuss what applicants can do as part of their application to best address these issues (for example undertaking studies on traffic, noise and stormwater management); and
- Suggest potential opportunities that applicants may wish to consider.

The pre-lodgement process is intended to assist with the timely assessment of formal applications. Pre-lodgement processes occur on a without prejudice basis, and are offered free of charge to applicants.

5.3 Applications not required to be presented at the DAU

Applications determined as 'Low Risk' are not required to be presented to DAU. This will be determined by the Principal Planning Officer on allocation. Statutory Planning Officers may however opt to discuss any application at the DAU, provided that this does not impact on the target timeframes for the 'Low Risk' application at their discretion.

Low Risk development applications, not required to be presented at DAU include, but are not limited to, the following:

- Single residential/incidental development;
- Signage;
- Minor amendments to already approved development; and
- Sheds, rainwater tanks and incidental development in the 'Rural' zone for the purposes of a 'rural use'.

5.4 DAU Process

The DAU meets every Wednesday commencing at 8:30am, this may only be varied by the Chairperson / Deputy Chairperson for operational reasons.

At the DAU, the assessing planning officer will present the details of the proposal and specifically address the following matters:

- Zoning;
- Existing land use;
- Description of proposal;
- Key issues; and
- Initial comments on the proposal.

Officers from other departments will have the opportunity to make comments on aspects of the proposal relating to their service area and advise if any further technical information should be provided. The decision of whether any further information shall be requested ultimately rests with the Chairperson. The Shire can only request information where there is such a requirement specified under Clause 63 of the Deemed Provisions. Formal comments are to be made in writing through the internal referral process.

5.5 Authority

The DAU shall deal with those applications, licences and/or permits which are able to be processed under delegated authority as set out in the Shire's Delegations Register. These matters include, but are not limited to, the following:

- Development Applications;
- Modification of Development Standards;
- Subdivision Applications;
- Subdivision Clearances;
- Local Development Plans;
- Structure Plans;
- Building Envelope Variations;
- Removal of indigenous trees or substantial vegetation;
- Liquor Licence Applications (Section 39 and 40);
- Public Works Planning Applications;
- SAT Appeals;
- Local Planning Scheme Amendments;
- Reserves; and
- Building Licence or other permit applications which warrant being drawn to the attention of DAU.

The DAU shall also act as a forum for discussion on planning, compliance, environmental, health, building or development related matters.

Matters which are outside the scope of delegated authority may still be assessed and considered by the DAU, with the recommendation of the DAU being included in the Officers report / agenda item to Council for its consideration.

5.6 Agendas and Minutes

Governance / Administration support shall be responsible for the preparation of Meeting Agendas and Minutes for the applications or matters considered by the DAU.

A call for agenda items shall occur on the Friday preceding the DAU meeting with the cut-off for items being midday Monday prior to the DAU meeting. The agenda is to be circulated to DAU members no later than midday Tuesday prior to the DAU meeting.

Late items received after the agenda cut-off will be considered based on the nature of the item and the urgency for DAU's consideration. The Agenda shall be prepared using the Shire's DAU Agenda / Minutes Template.

The Agenda / Minutes shall contain the following information:

- Subject; (Agenda & Minutes)
- Location; (Agenda & Minutes)
- Applicant; (Agenda & Minutes)
- DA/File Number; (Agenda & Minutes)
- DAU recommendation; (Minutes)

- Applicable Conditions; (Minutes)

The recommendations are required to be forwarded to the Chairperson/Deputy Chairperson for authorisation. The DAU meeting minutes shall accurately state the recommendations made at that DAU meeting of the respective delegated Officer. The minutes of the DAU shall be presented to Council via the register of delegated decisions in the Information Bulletin as the Delegations exercised, and therefore will fulfil the role of the Delegations Register in accordance with Regulation 19 or the *Local Government (Administration) Regulations 1996.*

6. DEVELOPMENT ASSESSMENT UNIT PROCESSES

6.1 Application - Advertising Not Required

6.1.1 When an application is received, it is checked upon receipt to ensure that all the required information has been submitted in accordance with the Local Planning Policy/Checklist and fees have been paid. An application is not considered as lodged until the fees are paid, the application form has been signed by all landowners, and all information required for the application as detailed on the checklist has been submitted.

6.1.2 Within 7 days of receipt of an application for Development Approval, Planning Officers will advise the applicant in writing that that application has been accepted for assessment, or that the application cannot be accepted because it is deemed to be incomplete.

6.1.2 The application is recorded and date stamped, and Governance Officers (within 2 days from lodgement date):

i) Registers the application on TARDIS;
ii) Lists it as a new application received on the agenda for the next DAU; and
iii) Arranges internal referral (when required) to other departments.

6.1.3 The application is referred to the Principal Planning Officer who assigns the application to an Officer.

6.1.4 Internal referral (to be completed within 14 days from lodgement date) enables other departments to provide technical opinion in relation to their relevant field of expertise, request further information and/or advise of necessary conditions/advice notes.

6.1.5 The Planning Officer undertakes technical assessment within 21 days from the lodgement date to determine if any additional information is required and to confirm if the application requires advertising in accordance with the Deemed Provisions or any adopted Local Planning Policy.

6.1.6 Within 21 days from the lodgement date, the application is brought to DAU to:

i) Determine whether further information is required. If so, the applicant is notified in writing, specifying the type and form of the information to be submitted and requesting that such information be provided within 21 days of the date of the correspondence unless the type of information warrants more time;
ii) The applicant may request that the application is placed on 'hold' until the further information is obtained. The application can be kept on hold for up to two months (or further time as agreed upon by the Chairperson).

6.1.7 Once the additional information has been received and considered sufficient, the Officer finalises the assessment which includes the recommendation and all conditions. The application is then listed at the next possible DAU or if the application is considered minor, the Manager Development Services may determine the application without it being presented back to DAU. Where delegations do not allow for a delegated decision, applications will be referred to an Ordinary Council Meeting or Joint Development Assessment Panel.

6.1.8 Relevant Officer signs technical assessment and Notice of Determination.

6.2 Application – Advertising Required

6.2.1 When an application is received, it is checked upon receipt to ensure that all the required information has been submitted in accordance with the Local Planning Policy/Checklist and fees have been paid. An application is not considered as lodged until the fees are paid, the application form has been signed by all landowners, and all information required for the application as detailed on the checklist has been submitted

6.2.2 The application is recorded and date stamped, and Planning Administration (within 2 days from lodgement date):

i) Registers the application on TARDIS;
ii) Lists it as a new application received on the agenda for the next DAU; and
iii) Arranges internal referral (when required) to other departments.

6.2.3 The application is referred to the Principal Planning Officer who assigns the application to an Officer.

6.2.4 Internal referral (to be completed within 14 days from lodgement date) enables other departments to provide technical opinion in relation to their relevant field of expertise, request further information and/or advise of necessary conditions/advice notes.

6.2.5 The Planning Officer undertakes technical assessment within 21 days from the lodgement date to determine if any additional information is required and to confirm that the application requires advertising in accordance with the Deemed Provisions or any adopted Local Planning Policy.

6.2.6 Within 21 days from the lodgement date, the application is brought to DAU for determination of whether:

i) Further information is required. If so the applicant is notified in writing, specifying the type and form of the information to be submitted and requesting that such information be provided within 21 days of the date of the correspondence unless the type of information warrants more time;

ii) The applicant may request that the application is placed on 'hold' until the further information is obtained. The application can be kept on hold for up to two months (or further time as agreed upon by Chairperson).

iii) The application requires advertising. Once all relevant information has been received and is deemed appropriate and complete, advertising will occur;

iv) Notwithstanding Clause 64 of the Deemed Provisions, advertising shall be carried out for a period of no less than 14 days or 42 days for Agencies. Upon conclusion of the advertising period, the Planning Officer is to assess the submissions and:

a. If necessary, based on submissions received, request further clarification from the applicant, and where appropriate the applicant may be required to respond or address matters raised

by submitters;

b. Internal departments are to prepare additional advice and propose conditions based on the further information and submissions received; and

c. The Planning Officer re-assesses the application and prepares an assessment which includes a recommendation and all conditions proposed.

d. If needed, a schedule of submissions to be forwarded to the applicant and comment requested to be provided within 5 working days, or applicant need to agree to an extension of time for the assessment of the proposal.

6.2.7 The application is listed at the next possible DAU with a recommendation for determination to be included in the minutes. Where delegations do not allow for a delegated decision, applications will be referred to an Ordinary Council meeting or Joint Development Assessment Panel.

6.2.8 Relevant Officer signs technical assessment and Notice of Determination.

6.3 Referral To Council

6.3.1 Where referral to Council is required, a report will be prepared and presented to Council at the next available Council meeting once all relevant information has been obtained.

6.3.2 All submitters are notified that the application will be presented to Council, at the time the Council meeting agenda is published, and that they are able to make a deputation in this regard.

6.3.3 The Council meeting minutes are to be published on the Shire's website.

6.3.4 The Notice of Determination is issued in accordance with the Council resolution and any submitters are notified of the decisions soon as practicable after the Ordinary Council meeting.

7. REFERENCES

Name of Policy	Local Planning Policy SDev CP503– Development Assessment Unit
Previous Policy	N/A
Date of Adoption and Resolution Number	
Review Dates and Resolution Numbers	
Next Review Date	
Related Documents	**Acts / Regulations** *Local Government Act 1995* *Planning and Development Act 2005* *Planning and Development (Local Planning Schemes) Regulations 2015* **Plans / Strategies** Strategic Community Plan 2018 – 2028 **Policies** **Delegations** **Work Procedures**

COUNCIL POLICY NO:
SDev CP504 – AMENDMENTS AND EXTENSIONS TO EXISTING APPROVALS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version	1	New CP504	OCM	30/09/20	Res: 269-20	**Synopsis**	Policy created and endorsed by Council
Version	2	SDev CP504	OCM	28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council.
Version	3	SDev CP504	OCM	25/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

To provide guidance for the consideration of requests to:

(a) amend a Development Approval to make minor modifications that do not substantially alter the approved use(s) or development;
(b) amend or delete conditions of a Development Approval;
(c) extend the time to substantially commence or complete an approved development or use; or
(d) cancel a Development Approval.

3. DEFINITIONS

Substantial Commencement - is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the construction and installation of footings or a slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement.

4. BACKGROUND

Clause 71 of the Deemed Provisions provides that a development approval lapses in the event that the development is not substantially commenced within the term of that approval. The Deemed Provisions specify a period of 2 years from the date of determination as the term, unless another time period is specified in the approval.

Clause 77 of the Deemed Provisions empowers the Local Government, on receipt of a written application from the owner of land in respect of which development approval has been granted, to amend the approval so as to extend the period within which any development approved must be substantially commenced, amend or delete any condition to which the approval is subject, amend an aspect of the development approval or cancel the development approval

5. POLICY

5.1 Amendment of a Development Approval

5.1.1 In determining whether to allow the amendment of a Development Approval, the Shire shall consider whether the nature and extent of the proposed amendment is such that the use or development the subject of the planning approval:

(a) Remains, in substance, the same; or
(b) Is changed so a new and/or different use or development is proposed or included.

5.1.2 If the nature and extent of the proposed amendments is such that it introduces a new, different, or additional use to that approved, other than a permitted or ancillary use, the Shire may refuse to allow amendment of the development approval and require the submission of a new development application.

5.1.3 If the Development Approval that is the subject of the amendment has expired or is likely to expire before the amendment request will be determined, the Shire shall not approve any amendment to the Development Approval.

In such circumstances a new application for Development Approval would be required, or any extension to the term of approval will need to be sought.

5.1.4 Where an amendment of any Development Approval is determined to be, in substance, the same as the original approval, the amended proposal will only be advertised if required to comply with clause 64 of the Deemed Provisions and any Local Planning Policy.

5.1.5 If an application to amend Development Approval is refused, nothing in this Policy shall preclude the applicant from making, and the Shire from determining, a new application for development approval for the same use or development.

5.1.6 Where a request to amend a Development Approval is approved, a letter will be issued advising the applicant of the details of the amendments to the original approval that are approved. An amended Development Approval (determination) will be issued which retains all of the original conditions, subject to any approved amendments.

5.2 Extension of the period within which a development approval must be substantially commenced

5.2.1 Where an extension is granted, a period of up to a further two years only may be granted.

5.2.2 In considering a request for an extension to the term of a Development Approval under clause 77 of the Deemed Provisions, the Shire will have regard to the following factors::

i) whether the planning framework has changed substantially since the development approval was granted;
ii) whether the development would likely receive approval now.
iii) whether the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development approval.

5.3 Administrative Corrections ('Slip Rule')

5.3.1 Where a correction/amendment to a Development Approval is required in order to correct a clerical mistake, or an error arising from an accidental slip or omission, and doing so does not change the nature of the approval, the following will apply:

(a) a request in writing may be made by any applicant and must be signed and dated by current the owner of the subject land; or
(b) the Shire itself may decide to make the amendment to correct the error; and
(c) no fee is payable for the request to correct/amend the Development Approval;
(d) advertising of the amendment is not required;
(e) where the original decision was made by the Council (or by the State Administrative Tribunal 'standing in the shoes' of the Council), rather than by an officer under delegation, it is not required to be returned to Council for further consideration of the modification; and
(f) An amended Development Approval (determination) will be issued which retains all of the original conditions, subject to any approved amendments. All approved amendments will be detailed in a covering letter and in the Advice Notes on the Development Approval.

5.3.2 Modifications under this section are to be considered, and may be approved, in accordance with Schedule 2, clauses 77(1)(c) and 77(3) of the *Planning and Development (Local Planning Schemes) Regulations, 2015.*

6. APPLICATION

This policy applies to all Development Approvals within the Shire whether granted by officers under delegation, by the Council, or the State Administrative Tribunal.

7. REFERENCE DOCUMENTS

Planning and Development Act, 2005
Planning and Development (Local Planning Schemes) Regulations, 2015
Shire of Dardanup Local Planning Scheme No.3
Kantor v Murrindindi Shire Council *(1997)* 18 AATR 285 (Supreme Court) – known as the 'Kantor Test'

POLICY NO:
SDev CP505 – PUBLIC CONSULTATION – PLANNING MATTERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version:	1	New	OCM	30/09/20	Res: 269-20	**Synopsis:**	Policy created and endorsed by Council
Version:	2	SDev CP505	OCM	31/03/21	Res: 61-21	**Synopsis:**	Amended and adopted by Council
Version:	3	SDev CP505	OCM	28/09/22	Res: 243-22	**Synopsis:**	Reviewed and adopted by Council
Version:	4	SDev CP505	OCM	25/10/24	Res: 275-24	**Synopsis:**	Reviewed and Adopted by Council
Version:	5	SDev CP505	OCM	29/04/26	Res: 80-26	**Synopsis:**	Policy reviewed and updated to reflect LPS9, endorsed by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This Policy is designed to clearly define consultation required to meet the statutory and 'standard' consultation requirements for planning matters. R.76A and Schedule 2, cl. 64 and cl. 87 of the Planning and Development (Local Planning Schemes) Regulations 2015 establishes when consultation is required and gives discretion on how an application is to be advertised. This Policy establishes the circumstances where consultation will be exercised, in order to:

(a) provide a consistent approach to the types of applications where public notice is given, based on the level of a proposal's potential 'impacts;'
(b) consistently apply standard means and duration (statutory timeframes) of public notices; and
(c) recognise the balance between the community being informed of, and having reasonable opportunity for input into, planning proposals (transparency and engagement), and the need to process planning proposals within prescribed statutory timeframes (efficiency).

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Scheme) Regulations 2015.*

3. DEFINITIONS

The following are definitions for the purposes of this policy only:

'Adjoining' refers to any land or owner of land which abuts an application site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

'Affected Person' means a person who owns or occupies land that adjoins an application site.

'Application Site' means the land upon which a land use, development or public work is proposed to be undertaken.

'Advise' means action in writing taken by the Shire or another to acquaint the recipient with details of an intended land use or development on an information-only basis.
'Complex application' means —
a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or
b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.

'Consult' means either:
(a) Personal (evidence by signed documentation) or written contact with an affected property owner(s) by the party proposing to undertake a land use or development; or
(b) Written notification by the Shire to affected persons inviting comment on the proposal.

'Development' as defined under the Planning and Development Act 2005.

'Development Control Unit' means a technical advisory group to consider and recommend determination of development applications as established under Local Planning Policy or Shire Operating Procedure and includes the Shire's Development Assessment Unit.

"Excluded Holiday Period' means a day that is in:
(a) a period beginning on 25 December in any year and ending on the next 1 January; or
(b) a period of 7 days beginning on Good Friday in a year;
Unless otherwise defined in the *Planning and Development (Local Planning Schemes) Regulations, 2015.*

'Land' includes any building or part of a building created on the land.

'Land owner' means the person(s) listed as the registered owners on the Certificate of Title or in the case of Reserve land is the authority listed on the Management Order.

'Nearby Land' means any land, other than neighbouring or adjoining land, which may be adversely affected by a development proposal and, where appropriate, may include owners of land within a neighbouring Shire**.**

'Notify' means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

'Public Advertisement' means notification by way of an advertisement in a local newspaper, signs erected on the application site or signs on public notice boards.

'Relevant Information' means the principal details of a development proposal as determined by the Shire to be sufficient to describe the proposal and its potential impacts. Each such notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period which comments are sought.

'Submitters' means people who have provided written comment on a proposal within the formal comment period.

4. POLICY

This Policy is to be read in conjunction with Community Development Policy Exec CP090– Community Engagement.

Consultation Categories Levels and Methods

4.1 In those instances where consultation is to be conducted, the consultation will be undertaken in accordance with the Consultation Matrix table in this Policy and all other provisions of this policy, unless varied by the legislation referenced in this policy.

4.2 Prior to commencing consultation of a development application, the application may be listed for discussion at the Development Control Unit meeting, where the Officer may present the level of consultation to be undertaken, consistent with this Policy.

4.3 All public notices for comment will articulate the following:
(a) The reasons for undertaking the consultation;
(b) Set out details of the proposal or a part thereof for which comment is being sought;
(c) Explain any policy variations being sought;
(d) Set out how a member of the public could provide comment; and
(e) Specify the timeframe within, where any comments or submissions should be made.

4.4 Where deemed appropriate by officers, consultation may occur with government departments/referral agencies at any consultation level.

Schedule 1 – Consultation Matrix

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
Local Planning Scheme Review	4*	90 days
Development Strategies/Local Planning Strategies for Selected Areas	4	21 days
Scheme Amendments	3	Complex SA: 60 days

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
		Standard SA: 42 days
Structure Plans	3	42 days
Subdivision Referrals from WAPC	1	-
Development proposing a variation to the Deemed to Comply criteria of the R-Codes	2	14 days
Development proposing a variation to a scheme standard	2	14 days
Building Envelope Amendment/Relocation	2	14 days
Development – 'P' Uses on zoning table in LPS9	1	-
Development – 'D' Uses on zoning table in LPS9	1	-
Development 'A' Uses on zoning table in LPS9	2	14 days
Complex application	3	28 days
Any proposal requiring a Heritage assessment to be carried out	2	14 days
Extension to Non-Conforming Uses	2	14 days
Cancel, amend, or extend Development Approval (s.77 applications)	1	-
Local Development Plan as a condition of subdivision	1	
Local Development Plan	3	14 days
Development Assessment Panel (DAP) assessments	2	42 days

Consultation periods in Schedule 1 do not include any "Excluded Holiday Period"
*Additional consultation requirements may be described in the Planning and Development (Local Planning Schemes) Regulations 2015.
#The minimum public consultation is 21 days, however additional workshops with key stakeholders may be required where deemed appropriate.

Table 1 – Consultation Level Legend

Consultation Level Description	Consultation Level
No Consultation	1
Consultation with owners and occupiers of adjoining Land	2
Consultation with owners and occupiers of the land in the locality	3
Community Engagement Plan	4

Level '1' – No consultation

4.5 No consultation will occur where the proposal meets any of the following points:

(a) is determined as having no predictable detrimental impact on the character or amenity of the immediate or general locality likely, and is not required under Clause 64 of the Deemed Provisions;

(b) has previously occurred and only minor modifications, or modifications that address previous concerns raised, are proposed; and

(c) for those proposals identified with 'Consultation Level 1' in the Matrix table in Schedule 1 of this policy.

Level '2'– Consultation with owners and occupiers of adjoining land

4.6 On R-Coded lots where the Deemed to Comply provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.

4.7 Where a proposed land use or development is identified with 'Consultation Level 2' in the Matrix table in Schedule 1 of this policy, or where a proposed development:

(a) will be visible from any road or other public place; and

(b) will be likely to have an impact on the streetscape or amenity of properties in immediate proximity to the site;

the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.

4.8 The owners and occupiers of the properties determined as being potentially affected by a development proposal will be consulted in writing, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).

4.9 Where an affected land owner is consulted by the proponent of a development proposal, the applicant must submit to the Shire evidence that the consultation satisfies the Shire's notification requirements, by submitted all of the following for each affected property:

(a) a completed, signed and dated Form 87 - Consent Objection Form - Adjoining Owners (completed by the applicant and all affected persons); and
(b) a full copy of all of the plans submitted with the application, each of the plans having been signed and dated, and which include the printed name of each of the affected persons.

Level '3' – Consultation with owners and occupiers of the land in the locality

4.10 Where a proposal is identified with 'Consultation Level 3' in the Matrix table in Schedule 1 of this policy, or is determined by the Shire as having the potential to impact upon:
(a) the use and enjoyment of land within an area but not extending to the whole of the Shire district; or
(b) specific interest groups within that area;
the community within that area will be consulted.

4.11 The Shire will:
(a) publish a notice of the development proposal in a newspaper circulating in the area containing details of the proposal;
(b) publish a notice, plan, application of the proposal on the Shire's website and also place a copy on the notice board at the front of the Administration Building and make a copy of the document available for public inspection;
(c) require the applicant to place a notice of the development proposal on a sign in a prominent position on the property that is subject of the development proposal, in the manner and form approved by the Commission;
(d) provide written notice in the form of a letter to all land owners and occupiers within a radius of at least 200m of the application site for land within the townsite boundaries or at least 500m radius for land outside of a townsite;
(e) consult with the owners and occupiers of land beyond the forgoing areas where, in the opinion of the Shire, there will be an impact along key transportation facilities, tourist routes or view-sheds;
(f) consult as necessary with other affected government agencies or statutory authorities as the case requires; and
(g) consider utilising social media platforms to direct community members to the Shire's website to view applications available for consultation.

4.12 The notice and letters referred to in Clause 4.12 must detail the relevant information of the application, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).

Level '4' – Community Engagement Plan

4.13 Where a proposal is identified with 'Consultation Level 4' in the Matrix table in Schedule 1 of this policy, and for planning matters that are deemed by officers to be of State, regional or shire-wide significance, officers will be required to prepare and implement a 'Community Engagement Plan' consistent with Policy SDev CP090 – Community Engagement.

4.14 Specific objectives for Level 4 consultation which must be taken into consideration when preparing the Community Engagement Plan, include (but may not be limited to) the following:
(a) Raise awareness about a particular issue/matter;
(b) Establish communication links with the community and identify which sections of the community are to be targeted in the engagement plan;
(c) Encourage active participation in programs;
(d) Collect views, opinions and ideas;
(e) Foster community pride, support and 'ownership'; and
(f) Build trust and confidence between Council and the community.

4.15 Consultation mechanisms for Level 4 consultation will include the items listed at (a) – (d) below as a minimum, and may also include items (e)-(j), as determined by the Development Control Unit and/or the Manager Development Services:
(a) Newspaper advertising*;
(b) Letter/mail box drops or Council notices;
(c) Signage and displays in relevant locations;
(d) Notice to be displayed on Council's website;
(e) Media releases – press, radio, television (subject to availability and budget);
(f) Formation of community or advisory committees under *Local Government Act 1995*;
(g) Formation of working groups;

(h) Workshops, forums or briefing/information sessions;
(i) Public meetings; or
(j) Other procedures as required including utilising social media platforms to direct the community to the Shires website.

4.16 *Notwithstanding the consultation methods adopted, consultation for 'Level 4' proposals will include a comprehensive local newspaper notice repeated over the duration of the process (minimum of 2 notices) associated with a formal comment period of 28 days, or such longer period that may be necessary to comply with relevant legislation.

Form of submission

4.17 Submissions can be made via email to submissions@dardanup.wa.gov.au, or in writing to the Shire's postal address.

4.18 To be considered valid, any submission will be required to:
(a) be signed by the submitter;
(b) provide contact details for the submitter including an address for correspondence (including email address); and
(c) detail the reasons for any objection to the proposal.

4.19 Where a written submission is received prior to the determination of an application and the Shire did not call for formal submissions; the submission must be considered as set out below 'consideration of submissions.'

Consideration of submissions

4.20 All submissions received will be acknowledged in writing within 7 days of receipt, either by email as a first preference, or by postal mail (letter) if no email address is provided.

4.21 All submissions will be summarised into 'issues' in a Schedule of Submissions document by the assessing officer, prior to a determination being made. The assessing officer will provide comment and/or a recommendation with regard to the matters raised in the submission.

4.22 Matters to be taken into account in the consideration of the submission are outlined as set out in clause 67 of the Deemed Provisions. This policy does not increase the scope of the matters that may be considered in clause 67.

4.23 If the matter is to be determined by the Council rather than by a delegated officer, any person or organisation (other than a government agency or service provider) that has made a submission will be notified in writing (either by email or postal mail) of the details of the Council meeting, on the Friday prior to the Council meeting once the Agenda is made available to the public.

4.24 In making the determination on the application/planning matter, Council or the delegated decision-maker will consider the Schedule of Submissions.

4.25 Once a determination of the matter has been made, a letter or email will be sent to each submitter detailing the determination of the development proposal.

Cost of Consultation

4.26 The full cost of the consultation requirements for Level 3 and 4 specified within this policy are to be met by the applicant.

4.27 Council's schedule of fees and charges sets the cost for consultation.

Access to Planning Applications where no consultation required

4.28 In situations where a member of the public requests access to view a development proposal which does not require public consultation, the written consent of the applicant/owner must be obtained to view the documents submitted. In the event written consent is not obtained, the Shire will not provide access to the documents unless a formal application under the Freedom of Information Act is made to the Shire and has been approved by the Shire's Freedom of Information Officer following due process.

5. APPLICATION

5.1 This policy is applicable to the entire local government area of the Shire of Dardanup and will be applied by the Shire when making discretionary decisions relating to public notice of planning proposals.

5.2 Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Local Development Plan.

5.3 For the purposes of this policy, in circumstances where consultation is undertaken it will be to the land owners only that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified.

5.4 The Policy also applies to Planning Applications for which the Council is not the final decision-making authority.

6. REFERENCE DOCUMENTS

Planning and Development Act, 2005
Planning and Development (Local Planning Schemes) Regulations, 2015
Shire of Dardanup Local Planning Scheme No.9

POLICY NO:
SDev CP506 – BUREKUP AND DARDANUP RECREATIONAL VEHICLE STOP-OVER SITES

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
Version	1	New	OCM 29/09/21	Res: 279-21	**Synopsis**	Policy created and endorsed by Council
	2	Amend	OCM 22/06/21	Res: 141-22		Policy amended by Council.
Version	3	SDev CP506	OCM 28/09/22	Res: 243-22	**Synopsis**	Reviewed and adopted by Council
Version	4	SDev CP506	OCM 23/10/24	Res: 275-24	**Synopsis**	Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

Council has designated 2 recreational vehicle stop-over sites: one in the town-site of Burekup, and the other in the town-site of Dardanup. This policy relates to the conditions of use of those sites and the related enforcement of any conditions of use.

3. DEFINITIONS

Self-Contained Recreation Vehicles (RV's) are camping vehicles that:

- Provide internal sleeping accommodation;
- Have internal kitchen and dining facilities (including refrigerators and/or freezers);
- Carry their own internal water supply; and
- Have an internal sink and shower drained to a fitted holding tank or an external suitable container; and
- Toilet facilities with a holding tank or cassette that requires access from time to time to a liquid waste dump point.

4. POLICY

4.1 The Shire may grant permission for individuals to camp on reserve land under the care, control and management of the Shire and has designated areas in the town-sites of Burekup and Dardanup.

4.2 The Burekup site is located on a portion of Reserve 46902 Gardiner Street and has 3 designated bays for use for 24 hours only.

4.3 The Dardanup site is located on the northern portion of Lot 34 Little St, Dardanup (corner of Little Street and Ferguson Road) and has 3 designated bays for use for 24 hours only.

4.4 Bays cannot be reserved or pre-booked as it is not intended that the sites will directly compete with existing commercial caravan park operators

4.5 The Shire is under no obligation to provide any facilities to the sites, as they are for self-contained RV's only, and are 24 hour stopovers only.

4.6 Conditions of use include:

- Toilet, shower, washing and cooking facilities must be contained within the vehicle;
- Tents, annexes and temporary structures are not permitted;
- Shire officers may inspect vehicles at any time;
- Fires prohibited at all times;
- Dogs to be on a lead and under effective control at the campsite area;
- Use of generators is not permitted;
- Noise to be kept to a minimum after 10pm;
- External clotheslines are not permitted;
- All black-water must be discharged into the RV's holding tank or cassette;
- All grey water must be discharged into the RV's holding tank or a dump point where an external suitable container is used;

- Sites cannot be reserved; and
- Sites may be closed during specific events or times.

4.7 The Shire will endeavour to undertake twice-weekly patrols, however this cannot be guaranteed and sites may not be routinely inspected/monitored. Attendance will be dictated by resource availability and other priority matters (such as dog attacks).

4.8 Complaints will be addressed dependant on the severity of the situation, but generally attended to the next business day (including issues that arise on the weekends). Complaints in relation to anti-social behaviour are police matters and not the responsibility of the Shire to enforce.

4.9 The Shire will take a proactive approach to educate and inform the public on the conditions of use of the sites, especially in the lead up to peak holiday periods (e.g. information on the Shire's web site; variable message trailer sign at key locations).

5. REFERENCE DOCUMENTS

Caravan Parks and Camping Grounds Act 1995.
Caravan Parks and Camping Grounds Regulations 1997.
Campervan and Motorhome Club of Australia CMCA Self Contained Vehicle (SCV) Policy.

POLICY NO:-
SDev CP507 – CORPORATE SPONSORSHIP (INCOMING)

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	25/01/22	Res:	3-22	**Synopsis**	Policy created.
Version	2	SDev CP507	OCM	28/09/22	Res:	243-22	**Synopsis**	Reviewed and adopted by Council.
Version	2	SDev CP507	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE AND OBJECTIVES

To guide the Shire's approach to attracting sponsorship and the types of sponsorship arrangements the Shire will enter into.

3. DEFINITIONS

Sponsorship: A reciprocal relationship between two parties which has been entered into for the mutual benefit of both parties. A sponsorship is a commercial arrangement in which a sponsor provides a financial contribution or in-kind support to an activity in return for certain specified benefits

Sponsorship assets: The activity (e.g. event, program or service) or facility for which sponsorship is being sought.

In-kind sponsorship: Sponsorship is in the form of a product or service, in lieu of cash.

Naming rights: Public recognition of an organisation's brand upon Council owned assets, events or programs or public recognition of the Council brand upon another organisation's assets, events or programs.

Program: A singular activity or group of activities produced by Council which delivers on the objectives of Council and its services. Programs may be one-off or annual.

Event: Council defines an event as any organised gathering or function where people congregate for a unique purpose.

Partnership: The relationship between the Council and any external organisation that the Council enters into a formal arrangement with, in relation to a sponsorship.

4. POLICY

This policy relates to incoming sponsorship, i.e., the Shire receiving financial and/or in-kind support from a commercial or external organisation, in exchange for public recognition or association, to provide a facility or activity for the community. Sponsorship may include grants, gifts, donations, bequests or endowments.

4.1 Criteria for attracting sponsorship

The Shire of Dardanup may consider opportunities to maximise returns from assets and develop new income streams through strategic corporate sponsorship with private organisations or service providers.

Any sponsorship arrangements offered or sought by the Shire must:

- Benefit the Shire and its residents, workers and visitors;
- Avoid creating an actual or perceived conflict of interest; and
- Not interfere with the Shire's compliance with, and exercise of, its legislative obligations.

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4.2 Suitable activities for sponsorship

Activities suitable for achieving and granting sponsorship are generally activities that can be enhanced via additional contribution or support offered by external parties, including but not limited to:

- Shire Events
- Shire Awards
- Community Programs
- Public Artworks
- Leisure and Community Facilities

4.3 Benefits to a sponsor

The primary benefit for sponsors is to reach key target audiences and meet corporate social responsibility goals. Entitlements include but are not limited to the following in a mutually agreed form:

- License to use the Shire's logos, content and imagery;
- Branding on infrastructure and event marketing;
- Ability to develop co-branded marketing initiatives; and
- Attendance at events/programs.

4.4 Benefits to the Shire for accepting sponsorship

Benefits to the Shire for accepting sponsorship may include one or more of the following:

- Connection with a reputable sponsor to enhance the Shire's image and reputation;
- Enhance the Shire's ability to undertake beneficial non-core activities that could not otherwise be delivered or undertaken to the same extent;
- Reduce the cost of a particular event or activity, or enable it to be expanded or enhanced to the overall benefit of the local community;
- Achieve greater community awareness or public profile for the Shire, or for a particular service, program or product, than may otherwise have been possible.

4.5 Sponsorship Requirements

The Shire of Dardanup will not enter into sponsorship agreements with organisations, companies, partnerships, or sole traders:

- Involved in the manufacture, distribution and wholesaling of tobacco and tobacco-related products.
- Involved in the manufacture, distribution and wholesaling of alcoholic products, where such sponsorship is relevant to services, programs or activities for youth and children.
- Involved in any illegal activities.
- Whose services or products are injurious to health, or are perceived to be in conflict with the Shire's policies and responsibilities to the community.
- Who are in legal proceedings against the Shire of Dardanup.
- Where conditions are imposed, or implied to limit, or appear to limit, the Shire's ability to carry out its functions fully and impartially.
- Where the cost of managing and evaluating the sponsorship outweighs the dollar value of the sponsorship.

- Where the sponsorship conflicts, or is seen to conflict, with the objectives, policies and planning controls of the Shire.
- Who are intending to tender or quote for work or services with the Shire of Dardanup during the Financial Year.

4.6 Restrictions and considerations

- Sponsorship funds are to be specifically applied for the purpose of the approved application.
- Where sponsorship involves a sponsor supplying a product:
  - Commercial products or services associated with the sponsor, recipient or any third party are not to be publically endorsed outside of the agreed sponsorship activities.
  - That product must still be evaluated whether it is fit for purpose against objective criteria, relevant to needs.

4.7 Budget Considerations

All sponsorship proposals will be subject to an assessment process to be approved by the relevant Officer, in accordance with the following values:

Value (ex GST)	Approving Officer
Up to $20,000	Chief Executive Officer
$20,001 and over	Council

Where a sponsorship is less than $20,000 towards a budgeted item, a Council report will not be required and over expenditure can be incurred to match the additional revenue being received through the sponsorship.

Where an item has not been budgeted for, a report is to be presented to Council to allow unbudgeted expenditure to occur.

5. REFERENCE DOCUMENTS

- Sponsorship in Government Guidelines, Government of WA State Supply Commission, July 2014.
- ICAC Sponsorship in the Public Sector, May 2006.

POLICY NO:-
SDev CP508 – CHILD SAFETY AWARENESS POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	27/09/23	Res:	224-23	**Synopsis**	Policy created.
Version	1	SDev CP508	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development – Place and Community Engagement Department.

2. PURPOSE OR OBJECTIVE

This policy was developed in response to Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse and the Royal Commissions recognition of the important role of local governments in community development and community safety, particularly roles that impact on child safety. The Royal Commission identified the opportunity to integrate their direct responsibilities to children and young people within their wider role in the community.

3. DEFINITIONS

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- Creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- Places emphasis on genuine engagement with and valuing of children and young people
- Creates conditions that reduce the likelihood of harm to children and young people
- Creates conditions that increase the likelihood of identifying any harm, and
- Responds to any concerns, disclosures, allegations, or suspicions of harm.
  Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

4. POLICY

The Shire of Dardanup supports and values all children and young people. The Shire of Dardanup makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways the Shire of Dardanup demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire of Dardanup is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that the Shire of Dardanup is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire of Dardanup will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, this policy provides a framework that outlines the role of The Shire of Dardanup in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

4.1 Policy Principles

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

4.2 Policy Functions

The Shire of Dardanup will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at venues, grounds and facilities or events).
- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

4.3 Responsibilities

The Shire of Dardanup has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although the Shire of Dardanup is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise Shire of Dardanup facilities to operate in alignment with the Child Safe Awareness policy.

The Shire of Dardanup will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

5. REFERENCE DOCUMENTS

- Local Government Act 1995
- Children and Community Services Act 2004
- Corruption, Crime and Misconduct Act 2003
- Equal Opportunity Act 1984
- National Principles for Child Safety Organisations
- Work Health and Safety Act 2020

POLICY NO:-
SDev CP509 – PUBLIC ART POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1	New	OCM	27/09/23	Res:	225-23	**Synopsis**	Policy created.
Version	1	SDev CP059	OCM	23/10/24	Res:	275-24	**Synopsis**	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development – Place and Community Engagement Department.

2. PURPOSE OR OBJECTIVE

The Public Art Policy seeks to guide the delivery and maintenance of public art projects that contribute to creating a sense of place, promote the expression of local identity, and reflect on the shared values of the community.

3. DEFINITIONS

Public art:	Refers to an artistic creation that is developed and located for public accessibility. The defining principle of public art is that the work has been designed by an artist for enrichment of a public realm and is usually permanent or semi-permanent. Public art may take many forms or style; from traditional media to contemporary approaches; functional objects; multimedia installations; or interactive works. The Shire extends this definition to its Public Art Collection as approved art created by professional artists for public spaces.
Public artist:	Means an artist that is involved in the design, planning, making and/or installation of public artworks. Responsibilities include site research and project development, often involving consultation and involvement with stakeholders.
Professional artist:	Refers to a person who is actively engaged in and conducts a professional artistic practice, and has industry recognition and remuneration for their work.
Public space:	Includes places such as parks, scenic stops, foreshores, town squares and precincts, streets, indoor spaces of public buildings such as entrance halls, meeting rooms and outdoor spaces of public buildings such as courtyards and forecourts.
Commissioning:	Means the act of procuring the services of an artist or service provider to fulfil a brief for an art project for the payment of a fee.
Ephemeral art:	Ephemeral art is art that lasts a short time. Some examples of ephemeral art are: paper pieces, chalk drawings, ice / sand sculptures, projections and performance art.
Non-ephemeral art:	Non-ephemeral art is art that lasts a medium to long period of time. Some examples of ephemeral art are: painted murals, sculptures, display panels, etc.
Community art:	Community art is a collaboration between professional artists and non-professional artists, often around dealing with a social issue, community building initiative, or as a form of community consultation.

4. POLICY

The Shire of Dardanup acknowledges the important role played by public art in the growing of participation in arts and culture. Public art projects and installations help to develop a sense of community identity that is uniquely Dardanup. The Shire of Dardanup is committed to adopting best-practice and operational standards advice on the implementation, commissioning and on-going maintenance of public art works.

4.1 Public Art Projects

Council will fund the commissioning or development of new public art projects through an annual budget allocation which may be permanent (capital), semi-permanent (operating) or temporary in nature. Further project specific funding may be applied for within appropriate sponsorship, grants and community partnership avenues.

4.2 Percent for Art

Public art may be required to be installed in the instance of a Council-owned refurbishments of properties or new developments where the overall project costs are over $1,000,000. This consideration may include an artwork budget allocation of one percent, with the final decision made by Council.

4.3 Commissioning Artworks

The commissioning process for public art projects are guided by the overall budget and specifics of the project. The overall project budget may include artist fees, fabrication costs, materials, installation costs (including landscaping or any additional operational requirements) consultation fees, selection panel costs or any other costs directly arising from the project such as unveiling events, workshops, activations, directional signage or plaques.

For projects that require significant specialist knowledge and expertise, it is acknowledged that there may be a limited number of artists that can respond to the project brief. Council reserves the right to cancel or reconsider the project brief of a public art project where it considers there have not been a substantial number of responses to the project brief or inadequate response to the project or site.

4.4 Community Art

The Shire is committed to supporting opportunities for community and / or ephemeral art and may make budgetary allocations and/or project specific allocation for these initiatives.

4.5 Donations and Gifts

Council will consider suitable donations and gifts of artworks intended for public display at Shire places and facilities. Considerations will be made to the quality, materials, subject matter and appropriateness prior to addition to the Council art collections database. Council reserves the right to respectfully decline the addition of any art work to the database.

4.6 Capitalisation of Art

In determining whether to capitalise or expense costs associated with a non-ephemeral artwork, it must first be determined whether or not the artwork meets the 'asset' definition. An 'asset' is defined as "future economic benefits controlled by the entity as a result of past transactions or other past events" (SAC 4).

An asset should be recognised and recorded when "(a) it is probable that future economic benefits associated with the item will flow to the entity; and (b) the cost of the item can be measured reliably" (AASB 116 para. 7).

Future economic benefits are not limited to situations involving future cash inflows, as they are also synonymous with the notion of service potential. Future economic benefits refer to the capacity to provide goods and services in accordance with the entity's objectives, including the provision of goods or services to the public e.g. provision of facilities to sporting clubs or groups.

Public artworks on Shire owned or managed land will be valued and capitalised by the Shire of Dardanup where it meets the following criteria:

i.) The art piece is a new item that meets the definition of an asset, subject to the following:

   a. the artwork has a capital value greater than $5,000.00 in accordance with AP056 - Asset Capitalisation Threshold Policy; and

   b. the artwork meets the capitalisation criteria defined in AP058 - Accounting Policy for Capital Works.

ii.) Where the art piece has a capital value greater than $300 but less than $5,000.00, then this item must be recorded in the Portable & Attractive Items Asset Register in accordance with AP056 - Asset Capitalisation Threshold Policy.

Where the art piece has been capitalised, then this item is to be recorded on the Parks & Reserves Asset Register and maintained in accordance with CP074 – Asset Management Policy. Capitalised public art pieces are to be recorded within the "Parks & Reserves" Asset Class, "Other Structures" sub-class.

Murals painted on building walls are not recorded as separate assets, but may be included in the original building construction/upgrade or maintenance painting costs. When the building that the mural is on is revalued at a future date, any mural cost would not be considered in the building asset revaluation.

Sculptures created when a new building is constructed are to be recorded as separate assets if they meet the asset capitalisation criteria.

Public artworks on private land will be the responsibility of the land owner.

4.7 Insurance

Public artworks on Shire owned or managed land will be insured by the Shire of Dardanup where it meets the Capitalisation of Art criteria in Clause 4.6.

Insurance of public artworks on private land will be the responsibility of the land owner.

4.8 Installation and Maintenance

Artists will be responsible for the installation of the art works, and in the case of ephemeral art works, they will also be responsible for the removal and clean up.

In relation to non-ephemeral art works, artists will also be required to outline a maintenance program, estimated useful life of the artwork, and provide an estimate of yearly maintenance costs.

Non-ephemeral artworks will not be replaced at the end of their useful life, or if they are damaged during their useful life. However, in some circumstances and subject to available financial resources (ie: insurance claim, new grant), Council may recommission an artist to develop a similar ephemeral artwork as a replacement to an existing artwork.

4.9 Documentation

The Shire will maintain an art collection database which Council and staff can access for information about the artworks.

4.10 De-accessioning and Disposal

Should the artworks deteriorate to the point that Council agree they cannot be feasibly maintained or they no longer fulfil the objectives of this Policy, or are not in the best interests of the community, they may be deaccessioned and will be disposed of in accordance with the requirements of Section 3.58 of the Local Government Act 1995.

Where possible and appropriate, the artist responsible for the original artwork will be consulted on the procedures for removal. For artworks located on public land, the Shire will be responsible for the cost of deaccessioning and disposal. For artworks on private land, the landowner will be responsible for this cost.

5. REFERENCE DOCUMENTS

- The Western Australian State Government Percent for Art Scheme Guidelines
- Community Development Policy Exec CP090– Community Engagement.
- SDev CP507 - CORPORATE SPONSORSHIP (INCOMING)
- The Local Government Act 1995
- Heritage of Western Australia Act 1990
- National Trust of Australia (WA) Act 1964
- Aboriginal Heritage Act 1972

POLICY NO:-
SDev CP510 – ROAD AND THOROUGHFARE NAMING

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
Version		New	OCM	22/05/24	Res:	**Synopsis**	Policy created.
Version	1	SDev CP510	OCM	23/10/24	Res: 275-24	**Synopsis**	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

1. Formalise a standard procedure for local road naming within the Shire of Dardanup (Shire).
2. Provide Shire staff, the local community and developers with clear guidance on the requirements for the naming of roads.
3. Ensure that road names comply with relevant legislation and requirements.
4. Encourage the application of themes to areas of new subdivision.
5. Ensure consideration to the history, natural environment, culture and character of the area is duly given when determining road names.

3. DEFINITIONS

Road: refers to a local government-controlled road and does not include state-controlled roads.

Thoroughfares: a course navigable by vehicle or foot that can be used for assigning addresses or allowing access between points or to a feature. Examples include alleyways, roads, streets, highways, fire tracks, bike paths and walking tracks.

Theme: refers to a consistent or unifying subject that may be and not limited to physical, historical, cultural or other character or characteristics.

4. BACKGROUND

The naming of roads is a key component of the creation of new subdivisions, and in turn contribute towards a sense of place. Roads are also critical in directing emergency services, mail delivery and road transport. These names form an important part of the Shire's historic and cultural heritage.

The Land Administration Act 1997 (section 26A) requires developers of new subdivisions to submit road and thoroughfare names for approval by the Shire. This Policy seeks to detail the provisions and procedures the Shire will follow in considering the approval road names and in forming a recommendation to the Geographic Names Committee. This Policy applies to all proposed public roads in the Shire that are created through the subdivision process.

The responsibility for proposing road names created through subdivision rests with the subdivider, in accordance with the requirements set out in the Land Administration Act 1997. To the extent of any inconsistency between this policy and the Land Administration Act 1997(the Act), the Act shall prevail. The following provisions apply to road naming applications.

5. POLICY

5.1.1. Proponents are required to put forward an overall theme for road names for approval by Council at structure plan stage as part of a proposed new estate (residential, rural, commercial or industrial). Or where this has not yet occurred, and a Structure Plan is approved prior to the commencement of site works and in parallel with the lodgement of engineering drawings for approval under Section 170 of the Planning and Development Act2005.

5.1.2 Where no overall theme has been approved yet and five (5) or more new roads are proposed to be created as part of a new estate (residential, rural, commercial or industrial), the proponent shall submit an overall theme for approval by Council.

5.1.3. Where a road name theme has been approved by Council, the proponent shall submit road names consistent with the theme approved.

5.1.4. Where no overall theme has been approved and four (4) or less new roads are proposed to be created, the proponent will still be required to submit road names for approval that are generally consistent with the theme established for the surrounding areas, or to nominate a theme for the estate.

5.1.5. The completion of the attached Appendix 1 – Application for New Road Names are required to accompany applications for new road names.

Road names and themes are to be prepared consistent with the requirements of the 'Geographical Names Committee Western Australia – Principles, Guidelines and Procedures' which provides requirements and guidelines not limited to:

i) Consideration of current and future street names.
ii) Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases.
iii) The origin of each name shall be clearly stated and subsequently recorded.
iv) Names shall not be offensive or likely to give offence, incongruous or commercial in nature.
v) Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public.
vi) Unduly long names and names comprised of two or more words should generally be avoided.
vii) Proposals for road names shall include an appropriate road type suffix.
viii) Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads.

Preferred Themes for Road Names

In accordance with the Geographic For the areas of Waterloo and Wanju as depicted in the District Structure Plan, road name themes are required to be established and approved by Council as part of Local Structure Plans for each designated precinct.

Names Committee Guidelines suitable sources of road names suitable sources of names include:

a) Aboriginal languages currently or formerly identified with the general area,
b) Pioneers of the State or area,
c) Citizens who have made a significant community contribution,
d) War casualty lists and thematic names (e.g. nautical, sporting etc).
e) Ethnic and gender diversity is encouraged.
f) Given/first and surname combinations are suitable only if the surname alone cannot be used because of duplication. All name proposals must clearly identify the origin of the name and provide relevant references to allow for the verification of the name.

APPENDIX 1: Application for New Road Names

Shire of Dardanup
Attention: ####
Ph: ####
Email: ####

Applicant Name:	
Notification Address:	
Telephone Number:	
Site Address:	Estate Name and Stage:

Proposed New Names (only four (4) names permitted per application. If you are applying for more than four (4) new road names please use additional forms and highlight the road/numbers on the site plan that apply to each):

Road Number:	**Road Number:**
1st Preference:	1st Preference:
2nd Preference:	2nd Preference:
3rd Preference:	3rd Preference:

Road Number:	**Road Number:**
1st Preference:	1st Preference:
2nd Preference:	2nd Preference:
3rd Preference:	3rd Preference:

Significance of Preferred Names:

Road Number		

Required Information:

This form must be fully completed and accompanied by a road layout plan, including future road extensions. Please provide 2 copies with the new roads numbered (1,2,3 etc) for identification.

Certification:
I hereby certify that the information contained in this application (including the information contained in the attachment) is correct in all particulars:

Applicants Signature:	**Date:**

6. REFERENCE DOCUMENTS

Name of Policy	
Previous Policy	
Date of Adoption and Resolution Number	
Review dates and Resolution Numbers	
Next review date	
Related documents	**Acts/Regulations** **Plans/Strategies** **Policies** **References** **Delegations** **Work Procedures**

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION							
History	1	AP027		08-02-21	Res:	**Synopsis**	AP027 Policy Created
	2	AP027	EMT	13-07-21			AP027 Policy adopted by EMT as an Administration Policy
	3	AP027	EMT	21-11-23			AP027 Policy Biennial Review endorsed by EMT
	4	AP027	OCM	23-10-24	Res: 275-24		AP027 Revoked by Council and endorsed as a Council Policy
Version	1	CP512	OCM	23-10-24	Res: 275-24	**Synopsis**	CP Policy endorsed by Council

25. RESPONSIBLE DIRECTORATE

Sustainable Development

26. PURPOSE OR OBJECTIVE

The objective of this Policy is to assist the Shire to use compliance and enforcement strategies to achieve legislated objectives and encourage compliance by implementing a cooperative and collaborative approach to enforcement action. The Policy provides a range of prescribed compliance and enforcement options for dealing with compliance matters and also aims to:

- Ensure a consistent approach in enforcement and compliance related matters;
- Provide transparency, apply procedural fairness and natural justice for all enforcement and compliance related matters;
- Provide an educational, cooperative and collaborative process towards compliance and enforcement; and
- Guide decision making and actions by the Shire in the consistent use of enforcement options commensurate with the risk

The policy applies to all compliance actions undertaken by Development Services where the Shire has an external regulatory responsibility under legislation, including the:

- *Building Act 2011*
- *Caravan Parks and Camping Grounds Act 1995*
- *Cat Act 2011*
- *Control of Vehicles (Off-road Areas) Act 1978*
- *Dog Act 1976*
- *Environmental Protection Act 1986*
- *Food Act 2008*
- *Health Act 1911*
- *Local Government Act 1995*
- *Planning and Development Act 2005*

and all subsidiary legislation.

27. DEFINITIONS

Compliance	the meeting or taking of steps to comply with relevant laws and regulations and includes a range of procedures and actions taken by the Shire to ensure that persons, including corporations, comply with their statutory obligations.
Non-compliance	a breach of the legislation administered by the Shire.
Prosecution	the institution and conduct of legal proceedings against legal persons, including corporations, for alleged unlawful activity.
Public interest	the interests of the community as a whole, or a group within the community or individuals.

Trivial	an allegation made without real grounds, of insignificant value or importance.

28. POLICY STATEMENT

4.1 Principles of Compliance

The Shire will carry out its statutory compliance responsibilities with due regard to the following principles:

4.1.1 Graduated and Proportionate

The Shire's actions will be scaled to the seriousness of the non-compliance. Prosecution will generally be used as a last resort. The Shire's resources are finite and will not be used to pursue cases that are trivial or not in the public interest.

4.1.2 Consistency

The Shire will take a similar approach in similar cases to achieve similar outcomes. While decisions on compliance require the use of professional judgment and discretion to assess varying circumstances, the Shire will generally follow standard operating procedures to ensure fair, equitable and unbiased treatment in every case.

4.1.3 Accountable and Transparent

The Shire will be open and transparent about the manner in which it undertakes compliance activities. When remedial action is needed the Shire will explain clearly why the action is necessary, identify the action required to achieve compliance and the timeframe for completing that action. Timeframes set for achieving compliance will be reasonable and may take into consideration individual circumstances.

4.1.4 Natural Justice

The Shire will follow the principles of natural justice in every investigation by properly and genuinely considering all relevant submissions and evidence in each case, and by ensuring all parties to the matter have an opportunity to be heard.

4.1.5 Ethics

Compliance activities will be conducted lawfully, respectfully, diligently, honestly, consistently, ethically and in line with natural justice principles. Shire officers will conduct themselves in accordance with the Shire of Dardanup Code of Conduct and Customer Service Charter. In the conduct of civil litigation, the Shire will conduct itself in accordance with AP057 - Litigations and SDev CP047 – State Administrative Tribunal (SAT) Representation Policy.

4.1.6 Discretion

The Shire has discretion to decide when compliance action is required, and which measures are appropriate in particular circumstances. The Shire will target its compliance functions with the aim of addressing issues that are both unlawful and likely to present a risk to the environment (built and natural), public health and safety or the amenity of the district. This may mean that the investigation of a relatively minor instances of non-compliance are deferred or not pursued.

4.2 Compliance Considerations

Where an investigation has been undertaken and it is considered that sufficient evidence exists to determine non-compliance, the Shire will take the most appropriate compliance action based on the specific circumstances of each case. Key considerations when making this determination will include:

- The type of offence (first, second, third);
- Voluntary action by the offender to remedy the non-compliance;
- Cooperation given to the Shire by the offender and willingness to commit to remedial actions;
- Failure to comply with informal requests, lawful directions or notices given by the Shire;
- The seriousness of the incident having regard to the potential impacts on the community, amenity, the environment and the impacts on individuals;
- Issues of public concern, including the need for specific and general deterrence;
- Legal precedents and statutory time limits; and

- The public interest.

The following table provides some common examples of Development Services compliance matters and how the Shire would typically respond (noting however that each case will be considered on its individual circumstances and the resources available to the Shire at that particular time):

COMPLIANCE MATTER	MINOR	MODERATE	MAJOR
Abandoned vehicle		x	
Barking dog		x	
Dog attack causing physical injury			x
Dust	x	x	
Failure to comply with development approval conditions	x	x	
Illegal camping		x	
Illegal parking	x		
Livestock wandering at large			x
Noise	x	x	
Non-compliant swimming pool barrier		x	
Unauthorised building work		x	
Unauthorised demolition		x	
Unauthorised development	x	x	
Unauthorised swimming pool			x
Unauthorised use of land	x	x	
Unregistered dog / cat	x		
Unsafe food		x	x
Wandering dog in public place		x	

Minor: Minimal impact on the community or the environment. Attendance may not be required. The breach may be able to be resolved in a relatively short timeframe without any further impact on the community or the environment once compliance has been reached.

Moderate: Initially may have minimal impact on the community or the environment but if allowed to continue the impact may have a more significant impact. Attend as soon as practicable. The breach may initially be able to be resolved with an application for retrospective approval or an infringement, directions notice or order under relevant legislation.

Major: Significantly affects the community or the environment. Attend as a priority. It may also be a case where the issue cannot be resolved in a relatively short timeframe or where the alleged offender is not willing to cooperate or negotiate in order to achieve compliance and which may lead to a prosecution action.

Alternatively, the Shire may take no compliance action after investigation where:

- The individual or entity has made good the non-compliance;
- Having considered the nature of the non-compliance, an educative approach to preventing the matter from re-occurring is considered most appropriate;
- There is insufficient evidence to prove non-compliance after reasonable attempts have been made by the Shire to investigate the matter;
- The matter is considered trivial in nature or would be an unreasonable use of the Shire's resources;
- The matter falls outside the Shire's legal area of authority; and/or
- Having regard for the legal capacity of the alleged offender, it is determined that an alternative approach to achieving compliance is more appropriate.

4.3 General Compliance Procedure

In many instances a person may not be aware that they are acting unlawfully. Accordingly, prior to commencing formal enforcement proceedings, the Shire will in most instances write to the offender advising of the breach and requiring the offender to remedy the breach (generally within 14 – 28 days).

In some cases the legislation may allow for the Shire to grant its retrospective approval and where this option exists the Shire will advise an offender that an application for retrospective approval can be made. The making of an application for retrospective approval will not necessarily preclude the Shire from commencing other formal compliance action in relation to the breach.

The following outlines the general compliance procedure to be followed, however the manner in which the Shire takes compliance action will ultimately depend on the nature of the matter and the seriousness of the contravention.

1. The Shire will write to the offender setting out the breach and advising them that if the breach continues/is not remedied, the Shire will commence formal compliance action.
2. In circumstances where retrospective approval could be granted, the Shire will advise the offender that an application for retrospective approval can be made.
3. If the breach continues/is not remedied, and no application for retrospective approval is received, the Shire will commence formal compliance action.
4. Formal enforcement action includes giving an infringement notice, a written direction/order or commencing prosecution proceedings under the relevant legislation.
5. In instances of serious non-compliance with legislation and where efforts to resolve that non- compliance have proven ineffective, the Shire may seek an injunction.

4.4 Acting in Default of Notices, Orders and Directions

Where under legislation it is authorised to do so, the Shire may enter on to private land to carry out works in a situation where the owner, occupier or person has failed to commence or complete remedial works specified in a written notice, and the non-compliance with the notice has been verified beyond reasonable doubt.

The Shire may undertake works on private property where:

- There is a significant risk to a person's health, to public safety, the natural environment or local amenity as a result of the continued non-compliance with the notice;
- The person upon whom the notice has been issued has significant health issues that are considered to be preventing the person from complying with the notice; or
- The works required to be undertaken are minor and the estimated costs associated with completing the remedial works are minimal.

Should works be undertaken by the Shire on private property as a result of non-compliance with a notice, this action does not preclude the Shire from commencing legal action for non-compliance with the notice. The Shire will seek to recover its fair and reasonable costs in all cases as a result of undertaking works on private land.

4.5 Prescribed Premises under the Environmental Protection Regulations 1987

The Shire is not obliged to investigate allegations of pollution incidents from premises that are prescribed under the *Environmental Protection Regulations 1987*. These premises are regulated by the Department of Water and Environment Regulation (DWER). On receiving an allegation of pollution relating to such premises, the Shire will advise the complainant to refer the matter directly to the DWER.

The Shire may investigate matters related to prescribed premises that concern non-compliance with any relevant local law or the *Health Act 1911*, *Building Act 2011* and *Planning and Development Act 2005*, except where the matter is regulated by DWER under the *Environmental Protection Act 1986*.

4.6 Shared Compliance Responsibilities

Some reports will raise matters involving shared regulatory responsibilities between the Shire and other authorities including DWER, WA Police Force, and Department of Fire and Emergency Services (FESA). The Shire considers that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Shire staff will liaise with relevant authorities to establish:

- Which authority will take the leading role on any joint investigation;
- Which activities each authority will carry out;
- Responsibilities for updating an individual where relevant; and
- Protocols for exchanging confidential information between the relevant authorities.

29. REFERENCE DOCUMENTS

Local Government Act 1995
AP057 - Litigations
Council Policy SDev CP047 – State Administrative Tribunal (SAT) Representation Policy
Officer specific delegations and authorisations

COUNCIL POLICY NO:-
SDev CP513 – STRATEGIC WATER TANKS FOR FIRE FIGHTING PURPOSES IN NON-RETICULATED AREAS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version:	1	SDev CP513	OCM	26-02-25	Res: 26-25	**Synopsis:**	Policy endorsed by Council
Version:	2	SDev CP513	OCM	27-08-25	Res: 232-25	**Synopsis:**	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objectives of this Policy are to:

- Promote and a well-developed network of strategic water tanks for firefighting within the Shire.
- Ensure that water supply within a locality is sufficient to cater for an increasing population when a Strategic Planning Proposal, Structure Plan or Subdivision Application is proposed.
- Ensure the impact of a bushfire on lives, homes and infrastructure within a locality is managed by the provision of an adequate supply of water being made available for firefighting purposes.
- This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. SCOPE

- To provide developers direction on when the Shire of Dardanup will require strategic water tanks to meet Element 4 of the *Guidelines for Planning in Bushfire Prone Areas (2024)* or require individual water tanks to be supplied on the lot.
- To guide developers in identifying future water supply sources for firefighting purposes in non-reticulated areas during the Strategic Planning Proposal stage within the Shire of Dardanup. This Policy aligns with Element 4, *Guidelines for Planning in Bushfire Prone Areas (2024)* and provides information on where the Shire of Dardanup's discretion for strategic water supply for firefighting purposes is applicable.

4. DEFINITIONS

Bushfire protection Criteria: A performance-based system of assessing bushfire risk management measures contained in these Guidelines and applied to all strategic planning proposals, subdivisions and development applications.

5. INTRODUCTION

The Guidelines for Planning in Bushfire Prone Areas (2024) seeks to ensure Local Governments take a coordinated approach to managing the impacts of a bushfire upon a locality when considering plans of subdivision or a Local Structure Plan (LSP).

Element 4 of the *Guidelines for Planning in Bushfire Prone Areas (2024)* contains acceptable solutions to ensure that water is available to enable people, property and infrastructure to be defended from bushfire. The Guidelines specifically refers to ensuring an adequate water supply is provided when a Local Government considers a proposal to increase the population either through a subdivision application or Structure Plan within non-reticulated water areas.

Under Table 11 of Element 4 of the Guidelines, it is at the discretion of the Local Government when considering the options available for an adequate water supply being provided as part of a subdivision or structure plan proposal by a developer. The Guidelines provide the options of either the supply of 10,000 litre individual water tanks being provided

by future occupants of lots being created through subdivision or for the provision of a 50,000 litre strategic water tank being provided at subdivision clearance or designated within a structure plan.

This policy provides direction to guide developers in the Shire's preferred option of ensuring an adequate water supply when considering an application for subdivision or structure plan and of the broader construction requirements/standards for strategic water tanks for firefighting purposes.

6. THE REQUIREMENTS OF THE POLICY ARE AS FOLLOWS:

PLANNING APPLICATION	Rural Residential and Rural Smallholdings zones
Structure Plan / Subdivision: Creation of 1-2 lots	- 10,000L tank per lot; and - Memorial to be placed on Titles notifying future occupants of their obligations to supply a water tank on site for firefighting purposes.
Structure Plan / Subdivision: Creation of three -24 lots	- 50,000L strategic water tank.
Structure Plan / Subdivision: 25 lots or more	- 50,000L strategic water tanks per 25 lots or part thereof.

6.1 Existing strategic water tanks within 10 minutes of a subject site cannot be considered to meet Element 4 of the Guidelines where it already services 25 lots or more, or in the opinion of the local emergency services that the water has been fully allocated.

6.2 Where strategic water tank/s are required, it is to be shown on the Structure Plan proposal, where the lot layout is known, plan of Subdivision and Bushfire Management Plan mapping.

6.3 The installation of strategic water tanks will need to be completed and operational at the time of the of bushfire compliance site audit of the subdivision.

6.4 The strategic water tanks should be designed by a qualified and registered Civil Engineer in accordance with Schedule 2 of the Guidelines and in consultation with the Shire of Dardanup's Chief Bushfire Control Officer and DFES Rural Fire Officer.

7. STANDARDS FOR STRATEGIC FIRE FIGHTING WATER TANKS

These Standards have been developed by Shire of Dardanup officers in collaboration with the Dardanup West Fire Control Officer. These Standards are to also be read in conjunction with the requirements within the Guidelines for Planning in Bushfire Prone Areas (2024).

7.1 Site and Access

- A portion of land with minimum dimensions of 15m x 15m to be provided as a Shire of Dardanup reserve in a strategic location and to be approved by the Shire of Dardanup. If a strategic water tank has already been established in a nearby location, the Shire of Dardanup may allow for the required strategic tank to be installed alongside the tank at that site.

- The whole site to have a finished level equivalent to the centerline level of the adjacent road.

- The water tank to be placed on a compacted sand pad of 150mm thickness and to manufacturer's specifications. Tank pad to be located towards a front corner to allow maximum room for future second tank in opposite rear corner.

- Blue metal to be placed around the base of the tank (75mm thick) and to extend out to the boundary covering all unsealed area.

- A sealed gravel verge to be provided to suit a 3.4 fire truck. The hardstand should be a minimum 4m wide and 15m long with a 4m wide sealed gravel connection back to the tank.

- The hardstand should be a minimum 200mm thick gravel compacted to 98% MDD and bitumen sealed.

- The hardstand area should have grade towards the road to allow for drainage.

7.2 Water Supply

- A groundwater bore is to be provided to keep the tank topped up during and after use. Due to the minimal water usage, the water allocation can be taken from the Shire of Dardanup existing water allocation license.

- Approvals must be sought for the drilling of the bore from the Department of Water and Environmental Regulation (DWER).

- The bore license must be transferred to the Shire of Dardanup on completion of the development.
- (the license holder must apply to DWER for the transfer of the license).

- The bore must include a pump and pipe connection to the tank. The Pump must be sold and serviced in the South West of Western Australia.

- The bore pump infrastructure must be lockable to prevent vandalism.

- All Infrastructure shall be handed over to the Shire of Dardanup, free of cost, after completion of the development.

- If the bore pump and infrastructure is older than 12 (twelve) months, it is to be serviced before handover to the Shire of Dardanup.

- If a bore is considered not possible an alternative supply (e.g. truck water in to fill the tank) is to be investigated.

7.3 Power Supply

- A connection to the power network associated with the subdivision must be provided to the Shire of Dardanup reserve with a metered supply. The electrical cabinet is to include an auxiliary power isolation switch and single phase socket so that in the event of power failure, a generator can be plugged in to provide auxiliary power.

- The bore pump must be connected to the metered power supply and include a float valve to control when the bore pump turns on and off to maintain a full tank.

- All electrical work to be completed by a certified electrical contractor.

- If power cannot be supplied for the bore pump, an alternative is to be investigated.

7.4 Tank

- A Building Application is to be submitted to the Shire of Dardanup for a class 10B structure.
- Minimum capacity to be 50,000 litres.
- To be constructed from Bluescope steel corrugated wall and roof with galvanized roof trusses.
- Rhino Infinity Tank Liner (5 layer Reinforced) or similar.
- Must have a 20 year warranty.
- Tank to include dust and vermin proofing seal.
- Must include tank level gauge with applicable signage indicating tank levels.
- Include set of sacrificial anodes.
- Include removable internal/external ladder and lockable access hatch.
- Tank colour to be Paperbark.
- Tank to include signage "*Water not for drinking*" and "*Water for firefighting".*
- Tank to be fitted with 100mm bell mouth overflow with vermin proof mesh and 50mm scour drain.
- Tank outlets to be
- 1 x 100mm gate valve facing road;
- 1 x 80mm gate valve 2m offset from valve 1) towards centre of reserve; and
- 1 x 100mm gate valve facing future tank location.

7.5 Tank Outlet Pump

- Pump required to provide pressurized supply from tank. In times of need, alternative vehicles are used to deliver water to fire sites which are not equipped with onboard pumps.

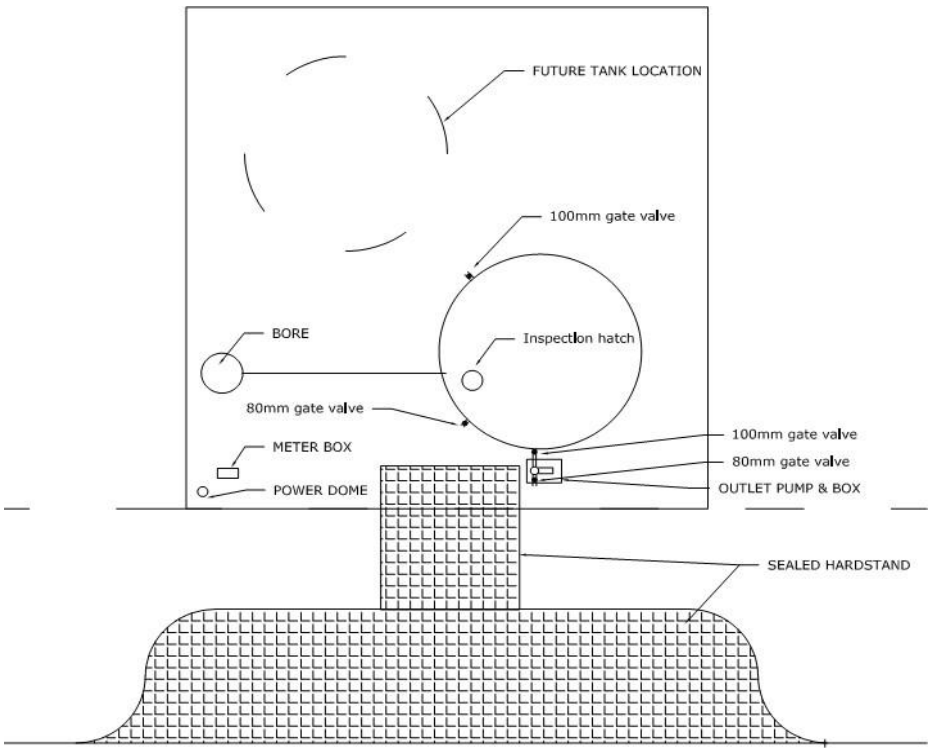
- The tank outlet pump must be connected to the metered power supply and be fitted with a pressure safety shutoff switch to ensure if the outlet valve is closed, the pump will stop.

- Pump to be minimum 3 HP single phase 240v 2.2kW with maximum flow of 900 litres/minute. (Example Aussie GMP Model B3KQ-A/ST) Must be sold and serviced in South West of Western Australia.

- Pump inlet to be connected to tank outlet 1) and pump outlet to be directed to 80mm gate valve with extension protruding out of pump box with 80mm camlock (male).

- Pump to be enclosed in a lockable steel box with a hinged lid.

7.6 Example Site Layout



8. ASSEST MANAGEMENT PLAN

Upon completion of the strategic water tank/s construction the Shire of Dardanup will assume all maintenance responsibilities and the tank/s will be captured within the Shire of Dardanup's Asset Management Plan.

9. REFERENCE DOCUMENTS

Relevant Policies/Council Documents

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)*
- *Shire of Dardanup Local Planning Scheme No. 9 (LPS9).*
- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Land Administration Act 1997*