



CHIEF EXECUTIVE OFFICER ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 20 MAY 2026

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
CEO01 – 05/26	Work Health and Safety Statistics Report – April 2026 Attachments 1. WHS Statistics Report – Monthly April 2026	01
CEO02 – 05/26	Policy Review Attachments 1. Current Policies 2. Amended Policies 3. New Position Statement	02 – 106

WORK HEALTH SAFETY REPORTING – APRIL 2026

COUNCIL KPI'S – MONTHLY REPORT – WORK, HEALTH AND SAFETY

Reporting month	Drug tests performed	Alcohol tests performed	Positive drug test and bac exceedance	Workers' compensation claims	Current workers compensation claims	Near misses and incident	Medically treated injuries	Restricted work injuries	Lost time injuries
April	8	21	0	0	0	1	0	0	0

NEAR MISS, INCIDENT AND DAMAGE REPORT

Date	Number	Report	Type of Injury / Incident / Hazard / Near Miss	Location	Department
29/04/2026	337	Incident	Incident – Fence cut at Landfill	Muchea	Technical services

WHS TRAINING

Training	Training Organisation
First Aid Training (2 Sessions CPR Refresher 17 Employees)	Time Critical
Chainsaw and pole saw training and VOC (4 Employees)	A-Plus Training

SITE INSPECTIONS

Areas
None

SAFETY OBSERVATIONS

Areas
Batteries to be replaced on the Evacuation System

SHIRE POLICY 2.5

Purchasing & Procurement

Responsible Department:	Corporate Services
Responsible Business Unit:	Deputy Chief Executive Officer
Date of Amendment:	18 March 2026
Council Resolution:	210326

1. OBJECTIVE

The objective of this Policy is to comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, and *State Records Act 2000*. Provide consistency and uniformity in the purchase of goods and services within the Shire of Chittering (the Shire). Enable the Shire to obtain the best value for money considering any environmental, local and social economic factors. Ensure regular “testing of the market” to gather “value for money” evidence.

2. SCOPE

This policy applies to all purchasing and procurement activities undertaken by or on behalf of the Shire of Chittering.

This policy governs the acquisition of goods and services, including quotations, tenders, contract management, exemptions and record keeping requirements, in accordance with applicable legislation and regulatory obligations.

This policy applies to Council, the Chief Executive Officer, employees and authorised officers involved in procurement decision-making and contract administration.

3. DEFINITIONS

Authorised Officer means an officer of the Shire who has been delegated authority under the *Local Government Act 1995* or the Register of Delegations to approve expenditure, execute contracts or undertake procurement activities.

Purchase Order means a formal document issued by the Shire authorising the supply of goods or services at an agreed price.

Quotation means a written or verbal offer from a supplier to provide specified goods or services at a stated price and within stated terms.

Regional Price Preference means a price adjustment mechanism applied in accordance with the *Local Government (Functions and General) Regulations 1996* to support local suppliers within the defined region.

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Tender (Public Tender) means a formal procurement process conducted in accordance with Part 4 Division 2 of the *Local Government (Functions and General) Regulations 1996*, involving public advertisement and structured evaluation.

Variation means an approved change to the scope, value or terms of an existing contract or purchase order.

4. POLICY STATEMENT

4.1. Ethics & Integrity

1. All officers and employees of the Shire shall observe the highest standards of ethics and integrity in undertaking all purchasing activities and act in an honest and professional manner that supports the standing of the Shire.
2. The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:
 - Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
 - All purchasing practices shall comply with relevant legislation, regulations and requirements and be consistent with the Shire's policies and Code of Conduct;
 - Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
 - All processes, evaluations and decisions shall be transparency, free from bias and fully documented in accordance with applicable policies and audit requirements;
 - Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed;
 - Any information provided to the Shire by a supplier shall be treated as commercial in confidence and shall not be released unless authorised by the supplier or relevant legislation.

4.2. Value for Money

1. Value for money is one of the overarching principles governing purchasing that allows the best possible outcome to be achieved for the Shire. IT is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.
2. An assessment of the best value for money outcome for any purchasing shall consider;
 - All relevant whole-of-life costs 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.

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- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality.
 - Financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history.
 - A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
3. Where a higher priced conforming quote is recommended, there shall be clear and demonstrable benefits over and above the lowest total priced, conforming quote.

4.3. Sustainable Procurement

1. “Sustainable Procurement” is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.
2. The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices that minimise environmental and negative social impacts, balanced against value for money outcomes.
3. The Shire shall at all times endeavour to identify and procure products and services that demonstrate environmental best practice in energy and water efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.

4.4. Supporting Local Industry – Regional Price Preference

1. The Shire encourages, promotes and supports economic development for local suppliers permanently based throughout our district, by way of ensuring that its buying practices and procedures consider the involvement of local businesses and residents.
2. The Shire of Chittering recognises that it has a role in the economic development of the local community and in assisting local industry in accessing opportunities to conduct business with the Shire.

In supporting or encouraging local industry, matters relating to:

- Value for money;
 - Environmental performance;
 - National Competition Policy; and
 - Transparency of decision-making must be addressed.
3. The *Local Government (Functions and General) Regulations 1996* provide opportunity for local government to establish Regional Price Preference.
 4. Regional Preference can include any area, but must include the entire district of the local government and cannot include a part of the metropolitan area.
 5. The region this policy relates to is the entire Shire of Chittering area.
 6. The following levels of preference will be applied under this policy:
 - a) 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000;

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- b) 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or
 - c) 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.
7. Only those goods and services identified in the contract / tender as being supplied locally will be included in the discounted calculation that forms a part of the assessments of a contract / tender.
 8. A regional price preference applies whenever contracts / tenders are called unless the local government resolves otherwise in reference to a particular contract / tender/
 9. It should be noted that price is only one factor or criteria when considering tenders. Value for money principals will be used to achieve the best possible outcome for the contract / tender.

4.5. Purchasing Thresholds

Purchasing Amount (Ex GST)	Supply Requirement
Up to \$10,000	Direct purchase from suppliers
\$10,001 to \$30,000	Obtain at least two verbal or written quotations
\$30,001 to \$50,000	Obtain at least two written quotations
\$50,001 to \$249,999	Obtain at least three written quotations containing price and specification of goods and services
\$250,000 and above	Conduct a public tender process

1. The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.
2. The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.
3. The responsible officer is expected to provide a sufficient amount of information relating to the specification of goods and services, demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.
4. Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for contracts of less than \$250,000, a "Request for Tender" process that entails all the procedures for tendering outlined in this policy must be followed in full.
5. The general principles for verbal and written quotations shall be followed as noted below.
6. General principles for obtaining verbal quotations

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- Ensure that the requirement / specification is clearly understood by the Shire employee seeking the verbal quotations.
 - Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
 - Confirm the details with the Supplier contact person to confirm their accuracy.
 - The responsible officer shall demonstrate due diligence when seeking quotes and shall comply with the Shire's record keeping policies and audit requirements.
 - Written notes detailing each verbal quotation must be recoded.
 - Record keeping requirements must be maintained in accordance with record keeping policies.
7. All documents relating to the quotation process must be saved in the Shire's relevant Electronic Management System.
8. General principles relating to written quotations
- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
 - The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
 - Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
 - Offer to all prospective suppliers, at the same time, any new information that is likely to change the requirements.
 - Responses should be assessed for compliance, against the selection criteria, and then value for money.
 - Respondents should be advised in writing as soon as possible after the final determination is made and approved.

4.6. Ordering & Payment Thresholds

The CEO is authorised to sign purchase orders and approve payments on behalf of Council in line with the *Local Government (Functions and General) Regulations 1996*. The CEO may authorise additional officers to approve purchase orders and payments to facilitate administrative efficiency and ensure segregation of duties.

4.7. Regulatory Compliance

In the following instances purchase orders or public tenders are not required (regardless of the value of expenditure);

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

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- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government.
- The purchase is under auction which has been authorised by Council.
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines.
- Any of the other exclusion under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* apply.

4.8. Contractors

1. Under the *Work Health and Safety Act 2020*, “Contractors” form part of the definition of/as a “worker”. Consequently the PCBU (the Shire of Chittering) has a primary duty of care to ensure the health and safety of their workers while they are at work.
2. Contractor Engagement Procedures
 - 2.1. Before engaging the services of Contractors (ie “workers”) the Shire must ensure that they have completed all of the necessary “Worker – Work Health and Safety System Process” – which includes providing all current and necessary insurances, licences, qualifications, task risk assessments and inductions; which will enable them to perform their work safely and effectively.
 - 2.2. The tender or contractual documentation should contain appropriate indemnity insurance clauses.
 - 2.3. Contractors must provide current Certificate of Currency for Public Liability, Professional Indemnity, Motor Vehicle and Workers Compensation and copies of other relevant licence(s) and must ensure that subcontractors also supply Certificate of Currency as required and where applicable.
 - 2.4. All documentation and insurances specified above (in point 8.2.3) are to be kept current for the duration of the contract.
 - 2.5. Contractors shall observe and comply with all relevant legislation, including the *Workers Compensation and Injury Management 1981*, *Work Health and Safety Act 2020*, *Occupational Safety and Health Regulations 1996* and the *State Records Act 2000*. Contractors must also comply with improvement and prohibition notices, Codes of Practice, Guidance Notices, Australian Standards and Council requirements and policy.
3. Contractor Termination

Tender and contractual documentation is to contain the clauses that are set out below:

 - a) The Shire may terminate its agreement with the contractor immediately upon written notice to the contractor if the contractor fails to work with due diligence or expedition or make default in the performance of or observance of any covenant, condition or stipulation contained in these guidelines and the agreement made with the contractor or refuses or neglects to carry out any instruction which the Shire is empowered to give or make under these guidelines.
 - b) The Shire may terminate its agreement with the contractor immediately upon written notice to the contractor if the contractor enters bankruptcy or enters into

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liquidation, a deed of assignment, deed or arrangement or similar style proves with creditors or commences to carry on business under a receiver for the benefit of its creditors or any other party.

4.9. Sole Source (Monopoly Suppliers)

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

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

4.10. Anti-Avoidance

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

4.11. Variations to Purchase Orders

1. Where a purchase order has been issued for the procurement of goods or services and it is identified that a variation to the original quoted price is required, the original purchase order plus the value of the variation, cumulatively needs to be appropriately authorised. For example, a purchase order has been issued for \$40,000 for agreed works. The purchase order has been authorised by the Coordinator/Manager (in accordance with their authorisation limit), a variation of \$11,000 is required. The project now totals \$51,000 and therefore the original Coordinator/Manager (in accordance with their authorisation limit), no longer has the capacity to authorise the amendment. As the amendment has made the total costing of the works increase to an amount above the original authorising officers' approval, the amendment must now be approved by a relevant officer in accordance with their authorisation limit. The total of cost of works including any amendments must be appropriately authorised.
2. Where a purchase order has been issued for the procurement of goods or services and it is identified that a correction to the original general ledger or job code is required, prior to the processing of the supplier invoice, the Procurement Officer has authorisation to make the necessary coding corrections. Any corrections are to be noted in the purchase order for audit purposes.

4.12. Tender Criteria

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

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

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For requests with a total estimated (excluding GST) price or;

- Between \$40,000 and \$249,999, the panel must contain a minimum of two employees.
- \$250,000 and above, the panel must contain a minimum of three employees.

4.13. Advertising Tenders

1. Tenders are to be advertised in a state-wide publication, e.g. *The West Australian* under the “Local Government Tenders” section, with preference on a Wednesday or Saturday.
2. The advertisement shall be placed on the public notice boards located at the Shire Administration and Library building.
3. Tenders are also to be advertised on the Shire’s website or social media administered by the Shire.
4. The tender must remain open for a minimum of fourteen (14) working days after the date the tender is advertised. Care must be taken to ensure that fourteen full working days are provided as a minimum.
5. The notice must include;
 - A brief description of the goods or services required
 - Information as to where and how tenders may be submitted
 - The date and time after which tenders cannot be submitted (tender deadline or close date)
 - Particulars identifying a person from who more detailed information as to tendering may be obtained
 - Detailed information shall include;
 - Such information that the Shire decides shall be disclosed to those interested in submitting a tender
 - Detailed specifications of the good or services required
 - The criteria for deciding which tender should be accepted
 - How tenders can be submitted. E.g. Electronically, in person etc.
 - Whether or not the Shire has decided to submit a tender.

Part 4, Division 2 of the Local Government (Function and General) Regulations 1996 applies.

4.14. Issuing Tender Documentation

1. Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.
2. This is essential as if clarifications, addenda or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire not to compromise its duty to be fair.

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4.15. Tender Deadline

Tenders must be received in full, in the required format, by the advertised tender deadline (close date), and tenders not meeting this criteria shall be rejected. Refer Regulation 18 of the *Local Government (Functions and General) Regulations 1996*.

All tenders shall be closed at the nominated date and time as stipulated in the tender documents.

4.16. Opening of Tenders

1. No tenders are to be removed from the tender box, or opened (read or evaluate) prior to the tender deadline or close date.
2. Tenders are to be opened in the presence of the panel. The details of all tenders received and opened shall be recorded into the 'Tenders Register'.
3. Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as "commercial-in-confidence" to the local government. Members of the public are entitled to be present.
4. The tenderer's offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two members of the evaluation panel, present at the opening of tenders.

4.17. No Tenders Received

In accordance with s11.2(c) of the *Local Government (Functions and General) Regulations 1996*, where the Shire has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- A sufficient number of quotations are obtained
- The process follows the guidelines for seeking quotations between \$40,000 and \$249,999 (listed above)
- The specification for goods and/or services remains unchanged
- Purchasing is arranged within 6 months of the closing date of the lapsed tender.

4.18. Tender Evaluation

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

4.19. Tender Acceptance

That the CEO be authorised to accept tenders/purchases up to \$99,999.99; and that all tenders/purchases above \$100,000 are to be referred to Council (including all WALGA preferred suppliers).

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4.20. Addendum to Tender

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

4.21. Minor Variation

1. If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire and tenderer have entered into a contract, a minor variation may be made by the Shire.
2. A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender, or be less than 10% of the original contract price.

4.22. Variation After Contract Commencement

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless:

- The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- The variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j) of the *Local Government (Functions and General) Regulations 1996*.

Regulation 21A of the Local Government (Functions and General) Regulations 1996 applies.

4.23. Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include;

- The name of the successful tenderer
- The total value of consideration of the winning offer

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

4.24. Records Management

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

- Tender documentation
- Internal documentation
- Evaluation documentation
- Enquiry and response documentation

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- Notification and award documentation.

For a direct purchasing process this includes;

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

Record retention shall be in accordance with the minimum requirements of the *State Records Act 2000*, and the Shire's internal Record Keeping Policy.

4.25. Purchasing from WA Disability Enterprises

1. Pursuant to State Government policy, Local Governments are encouraged to consider the option of purchasing goods and services from registered WA Disability Enterprises. This is contingent on the provision of fair value and quality.
2. Local Governments are encouraged to invite relevant WA Disability Enterprises to respond to a Request for Quotation or Tender for goods or services. Determining the purchasing process to be followed is based on the actual or expected value of each purchase by the Local Government as outlined above in s5 (Purchasing Thresholds and Processes) of this Policy. There are seven Disability Enterprises registered in Western Australia.
3. A complete list of approved organisations is available from the following website: www.wade.org.au.

5. ROLES AND RESPONSIBILITIES

Council is responsible for adopting this Policy, determining purchasing thresholds requiring Council approval, and awarding contracts in accordance with the *Local Government (Functions and General) Regulations 1996*.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy, exercising delegated authority for procurement and tender acceptance within approved limits, and maintaining appropriate systems of internal control.

The Deputy Chief Executive Officer is responsible for overseeing procurement governance, ensuring compliance with legislative requirements, and providing advice to officers on purchasing and tender processes.

All employees involved in purchasing are responsible for complying with this Policy, observing ethical standards, declaring conflicts of interest, and ensuring accurate documentation is retained in accordance with record keeping requirements.

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6. COMPLIANCE

Legislation	<p><i>Local Government Act 1995</i></p> <p><i>Local Government (Functions and General) Regulations 1996</i></p> <p><i>Local Government (Financial Management) Regulations 1996</i></p> <p><i>State Records Act 2000</i></p> <p><i>Work Health and Safety Act 2020</i></p> <p><i>Competition and Consumer Act 2020</i></p>
Industry	<p>Western Australian Local Government Association (WALGA) Procurement and Governance Guidelines</p> <p>Department of Local Government, Industry Regulation and Safety Financial Management and Tendering Guidance</p>
Organisational Documents	<p>Delegations Register</p> <p>Policy 1.5 – Record Keeping</p> <p>Record Keeping Plan</p> <p>Policy 4.1 – Code of Conduct – Elected Members, Committee Members and Candidates</p> <p>Policy 1.9 – Risk Management</p> <p>Long Term Financial Plan</p> <p>Annual Budget</p>
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	July 2027
Policy Owner	Deputy Chief Executive Officer		
Version	Decision Ref	Date	Change
1.0	Unknown	19/04/2009	Initial adoption
2.0	131015	28/10/2015	Amendment
3.0	160620	17/06/2020	Amendment
4.0	080621	16/06/2021	Amendment
5.0	130722	20/07/2022	Amendment
6.0	151022	19/10/2022	Amendment
6.0	170623	21/06/2023	Amendment
7.0	210326	18/03/2026	Review

Nature Strip Treatments – Protective Devices

Policy Owner:	Chief Executive Officer
Person Responsible:	Executive Manager Technical Services Works Supervisor Technical Officer
Date of Approval:	November 2005
Amended:	

Objective

The objective of this policy is to guide Council and Administration appropriate installation of bollards and/or barriers.

To establish policy guidelines to enable property owners to protect landscaping, water reticulation systems and to discourage parking on the nature strip (formerly known as the verge).

Policy

Property owners may make written application to the Shire's Executive Manager Technical Services for the installation of semi mountable or mountable kerbing within the nature strip to protect landscaping, water reticulation systems and to discourage parking on the nature strip.

Bollards

The installation of bollards or any other form of obstruction on the nature strip is not approved. Any installation of bollards should be restricted to the property boundary. The Shire will also consider installation of trees at the property boundary on a case-by-case basis.

Semi-mountable Kerbing

Where damage to the nature strip adjacent to a residential, commercial or industrial property is occurring semi mountable or barrier kerbing may be installed at the full cost of the property owner. However, any action agreed to is subject to a site investigation being undertaken by Shire Administration personnel to determine the cause for vehicular over-runs, and if appropriate, the cost of agreed kerbing installation. Implementation of the approved works will be undertaken by the Shire on receipt of written agreement from the property owner to proceed with the work at the quoted cost. The Shire will continue to provide information on suitable water sensitive landscaping and planting options for residents as required.

Provision for bollards or barriers to protect pedestrians from vehicles and bicycle traffic shall be included in all footpath construction programs.

Crossovers Subsidy

Policy Owner: Chief Executive Officer

Person Responsible: Executive Manager Technical Services
Works Supervisor
Technical Officer

Date of Approval: November 2005

Amended:

Objectives

The purpose of this policy is to provide a subsidy towards the construction of a vehicle crossover to a private property.

Statement

To clarify the Shire's requirements for the construction of a vehicle crossing to a private property in order to receive a subsidy from the Shire.

Scope

The policy applies to all property owners.

Background

Under the **Local Government Act 1995 regulation 15 Contribution to cost of crossing-Schedule 9.1 cl 7(4)**,

(1) *Where-*

(a) *a local government-*

(i) *under regulation 12 constructs or approves the construction of; or*

(ii) *under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land;*

(b) *the crossing is the first crossing in respect of the land; and*

(c) *the crossing is a standard crossing or is of a type that is superior to a standard crossing,*

the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

(2) *In sub-regulation (1) -*

“first crossing” in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358 2 of the Local Government Act 1960 as in force at any time before 1 July 1996;

“standard crossing” means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.

Crossover Subsidy

1. All crossovers shall be constructed and approved by the Executive Manager Technical Services. The Owner/agent shall arrange for construction.
2. The crossover shall be paved utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.
3. The Shire will contribute 50% towards the cost of only one standard residential crossover, subject to the crossover being deemed to conform to the Shire specifications.
4. The subsidy (as outlined in 3 above) shall apply to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy shall apply to each crossover up to the number of dwellings.
5. Crossovers, eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of six months old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following: (Crossovers in excess of their life shall not be eligible).

Crossover Type	Maximum Life of Crossover
Gravel	10 years
2 Coat Seal	10 years
Asphalt	15 years
Brick/Block	20 years
Concrete	25 years

6. Reconstruction of one crossover to a property shall attract a second subsidy where that crossover has exceeded its expected life (taken as 20 years) as determined by the Shire’s Executive Manager Technical Services.
7. The reference a “standard crossover” shall mean a sealed or paved construction to a size conforming to the Shire’s Executive Manager Technical Services area standard widths, referred to in specifications.
8. Where Council undertakes road works affecting existing crossovers Council will bear the cost of replacement.

Crossover Maintenance

The crossover is that section of driveway that extends from the road kerb or edge of road seal to the front or side property boundary line, across the verge. The property owner is responsible for the cost of construction and all future maintenance and repairs to the crossover, including any damage resulting from the roots of street trees and water run off from private property.

The Shire will not undertake any maintenance or repairs to the crossover or accept any liability as a result of poorly constructed or maintained crossovers.

Existing Vehicle Crossover

The Shire will not provide any subsidy to replace or repair any existing crossover. It is the property's owners' responsibility to ensure the crossover complies with the Shire's minimum requirements. Crossover repairs must be undertaken if it is considered unsafe.

Administration

To apply for a subsidy, the applicant must complete the ***Application for Subsidy or Construction of a Crossing***. On receipt of the application the Technical Services Department may investigate and provide a quotation (if requested) to the owner/builder.

If the Shire's subsidy is to be claimed, then on receipt of the Application the crossing will be inspected. A subsidy will be processed on completion of the construction of the crossover and once an inspection has been carried out by an officer from the Technical Services Department, to ensure that the crossover conforms to the Shire of Chittering crossover specifications.

Note: This process will normally take a maximum of four working weeks

Bonds

- i) Bonds for the construction or reconstruction of crossovers shall be required to be paid at time of issue of the building licence. The amount of the bond will be set by Council.
- ii) Crossover construction or reconstruction shall be required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Shire's Executive Manager Technical Services that the construction is necessary.
- iii) Construction/reconstruction of a crossover as a condition of the building licence shall not be required if the value of the licence is less than \$5,000 or the building work involve only minor works (e.g., pergola, shed, pool, patio, toilet) but shall apply to all building licences for structures accessible to vehicles.
- iv) Council may construct the crossover in concrete if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, where payment of a crossover bond has been made.

Building Licence

The Building Licence is for building construction inside the property boundary and does not include approval for the construction of the crossover. Hence, a separate application is required for the construction of a crossover within the road verge, which is vested with the Shire of Chittering.

The position, width, and construction of the crossover shall be in accordance with this crossover specification.

Protection of Existing Services, Street Trees and the Public

1. Existing services within the vicinity of the proposed crossover shall be protected at all times. The owner or authorised representative may be contacted to provide advice in relation to the protection of services;
2. Where damage is caused to the Shire's infrastructure (i.e. kerb, pathway, road etc.) as a result of the construction of the crossover, the infrastructure shall be repaired to the satisfaction of the Executive Manager Technical Services;
3. Conflicting public utility services shall be adjusted or relocated at the applicant's expense, subject to formal approval of the relevant authority;
4. The Shire's existing drainage structures (i.e. pits drains or culverts) that conflict with the location of the proposed crossover are to be adjusted by the Shire's Technical Services Department and all costs associated with this work shall be borne by the Applicant;
5. The removal, adjustment, or reinstatement of reticulation is the responsibility of the Applicant;
6. Street trees shall not be removed without the prior approval of the Shire's Executive Manager Technical Services. Crossovers shall be located a minimum of 2 metres from a tree and removal will only be undertaken where it can be demonstrated that this is the only option available. All costs associated with the removal of the street tree shall be borne by the Applicant;
7. The Applicant shall be responsible for the protection of the public at all times. Signage, lighting, barricades, and/or any other protection measure deemed necessary shall be provided by the applicant to ensure that the public are protected during the execution of the works;
8. Safe access for pedestrians on the verge shall be maintained at all times. The Shire will not permit pedestrians being forced to walk on the road pavement unless appropriate measures are put in place for the protection of pedestrians; and
9. Vehicle crossings abutting major roads shall be subject to the approval of MRWA in conjunction with the Shire of Chittering.

Definitions

"Applicant" means the person who makes application to the Shire to construct a crossover

"Shire" means the Shire of Chittering

"Contractor" means the person or company who will be responsible for construction of the crossover

"Crossing" has the same meaning as Crossover

"Crossover" means that section of the "drive in" to a property that replaces the verge and footpath or will ultimately form part of the future footpath

“Footpath” means the paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists

“Local Government” means the local government of the Shire of Chittering

“Local Government Act” means the Western Australian Local Government Act 1995

“Subsidy” means the contribution that the Shire is prepared to make towards the cost of an approved crossover as set by Council each year in the fees and charges

“Superintendent” means the Executive Manager Technical Services or his/her nominated representative

“Verge” means that portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property boundary but does not include a footpath.

References

Shire of Chittering Specification for Vehicular Crossing

Naming of Shire Facilities

Policy Owner:	Chief Executive Officer
Person Responsible:	Executive Manager Technical Services Technical Officer
Date of Approval:	November 2005
Amended:	15 March 2023

OBJECTIVES

The objectives of this policy are to:

- Outline Council's policy position on the naming of all Shire owned or administered buildings and community facilities, parks, reserves, open space, waterways, places, memorials and other assets (except for roads);
- Establish a naming convention for each of those categories of Shire controlled assets, which is both responsive to anticipated community expectations, and consistent with the stated values of stakeholders and Council.
- Provide guidelines for the provision of **Community Facility Name Signs** in accordance with **AS1742.5 - 1997**, within the municipality; and
- Outline the process for considering a name change of Council property.

SCOPE

This Policy applies to the naming of Shire owned or administered buildings, structures and other assets.

This policy does not apply to the naming of roads.

The suitability of names is to be assessed using Landgate's *Policies and Standards for Geographical Naming in Western Australia*.

STATEMENT

Council recognises that the names of buildings, gardens, parks and reserves owned by the Shire can have significant influence on the future development and sense of community within an area. With this in mind, it has determined that the naming of facilities, buildings and amenities under the control of the Shire will be undertaken in a planned and coordinated way which respects and acknowledges the area's history, heritage and environment.

Council also acknowledges that any policy and naming convention that it adopts on this issue must be both responsive to anticipated community expectations and consistent with the stated values of all relevant stakeholders.

The position adopted under this policy is that naming of Shire owned or administered infrastructure and its other assets is to be consistent with the overarching values, ethical principles, and current standards of Council, stakeholders and both the local and wider community.

This policy also includes guidelines for the selection of permanent names, which are included under the appropriate headings throughout this policy.

Proposals to give recognition to specific members of the community through naming of facilities must be able to establish an association between that individual and the facility to be named or provide other justification such as that person's notable contribution to the community.

Although this policy does not apply to bridges, waterways, reserves, other assets or infrastructure which are controlled or managed by other authorities, the Shire will use this policy to guide a response to a referral or invitation to comment made by that other authority.

POLICY

1 NAMING OF TOWNS, LOCALITIES, STREETS AND PARKS – GENERAL

The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers.

Council will follow the principles and guidelines for the general naming of streets, parks, roads, towns localities, as determined by the Geographic Names Committee of Western Australia, and set out by Landgate.

While in general, Parks and Reserves shall be named after an adjacent boundary road, and buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification, alternatives may be developed using the following principles.

2 PRINCIPLES OF NAMING FACILITIES

Names for buildings and community facilities would normally be allocated in a way that reflects the location, geographical or historical context of the land on which the facility is erected. In some instances it may be appropriate to consider an expanded scope.

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

- The locality within which the development is situated
- Any historical events associated with or near the site
- Indigenous and cultural heritage relevant to the site
- Community or corporate sponsorship
- Marketing opportunities
- Pioneering families (family names only) associated with the immediate area (5-10 kilometres radius)
- Social or calendar events
- Significant individuals who have contributed substantially to the community.

2.1 ROOMS AND BUILDING FEATURES

Features of, and within, buildings and community facilities, (e.g., a room, courtyard or garden), may also be named. Names for these types shall be selected from the same criteria as above. Naming of rooms and features within the one building or community facility would normally be required to adopt one constant theme which has direct links to the name of the overall facility itself.

3 PROCEDURES FOR NAMING NEW FACILITIES

3.1 Any member of the community or Council may initiate a request for naming or renaming of existing Shire owned or administered facilities. The naming of new facilities will be undertaken in a timely and coordinated fashion.

3.2 Due process will be given to the consideration of any proposed name for any new facility.

3.3 Where a new facility is being developed/constructed, Elected Members and the community may suggest, in writing, names for the facility and the reasons for the suggestion. Where it is proposed to name the facility after a person who is no longer living and who made a significant contribution to the community, it is a requirement that background information (research material) on that person be provided as part of the written submission.

3.4 The name proponent is expected to ensure that all material supplied to the Shire is accurate, objective and not a distortion of actual facts.

3.5 In the event that a name or names are suggested other than a name relating to the locality or prime function of the facility, using the criteria listed above, the Chief Executive officer will prepare a confidential report on the proposed names. Elected Members will be invited to select their preferred option through a ballot system based on 'first-past-the-post'. If an absolute majority preference is not achieved through this process, the secret ballot will be recast, based on the two most popular choices.

4 REGISTRATION OF THE BUILDING'S NEW NAME

Although the names of Shire buildings do not have to be registered with Landgate, in order that the new name will be registered on maps etc. where appropriate, Landgate shall be advised of the change.

5 PARKS, RESERVES AND OTHER OPEN SPACE

5.1 Where a substantial parcel of land has been gifted or bequeathed as public open space by an individual (not including land dedicated to the Shire as part of a development approval or subdivision), a request for the land to bear the name of that benefactor may be considered.

5.2 Where parks provided at different times abut one another, the additions shall assume the name of the adjacent previously named park. Where a small part of a planned larger

park is dedicated to public use at the early stages of a development, this may be grounds for delaying the permanent naming of that facility to a later time. A proposal for permanent naming (of the combined parks) may be made by a development proponent at the time associated with dedication of the later park.

5.3 Generally, parks on opposite sides of the same public road or major waterway are to have different names. An exception to this is linear linkage park, which may retain the one name for its complete length despite the fact that it may be severed at one or more locations by roadways and/or major waterways.

5.4 When proposing names for park, reserve and other open space the following are to be considered for their relevance:

- Persons with a historical connection to the land or area;
- Indigenous connections;
- Names of pioneering families and long-term residents (20 years or more);
- Names of respected community members of considerable service who are, or were resident or working within the region (20 years or more);
- Historic landmarks;
- Persons having prior ownership of a substantial part of that land for a significant period of time;
- Persons having made a significant financial or “in kind” contribution to the park;
- Recognition of a bequeathed or gifted parcel of land for open space;
- Local fauna, flora or geographic features;
- Locality of the land.

6 TRAILS

Naming of trails (mountain bike, bridal and/or walk) within a park / adventure park shall take on a more informal approach and be derived in the same manner that is general practice in these non-registered naming events. It has universally been accepted that trail builders, relevant clubs, user groups and Stakeholders are intimately involved in the consultation process for a specific trail project name/trail(s) in a more light-hearted way to reflect the fun aspects, whilst still attempting to preserve history, topography, native flora and fauna or in some cases in recognition of local community members. A member of Council should also be included in the process..

In relation to displaying the names within the park, it is suggested that:-

- Sign posts must comprise trail name, direction, classification and a distinctive graphic relating to the particular trail name, and may also include details on the trail itself, such as length, etc.
- Trail name and graphic ideally relate to a natural, historical or cultural value in the area occupied by the trail network. This creates additional interpretive opportunities to explain these values (e.g. interpretive content and a map on a ‘You are here’ sign or on a trail brochure or app).

7 SPORTING COMPLEXES

The hierarchical level of a sporting complex is to be clearly reflected in its name. For example, facilities of regional significance shall have this indicated within the name, whereas a smaller local facility catering for sport on a much smaller scale should reflect its subordinate/local status.

Naming shall generally be consistent with the significance of the facility and the criteria used for naming Parks, Reserves and Open Space. In instances of local level facilities catering for one sport only, naming relevant to that sport or use may be appropriate.

8 SPORTS FIELDS

8.1 Where opportunities arise to sub-name fields, courts and ovals within a sporting complex, Council acknowledges that it would be fitting for each particular field or court to bear the name of a sports person, member or volunteer of the sports organisation having the predominant use of that field or court, who has provided a significant contribution to the organisation or has been a representative of that sport and can be shown to be of good character.

8.2 When proposing names for sports fields or courts, the following are to be considered for their relevance:

- a) Sports persons of high achievement within the organisation the field or court is associated with;
- b) Long serving and respected administrators or volunteers within the sport or organisation the field or court is associated with;
- c) Sports persons of high achievement within the sport of which the organisation is associated.

8.3 Before undertaking the naming of any field pursuant to this policy, the sports organisation seeking the sub-naming must:

- Conduct due diligence and character checks on the person after whom the field is to be named;
- Supply the Shire with details of their findings on the character checks;
- Supply the Shire with copies of the minutes of the organisation meeting proposing the naming;
- Supply the Shire with supporting reasons for the proposed naming of the field;
- Provide the Shire with a layout plan clearly showing the location of the field to be named within the overall sporting complex.
- Await written approval to undertake the naming of the field.

9 DUPLICATION OF NAMING

Facility names are not to be duplicated anywhere within the region and duplication of names of existing facilities within adjacent local authority areas is to be avoided wherever practicable. Further, a similarity between the names of different facilities is also to be avoided, (e.g.,

“Freshwater Park” and “Freshwater Place” are to be avoided wherever possible even though they may be in well separated parts of the Shire).

Facilities named after individuals having similar names shall be accepted provided that they are well separated, (e.g., “Bill Jones Park” in one locality and “Fred Jones Park” in a different and non-adjointing locality).

10 COMMUNITY ENGAGEMENT FOR NAMING (AND RENAMING) PROPOSALS

The scope of community engagement to be undertaken will be determined by the Shire on a case-by-case basis, having particular regard to anticipated community sensitivities and the results or scope of other recent consultation activities undertaken in the local community or area. In those instances where public advertising of a naming proposal is deemed to be warranted, it will be carried out by the Shire.

In order for submissions to be given due consideration, the person giving the response to the advertised naming must ensure that it:

- is made in writing;
- is Received by the Shire prior to expiry of the advertising period; and
- Fully articulates the reasons for supporting or opposing the proposed naming.

11 INSTALLATION OF NAME PLATES, SIGNS

Once a permanent name has been assigned to a Shire owned or administered facility, a suitable plaque, name plate, sign or other similar device will be displayed stating the allocated name and, if warranted, explanatory information, or abbreviated history outlining the basis for the name. All such devices shall comply with the Shire’s standards, and/or be appropriate and applicable to the context of the facility, and may only be installed with the prior approval of the Shire.

Note that explanatory information in the context of major projects and partnerships specifically includes details such as:

- a) Date of opening or unveiling;
- b) The Shire’s current logo;
- c) Names of persons opening the place or unveiling the plaque;
- d) Names of partner organisations or sponsorships;
- e) Logos of others as may be relevant;
- f) The official name of the building or project; and
- g) Any other wording relevant to the project which the Shire considers is deserving of display.

12 PROPOSALS TO REName EXISTING COUNCIL FACILITIES

Criteria for renaming an existing facility

The Shire recognises that from time to time it may be appropriate to rename a Shire owned facility.

When considering options for re-naming Shire facilities, in addition to the criteria listed above, the following will also be considered:

- The historical reasons for the original name;
- The public profile/familiarity of the facility's original name;
- The costs associated with changing the facility's name; and
- The relevance to the facility's main user group of the proposed new name.

12.1 PROPOSING THE RENAMING OF A FACILITY

Any resident or elector of the Shire may propose the renaming of a Shire facility, but a proposal by an elector must be supported in writing by an Elected Member. Nominations must be made in writing to the Chief Executive Officer.

12.2 RECOGNITION OF COMMUNITY MEMBERS

In instances where the renaming proposal relates to recognising a member of the community who, in their lifetime, demonstrated outstanding contributions to the Shire, the following criteria will be required to be met:

- Persons nominated should have made substantial contribution directly to the Shire of Chittering, largely in a voluntary capacity;
- The nominee must have given extensive and distinguished service to the community that goes beyond the particular Local Government Authority concerned (e.g. service to other organisations, voluntary and community groups, school P&C etc.) in a largely voluntary capacity;
- The service should be easily recognisable as having a direct benefit to the Shire and have produced substantial long term improvement for the Shire.
- Nominees should have lived within the Shire of Chittering for a significant number of years (significant would usually mean at least 20 years) and had a long and close association and identification with the Shire.

The person making a nomination to re-name a facility after an individual will provide sufficiently detailed background information to enable the Chief Executive Officer to prepare a report on the proposal which considers the criteria listed in this policy.

Being a former Councillor or former Member of Parliament is not sufficient grounds on which to nominate an individual. In the event that the nominee is still living, the nomination must be made in the strictest confidence without the nominee's knowledge. Death or former ownership of the land on which the facility is developed is not normally acceptable as criteria for nomination.

12.3 PROCESS ON RECEIPT OF A NOMINATION

On receipt of a proposal to rename an existing facility, the Chief Executive Officer will cause a report to be prepared and circulated on a confidential basis to Elected Members for consideration. On the written advice of at least five Elected Members the report and recommendation shall be put to Council for consideration.

12.4 CURRENT FACILITIES THAT SHOULD NOT BE RENAMED

The following facilities that have the following criteria should not be renamed:

- have a name that reflects a specific historical event within the Shire of Chittering;
- have a name that has specific relevance to indigenous peoples of Australia; or
- are already named after a person.

13 RENAMING OF SHIRE STREETS

This is generally not supported as it impacts directly on residents. Renaming of streets may be considered where a realignment or similar substantial change occurs. Under these circumstances the renaming will follow the principles and guidelines for the general naming of streets, parks, roads, towns or localities, as determined by the Geographic Names Committee of Western Australian and set out by Landgate and is delegated to the Chief Executive Officer.

14 STREET SIGNS ADVISING ROAD USERS

In accordance with **AS1742.5 - 1997**, the purpose of Naming of Council Facilities is to advise road users of the direction to facilities, generally of a non-commercial nature. Details of typical facilities are provided in the aforementioned standard.

14.1 SHAPE, SIZE, COLOUR

In accordance with **AS1742.5 - 1997**.

14.2 LOCATION, MOUNTING

In accordance with **AS1742.5 - 1997** and Council Street Sign Layout guidelines.

15 APPROVAL

Upon receipt of a request in writing for a Naming of Shire Facilities, the request will be assessed against the criteria of this policy and actioned accordingly.

Verge Maintenance

Policy Owner: Technical Services
Person Responsible: Executive Manager Technical Services
Date of Approval: 20 July 2022
Amended:

Introduction

Pursuant to Section 55(1) of the *Land Administration Act 1997*, the land comprising a road is the absolute property of the Crown and, subject to the *Main Roads Act 1930* and the *Public Works Act 1902*, the local government within the district of which a road is situated has the care, control and management of the road. This care, control and management includes not only the road, drainage, footpaths and supporting infrastructure but also the naturally occurring vegetation contained within.

The verge area is generally considered to be the area within the road reserve between the edge of the road infrastructure and adjacent private property.

The verge area is created for a range of uses. Some of these include:-

- To provide a safe pedestrian space and paths
- To allow vehicle access to properties (crossovers)
- To accommodate public service utilities e.g. street lighting, water, gas and telecommunications.

Due to the extensive amount of verges within the Shire, it is impractical to assign the level of resources that would be required to maintain all verges. The Shire therefore requires all residents and commercial property owners to endeavour to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the wider Chittering community.

Objective

This policy is intended to outline expectations, responsibilities and the extent to which verge maintenance services will be provided by the Shire of Chittering (the Shire) in the overall management of the road reserve and verges within the Shire.

Application

The Shire recognises that the appearance of road verges are important to owners / occupiers, due to the aesthetic impact on their properties and dwellings. This policy is provided to maintain safety to the community whilst enabling owners / occupiers to improve the aesthetics and amenity of road verges adjacent to their properties.

Policy Intent

- To value the verge as an important component of the streetscape;
- To encourage ownership by owners/occupiers to improve and maintain verge presentation;
- Define the extent of general verge maintenance activities undertaken by the Shire;
- Reduce the impact of unwanted plants on agriculture, conservation and landscape values in the Shire;
- Ensure the Shire meets its legal responsibilities under the *Local Government Act 1995 (WA)* and to control unwanted plants within the Shire under the *Agricultural and Related Resources Protection Act 1976*

Interpretation

This Policy is to be read in conjunction with the Shire relevant Local Law pertaining to property.

Residents Responsibilities:

- Maintenance of the verge including tasks such as mowing, weeding, pruning and mulching. *Appendix 1 – Road Verge Development Criteria* and the Shire relevant Local Law in relation to Property shall be considered when making improvements to the verge.
- Residents should consider the verge adjoining their property as a part of their land's overall fuel management plan. The threat from fire to private property can be greatly minimised by maintaining a low fuel area between the verge and their property.
- If planting street trees do so within the guidelines set out in *Appendix 1 – Road Verge Development Criteria*. Where street trees have been planted by residents, residents will be responsible for the maintenance of the tree. Trees that do not fit within the guidelines may need to be removed.
- Clean-up and repair damage from falling trees and branches - the shire is mainly hilly and heavily treed. Should trees or branches cause damage to a resident's infrastructure, it is considered a part of living in the Shire and the resident is responsible for the damage and clean-up of the tree or branch. The Shire expects landowners to have suitable insurance cover for the risk of this type of event occurring on their property.
- Gaining appropriate approval prior to Hazard Reduction Burning, which is allowed to be undertaken. Approval to undertake burning must be received and *Appendix 2* of this policy sets out the requirements that must be met for approval.
- Landowners who do not want spraying on their verge are required to advise the Shire, in writing, assuming responsibility for control of vegetation. If landowners do not manage vegetation to the Shire's satisfaction, the Shire reserves the right to continue to manage this area in accordance with typical work practices. Vegetation should be kept away from the road surface and managed to a not unreasonable height.
- Verge management activities must be considerate of potential high conservation roadside (endangered flora areas). Verge Management Activities undertaken on high conservation roadsides and Shire managed reserves for the protection of flora and fauna require approval by the Chief Executive Officer.

Shire Responsibilities:

- Controlling the development of street verges and the provision and maintenance of street trees. We control the development of verges through local laws and policies such as this one.
- Verge maintenance adjacent to our buildings, parks and reserves.

- Spraying verges - this typically occurs once a year for the purpose of controlling weeds in order to protect our assets. For this reason, spraying typically occurs around the following assets: Kerbs; Edge of roadway; Pathways; Street trees; Drains; Other Shire infrastructure; Public Service infrastructure
- Fire mitigation works both in reserves and road reserve areas (i.e. within the verge). These works are identified and conducting in areas deemed a strategic fire risk by the Shire's staff and under the Strategic Bushfire Risk Management Plan, taking into account the risks present for the whole of the shire. Due to the planned nature of these and resources required, request to burn typically cannot be undertaken.
- Removal of 'significant hazards', obstructions to road users or Shire infrastructure.
- Planting of street trees. These are trees planted in the road verge with the appropriate permit/approval from the Shire under the Shire of Chittering Property Local Law. Following establishment of the trees/vegetation, the Shire accepts responsibility for the ongoing maintenance of these trees.
- Naturally occurring trees/vegetation. It is a common misconception that the Shire owns all naturally occurring verge trees. Naturally occurring trees are growing on Crown Land, the Shire simply manages the trees when and where necessary, predominately to stop trees interfering with the flow and/or safety of traffic and does not take ownership of a particular tree or trees.

Further Information:

Appendix 1

Road Verge Development Criteria

- i) Council shall encourage and support the development of road verges in urban areas, either maintained grass style or dry garden style or a mixture of both.
- ii) The preferred style shall be the Native Garden option with irrigation and up to two trees/20m of frontage. Any irrigation system shall be installed and operated to avoid nuisance to the public. All pipes shall be installed at a minimum depth of 400mm and approved pop-up type sprinkler equipment is preferred.
- iii) The trees shall not be planted on the 3.5m offset so as to avoid electrical power lines and all other services. No trees shall be planted within 12m of street corners or within 2.5m of crossovers. Tree planting on road verges shall not take place without prior consultation with Shire.
- iv) Subject to keeping the verge clear for the first 1.5m width from kerb of seal a dry garden style of small vegetation, shrubs and ground covers may be established, however, no large rocks or non-frangible items shall be placed on the road reserve. Weed control using plastic sheeting with aggregate, mulch, metal dust overlay is acceptable.
- v) No assistance shall be given by the Shire for development, ongoing operation or maintenance costs.

Appendix 2

Road Verge Burning

Council fully supports road verge burning by residents, and brigades, and this policy sets out the circumstances where road verges may be burnt for the purposes of fire protection; as long as the following guidelines are followed:-

- a) All applications shall be made on the prescribed “Application for Approval to Burn the Verge” form; which can be found [here](#)
- b) No authority is given for any Brigade Fire Control Officer to allow the burning of road verges;
- c) That no authority can be given by an officer of the Shire of Chittering or Fire Control Officer to burn road verges that are not under the control of the Shire, unless written approval has been received from the controlling body;
- d) Approvals to Burn the Verge – for hazard reduction, along road verges – can only be provided after a site inspection has been completed. The inspection will take into consideration the environmental impact on the road verge, the potential hazard the road verge would pose in the event of bush fire and the weather patterns and forecasts for that time of year;
- e) Approvals issued pursuant to the above are to state the measures that must be taken to prevent damage to native vegetation along the verge, acceptable weather conditions and other normal permit conditions;
- f) Council is committed, where possible, to preserving natural vegetation on road reserves and the proper management of specified weeds. Accordingly all reasonable precautions are to be taken to protect flora and fauna during the course of road verge burning (pest plants and wild weeds excluded); and
- g) All necessary safety precautions are to be taken.
- h) Approvals to burn the verge will only be issued by Authorised Officers to residents during the Unrestricted Burning period.

Council authorises the following officers to determine applications and apply conditions to approvals:-

- Community Emergency Services Manager
- Bushfire Risk Officer
- Ranger(s)

Appendix 3

Hazardous Trees

As per general maintenance considerations, Shire involvement is limited to ‘significant hazards’ and/or obstructions to road users or Shire infrastructure.

What constitutes a hazard?

- *A dead or dying tree (or limbs) that is close to a crossover, road, footpath and/or infrastructure.*
- *A tree that is severely diseased and of poor structure.*
- *A tree that has become unstable at the base where root ball heave is present.*
- *A tree or limb/s that is causing sight line problems when exiting a driveway, gateway or an intersection.*
- *A tree that is deteriorating in health (photographic evidence to be captured)*
- *A tree with severe termite infestation.*
- *A limb/s that is cracked or damaged.*
- *A limb/s that is encroaching over infrastructure or the road with the potential for failure or injury or causing damage to a vehicle permitted to use the road.*

What does not constitute a hazard?

- *A tree simply shedding leaves, bark and fruits. This is a natural occurrence.*

- *The height of a particular tree.*
- *The proximity to infrastructure if the tree is in good health and structure.*
- *The species of a particular tree.*
- *A limb/s encroaching over a fence that has no impact on infrastructure.*
- *The size of a limb/s.*
- *A particular limb/s shedding leaves, bark and fruits, this is a natural occurrence.*
- *Limb/s encroaching into a paddock where no infrastructure is present.*

Rural Numbering

Policy Owner:	Development Services
Person Responsible:	Executive Manager Development Services Executive Manager Technical Services
Date of Approval:	November 2005
Amended:	

Objective

This policy is to ensure that all properties are allocated with rural numbering.

Policy

Where new lots are created by a subdivision the developer is required to install rural numbering in accordance with Council's standard or pay the Shire the sum as prescribed by Council in its annual budget (refer to Schedule of Fees & Charges) for the Shire to purchase and install such signage to each lot and;

Where the Shire approves a building permit for a new dwelling where that dwelling has an access from a public road which does not currently have a rural number, the landowner is required to purchase and erect a rural number in accordance with Council's standard.

Storm Water Management

Policy Owner:	Development Services
Person Responsible:	Executive Manager Technical Services Executive Manager Development Services
Date of Approval:	19 October 2022
Amended:	

Objective

This policy provides guidelines to effectively control and manage stormwater runoff from land under the care, control or management of the Shire.

Definitions

Sump means a drainage retention basin that disposes of stormwater runoff by infiltration into the ground and ultimately to the ground water table.

Compensation basin means a drainage detention basin that incorporates both a piped inlet and a piped outlet. Compensating basins may also incorporate infiltration into the ground and ultimately to the ground water table.

Scope

This policy applies primarily to manage construction, seeding/planting of compensating basin and fencing within Shire of Chittering.

Policy

The Shire does not contribute toward the cost of any fence which divides privately owned land and adjoining land held by the Shire for a public purpose except that the Shire shall contribute toward the cost of a dividing fence separating private land and a drainage basin.

The Shire allows for several methods of disposal of stormwater runoff that shall be designed and implemented to the satisfaction of the Executive Manager Technical Services.

Construction of sumps/compensating basins shall be seeded, planted and form parts of road reserve to the satisfaction of the Shire.

1. DRAINAGE SUMPS AND FENCING

- 1.1. Drainage retention basins, commonly referred to as drainage sumps built in Public Open Space or Easement, shall consist of an area of land capable of retaining a designed discharge of water in such a manner as to allow it to infiltrate to the ground water table without causing damage or undue

inundation to adjacent land.

- 1.2. All drainage sumps shall be fenced in such a manner as to prevent the entry of children.
- 1.3. A strip of land a minimum of 1 meter in width must be supplied around the perimeter of a sump fence such that landscaping may be supplied when seasonal conditions allow. All landscaping shall be to the satisfaction of the Executive Manager Technical Services.
- 1.4. Drainage sumps shall have a maximum side slope equal to the angle of repose of the natural soil unless design criteria demand a shallower slope. A berm width of 2.0 metres shall be provided between the top of the sump side slope and the fence. Vehicle access gates and ramps shall be provided to the satisfaction of the Executive Manager Technical Services to enable ongoing maintenance access to the sump.

2. COMPENSATING BASINS

- 2.1 Designs for detention basins, commonly referred to as compensating basins, shall be to the satisfaction of the Executive Manager Technical Services.
- 2.2 Where compensating basins are unfenced and are located adjacent to or surrounded by Public Open Space / Easement the side slopes shall be a maximum of 1 in 8.
- 2.3 All pipes entering compensating basins shall have Protective End Treatments in accordance with the Shire's Standard Drawings / IPWEA Guidelines.

For unfenced compensation basins the maximum overall storage depth shall not exceed 400mm.

Bush Fire Control

Policy Owner:	Development Services
Person Responsible:	Chief Bush Fire Control Officer Community Emergency Services Manager Ranger
Date of Approval:	November 2005
Amended:	17 June 2015; 17 March 2021

Objective

- To minimise the risk of out of control fires
- To minimise damage from fires
- To control burning within the Shire
- To ensure fire fighters receive adequate training
- To carry out the Shire's statutory obligations under the ***Bush Fires Act 1954***

Policy

The Council of the Shire of Chittering is to establish and maintain a Bush Fire Organisation in accordance with the ***Bush Fires Act 1954*** to provide adequate fire protection to those areas of the local government within the bush fire district and to carry out an ongoing program of hazard reduction having due regard at all times for the preservation of the natural environment.

Harvesting, Movement of Machinery and Burning

The Shire of Chittering will not permit harvesting operations including stubble processing:

- when the Shire has declared a Harvest and Vehicle Movement Ban including any hot works activities, or
- on Christmas Day, Boxing Day and New Year's Day.

The Shire of Chittering **will permit** harvesting operations including stubble processing during the Restricted and Prohibited period (including on Sundays and public holidays) on the following conditions:

- The Local Fire Control Officer is notified.
- That a fully operational fire-fighting unit (inclusive of associated pump, hose system and a minimum of 600 litres of water is present at all times.
- Two able-bodied adult people are to be present during the harvesting operations; only one of whom may be harvesting.

Nuclear Waste

Policy Owner: Development Services
Person Responsible: Executive Manager Development Services
Principal Environmental Health Officer
Date of Approval: November 2005
Amended:

Objective

The objective of this policy is to provide the views of the Council on nuclear waste.

Statement

Council recognises it is subject to various Commonwealth and State Legislation in relation to the transportation and storage of Nuclear Waste Material in the district.

Council's Policy position in relation to the above mentioned is that it does not support the transport of nuclear waste or the construction of facilities within the district for the processing or storage of nuclear waste.

Multiple Dogs

Policy Owner:	Executive Manager Development Services
Person Responsible:	Ranger/s
Date of Approval:	21 November 2012
Amended:	20 February 2013; 19 July 2023

Objective

To provide a consistent approach for the assessment and approval of additional dogs above the prescribed limitations within the Shire of Chittering Local Law 2023.

Statement

The Multiple Dogs Policy ensures alignment with the *Shire of Chittering Dog Local Law 2023*, section 3.2(2) which allows for:

- (1) *The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(3) of the Act—*
 - (a) *two (2) dogs over the age of three (3) months and the young of those dogs under that age if the premises are situated on land zoned townsite or residential; or*
 - (b) *three (3) dogs over the age of three (3) months and the young of those dogs under that age if the premises situated on land zoned other than townsite or residential.*

The terms ‘additional dogs’ and ‘multiple dogs’ refers to a number of dogs that exceeds the prescribed limits of the *Shire of Chittering Dog Local Law 2023*, above.

1) Application Procedure

Residents wishing to obtain additional dogs are to follow this procedure prior to obtaining the additional dog(s):

1. Complete and submit to the Shire of Chittering an “Application for Exemptions on Limitations of Number of Dogs” form;
2. Detailed written explanation for the purpose of the requested additional dog(s) that aligns to the ‘Exceptional Circumstances’ of this Policy;
3. Enclose the additional dog application fee (which is non-refundable) and is prescribed in the Shire of Chittering’s Fees and Charges; and
4. Register all existing dogs that are ordinarily kept at the subject property.

Only once a resident has received approval from the Shire of Chittering (either by Council or under delegated authority), may they then obtain the additional dog(s) in line with the conditions outlined on their approval. A resident wishing to obtain retrospective approval may incur additional fees as per the Shire of Chittering Fees and Charges.

2) Assessment Procedure

In assessing an application for additional dogs the following procedures will be undertaken by an Authorised Officer (Ranger):

1. Notify all adjoining and adjacent neighbouring landowners within 50 metres of the boundary of the subject property in writing for the opportunity to make comment to support or object to the application within a period of 21 days from the date of the letter.
2. Arrange and conduct a site inspection of the property and undertake an animal welfare assessment of any existing dogs and a fencing assessment. All details of the Authorised Officer's findings will be recorded as a report towards the final recommendation.
3. Contact and interview any neighbouring landowners who have made comments to ascertain their objection is justified and of a reasonable nature, if any received.
4. Review dog owner's history and complete a report upon closure of the 21 days period for part (1), and completion of part (2) and (3). The Authorised Officer will refer their report and recommendation for review of the Executive Manager of Development Services.

The Chief Executive Officer and Executive Manager of Development Services have conditional delegated authority on additional dog applications. If at part (3), the Authorised Officer has determined that any objections cannot be resolved or have significant issues, a report will be prepared for Council's decision.

3) Exceptional Circumstances

The following circumstances are considered sufficient reason for the Shire and Council to consider approval of additional dogs consistent with the criteria set out in the Shire of Chittering Dog Local Law 2023, section 3.3(c):

1. To replace an elderly or sick dog not expected to live, that is already registered to the subject property.
2. A family emergency resulting in the dog being inherited.
3. Merging of two households.
4. Where the applicants have had approval to keep the subject additional dog or dogs in another local authority; or
5. On premises zoned as rural or rural residential under the Shire's local planning scheme, the dog or dogs are required for stock management or to be on the premises temporarily for the purposes of training for stock management.

The above are the only circumstances which Council will consider additional dog applications, with each application to be assessed on its merits.

4) Conditions of Approval

Should an application for additional dogs be approved, the following conditions will be imposed on an approval granted:

- The approved additional dog(s) shall be registered under the *Dog Act 1976* with the Shire within 21 days of the subject dog(s) residing at the subject property.
- The approved additional dog(s) shall be microchipped and the microchip number be provided to the Shire within 21 days of the subject dog(s) residing at the subject property.
- This approval is for the life of the dog(s) listed below *<insert table of dogs approved at the premises>* and no additional dog or replacement dog shall be registered to this property unless a new application has been approved.
- The applicant must notify the Shire of Chittering if they move from the area or if there are any changes to the number of dogs approved.
- If at any time these requirements have been breached, an Authorised Officer may terminate the application, and may direct that the registration of the additional dog(s) be cancelled, and the dog(s) be removed from the premises within seven (7) days.
- The fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;

Additional conditions can be imposed on any approval granted, as the Shire deems necessary.

References:

Shire of Chittering Dog Local Law 2011, clause 3.2(2)
Dog Act 1976, section 26(3)
Local Government Act 1995, sections 5.18, 5.42 and 5.46(1)

Trading in Public Places

Policy Owner:	Executive Manager Development Services
Person Responsible:	Principal Environmental Health Officer
Date of Approval:	12 December 2018
Amended:	20 April 2022; 19 July 2023

Objective

The Shire of Chittering *'Local Government Property and Public Places Local Law 2023'* (the local law) includes in Part 12 laws relating to stallholders and traders.

The objective of this Policy is to provide conditions subject to which an application for a Trader's Permit may be approved under Part 12 of the local law. The local law will prevail if there is any conflict with any conditions of this Policy.

Policy

1. All applications for Trader's Permits must be made on the approved application form and provide all the necessary details to enable the application to be properly assessed.
2. Trader's Permits will only be issued for operation in approved locations which are determined by the Principal Environmental Health Officer (PEHO) in collaboration with the Executive Manager Technical Services.
3. The hours of operation shall be generally restricted to 7am to 9pm however times may be varied subject to individual application and assessment.
4. Trader's Permits will only be issued for a 12 month period following receipt of payment of the Shire's annual fee after which time an application for renewal must be made.
5. Any issues/complaints arising from the operations of permit holders will be assessed by the PEHO and, if not resolved, the Chief Executive Officer may revoke a permit upon recommendation of the PEHO.
6. Permit holders do not have exclusive right to any approved location and must be considerate of other users.
7. The PEHO will keep a register of permit holders and approved locations to avoid overuse of sites or excessive competition arising from the sale of similar products.
8. Nothing in this policy restricts registered food businesses from operating as temporary food businesses at public events subject to the approval of the PEHO and authorisation of the event coordinator.

9. Traders Permits - Bindoon

- 9.1** Traders permits for food vehicles/stalls will be issued for venues within the Bindoon townsite, Muchea town site or other locations of commercial sensitivity if they meet the requirements of the Shire of Chittering Local Government Property and Public Places Local Law 2023;
- 9.2** Trader's permits for Clune Park will only be issued for 5pm – 9pm trading on any given day.

References:

Shire of Chittering Local Government Property and Public Places Local Law 2023



Temporary Accommodation

OBJECTIVE

To establish a framework for approving and regulating temporary accommodation outside of caravan parks, in response to amendments to the *Caravan Parks and Camping Regulations 1997* (Regulations). This policy ensures temporary accommodation options comply with environmental health, safety, and amenity standards while addressing local housing needs.

SCOPE

This policy applies to all temporary accommodation applications within the Shire of Chittering including vacant and established properties. It is applicable to properties zoned under the Shire's Local Planning Scheme and considers both the construction of permanent dwellings and other purposes allowed under the Regulations.

Policy Provisions

Temporary accommodation on private property (in one caravan) may be considered for approval by the Shire, subject to the following provisions:

1. A current Building Permit has been issued to construct a permanent dwelling on the site or an approved permanent dwelling already exists on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
4. Caravans used for temporary accommodation on vacant properties may be parked inside of a shed. If no shed is available, the caravan shall be parked in close proximity to the approved dwelling location or the existing dwelling.
5. Caravans must be mobile and capable of being moved offsite at all times to minimise the risk to the occupants in the event of a bushfire emergency and enable efficient evacuation of the site.
6. A temporary accommodation approval can only be issued for a period no longer than twenty-four (24) consecutive months.
7. Approval will only be considered on land zoned under the Shire's Local Planning Scheme as:
 - (a) Agricultural resource
 - (b) Rural Residential
 - (c) Rural Smallholdings
 - (d) Rural Retreat
 - (e) Townsite
 - (f) Residential
8. The following minimum facilities are to be provided in a caravan or available to use at the lot to enable approval for temporary occupation to be granted:
 - (a) Connection to an approved wastewater treatment and disposal system (use of an offsite dump point will not be considered an appropriate means of wastewater disposal);
 - (b) An adequate supply of potable water;
 - (c) Cooking facilities and sink;



Temporary Accommodation

- (d) A refrigerator;
 - (e) Connection to the mains power supply or an alternative power supply (e.g. solar panels with battery storage), however the use of a generator is not supported;
 - (f) Shire waste and recycling bins (in serviced areas); and
 - (g) Beds for all intended occupants.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
- (a) A toilet;
 - (b) A sink or trough;
 - (c) A shower;
 - (d) A washing machine
10. Overnight sleeping is not permitted in a shed, only a caravan.
11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

Application Process

1. The applicant is to complete the attached 'Application for temporary accommodation' form and submit this to the Shire together with site plan, evacuation plan and the application fee.
2. An Authorised Person may conduct a site inspection prior to the issuance of an approval for temporary accommodation to determine the suitability of the land for temporary accommodation with respect to:
 - (a) Safety and health;
 - (b) Access to services; and
 - (c) Potential impact on amenity.
3. Following the expiry of the 'temporary accommodation' approval, an inspection will be conducted by an Authorised Person to ensure that the construction of the dwelling has commenced or is completed.
4. Should an approval for temporary accommodation expire, the Shire may issue a further approval with the timeframe at the discretion of the Shire, but not exceeding twenty-four (24) consecutive months subject to:
 - (a) 'Substantial progress' has been made to a dwelling on the site being constructed under a valid Permit;
 - (b) No significant complaints or amenity impacts have occurred in the preceding approval period; and
 - (c) A renewal application form is submitted along with payment of the relevant fee.

Advice relating to approval

1. If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.
2. Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.



Temporary Accommodation

- Should a shed be constructed prior to a dwelling being constructed on a site in order to supplement 'temporary accommodation', Development Approval from the Shire is likely required to be sought, and a proponent should contact the Shire's Planning Department for further information.

POLICY STATEMENT

Temporary accommodation may be approved for up to 24 months on eligible properties, subject to compliance with relevant legislation, health and safety, and amenity standards. Approvals are contingent upon meeting the specified conditions and are subject to revocation in cases of non-compliance. Living in sheds without approval is prohibited, and temporary accommodation in tents will not be supported.

DEFINITIONS

Authorised person – means a person appointed under section 17 of the *Caravan Parks and Camping Grounds Act 1995* (Western Australia).

Caravan – means a vehicle that is fitted or designed for habitation and can include an annex. (Note: a tiny home on wheels is regarded as a 'caravan')

Dwelling – means a Class 1a building defined in the *Building Code of Australia* which is used for habitation.

Building Permit – means a building permit as defined in the *Building Act 2011*.

Shed – means a Class 10a building defined in the *Building Code of Australia* which is non-habitable.

Substantial progress – means a dwelling is at least 50% completed.

Temporary accommodation – means a caravan that is used for temporary occupation of land.

ROLES AND RESPONSIBILITIES

The Chief Executive Officer (or a delegated authority per the Council's delegated authority register), is authorised under the *Caravan Parks and Camping Grounds Act 1995* to approve temporary accommodation applications.

COMPLIANCE

Legislation	<i>Building Code of Australia</i> <i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i> <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Local Government Act 1995</i> <i>Shire of Chittering Health Local Law 2017</i> <i>Shire of Chittering Local Planning Scheme No. 6</i>
Industry	Department of Local Government, Sport & Cultural Industries Guidelines
Organisational	Nil
Strategic Community Plan	Link to SCP objective(s)



Temporary Accommodation

POLICY ADMINISTRATION

Review Cycle	3 Years	Next Review Due	2028
Policy Owner	Development Services		

Version	Decision Ref	Date	Change
1	CR		

Nutrient Removal Effluent Disposal Systems

Policy Owner: Development Services
Person Responsible: Principal Environmental health Officer
Date of Approval: 19 May 2021
Amended:

1. Pursuant to the provisions of the Health Act and Regulations, The Shire of Chittering requires that all new houses or developments within the Sewage Sensitive Areas as identified by the Government Sewerage Policy (by the Department of Planning, Lands and Heritage and the Department of Health) for effluent disposal be connected to a Nutrient Retentive Effluent Disposal System including amended soil/medium, as approved by the Principal Environmental Health Officer.
2. That all Nutrient Retentive Effluent Disposal Systems installed within the Shire of Chittering shall be installed in compliance with the Code of Practice for the design manufacture, installation and operation of secondary effluent treatment systems (often referred to as ATUs) published by the Department of Health under Section 344A(2) of the Health Act.
3. The Code of Practice is to be read in conjunction with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 and the conditions of approval issued by the Shire of Chittering.
4. Notwithstanding 1, above, where a site and soil study has been undertaken (in accordance with Department of Health guidelines) on a specific property, the findings of the study will take precedent.

SHIRE POLICY 2.5

Purchasing & Procurement

Responsible Department:	Corporate Services
Responsible Business Unit:	Deputy Chief Executive Officer
Date of Amendment:	18 March 2026
Council Resolution:	210326

1. OBJECTIVE

The objective of this Policy is to comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, and *State Records Act 2000*. Provide consistency and uniformity in the purchase of goods and services within the Shire of Chittering (the Shire). Enable the Shire to obtain the best value for money considering any environmental, local and social economic factors. Ensure regular “testing of the market” to gather “value for money” evidence.

2. SCOPE

This policy applies to all purchasing and procurement activities undertaken by or on behalf of the Shire of Chittering.

This policy governs the acquisition of goods and services, including quotations, tenders, contract management, exemptions and record keeping requirements, in accordance with applicable legislation and regulatory obligations.

This policy applies to Council, the Chief Executive Officer, employees and authorised officers involved in procurement decision-making and contract administration.

3. DEFINITIONS

Authorised Officer means an officer of the Shire who has been delegated authority under the *Local Government Act 1995* or the Register of Delegations to approve expenditure, execute contracts or undertake procurement activities.

Purchase Order means a formal document issued by the Shire authorising the supply of goods or services at an agreed price.

Quotation means a written or verbal offer from a supplier to provide specified goods or services at a stated price and within stated terms.

Regional Price Preference means a price adjustment mechanism applied in accordance with the *Local Government (Functions and General) Regulations 1996* to support local suppliers within the defined region.

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Tender (Public Tender) means a formal procurement process conducted in accordance with Part 4 Division 2 of the *Local Government (Functions and General) Regulations 1996*, involving public advertisement and structured evaluation.

Variation means an approved change to the scope, value or terms of an existing contract or purchase order.

4. POLICY STATEMENT

4.1. Ethics & Integrity

1. All officers and employees of the Shire shall observe the highest standards of ethics and integrity in undertaking all purchasing activities and act in an honest and professional manner that supports the standing of the Shire.
2. The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:
 - Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
 - All purchasing practices shall comply with relevant legislation, regulations and requirements and be consistent with the Shire's policies and Code of Conduct;
 - Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
 - All processes, evaluations and decisions shall be transparency, free from bias and fully documented in accordance with applicable policies and audit requirements;
 - Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed;
 - Any information provided to the Shire by a supplier shall be treated as commercial in confidence and shall not be released unless authorised by the supplier or relevant legislation.

4.2. Value for Money

1. Value for money is one of the overarching principles governing purchasing that allows the best possible outcome to be achieved for the Shire. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.
2. An assessment of the best value for money outcome for any purchasing shall consider;
 - All relevant whole-of-life costs 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.

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Purchasing & Procurement

- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality.
 - Financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history.
 - A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
3. Where a higher priced conforming quote is recommended, there shall be clear and demonstrable benefits over and above the lowest total priced, conforming quote.

4.3. Sustainable Procurement

1. “Sustainable Procurement” is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.
2. The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices that minimise environmental and negative social impacts, balanced against value for money outcomes.
3. The Shire shall at all times endeavour to identify and procure products and services that demonstrate environmental best practice in energy and water efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.

4.4. Supporting Local Industry – Regional Price Preference

1. The Shire encourages, promotes and supports economic development for local suppliers permanently based throughout our district, by way of ensuring that its buying practices and procedures consider the involvement of local businesses and residents.
2. The Shire of Chittering recognises that it has a role in the economic development of the local community and in assisting local industry in accessing opportunities to conduct business with the Shire.

In supporting or encouraging local industry, matters relating to:

- Value for money;
 - Environmental performance;
 - National Competition Policy; and
 - Transparency of decision-making must be addressed.
3. The *Local Government (Functions and General) Regulations 1996* provide opportunity for local government to establish Regional Price Preference.
 4. Regional Preference can include any area, but must include the entire district of the local government and cannot include a part of the metropolitan area.
 5. The region this policy relates to is the entire Shire of Chittering area.
 6. The following levels of preference will be applied under this policy:
 - a) 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000;

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- b) 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or
 - c) 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.
7. Only those goods and services identified in the contract / tender as being supplied locally will be included in the discounted calculation that forms a part of the assessments of a contract / tender.
 8. A regional price preference applies whenever contracts / tenders are called unless the local government resolves otherwise in reference to a particular contract / tender/
 9. It should be noted that price is only one factor or criteria when considering tenders. Value for money principals will be used to achieve the best possible outcome for the contract / tender.

4.5. Purchasing Thresholds

Purchasing Amount (Ex GST)	Supply Requirement
Up to \$10,000	Direct purchase from suppliers
\$10,001 to \$30,000	Obtain at least two verbal or written quotations
\$30,001 to \$50,000	Obtain at least two written quotations
\$50,001 to \$249,999	Obtain at least three written quotations containing price and specification of goods and services
\$250,000 and above	Conduct a public tender process

1. The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.
2. The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.
3. The responsible officer is expected to provide a sufficient amount of information relating to the specification of goods and services, demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.
4. Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for contracts of less than \$250,000, a "Request for Tender" process that entails all the procedures for tendering outlined in this policy must be followed in full.
5. The general principles for verbal and written quotations shall be followed as noted below.
6. General principles for obtaining verbal quotations

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- Ensure that the requirement / specification is clearly understood by the Shire employee seeking the verbal quotations.
 - Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
 - Confirm the details with the Supplier contact person to confirm their accuracy.
 - The responsible officer shall demonstrate due diligence when seeking quotes and shall comply with the Shire's record keeping policies and audit requirements.
 - Written notes detailing each verbal quotation must be recoded.
 - Record keeping requirements must be maintained in accordance with record keeping policies.
7. All documents relating to the quotation process must be saved in the Shire's relevant Electronic Management System.
8. General principles relating to written quotations
- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
 - The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
 - Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
 - Offer to all prospective suppliers, at the same time, any new information that is likely to change the requirements.
 - Responses should be assessed for compliance, against the selection criteria, and then value for money.
 - Respondents should be advised in writing as soon as possible after the final determination is made and approved.

4.6. Ordering & Payment Thresholds

The CEO is authorised to approve procurement commitments and payments on behalf of Council in accordance with the applicable legislation, regulations, the Shire's Delegation Register and approved budget. The CEO may authorise other employees to approve procurement commitments within defined value ranges.

4.7. Regulatory Compliance

All procurement activities must be undertaken in accordance with the *Local Government Act 1995*, the *Local Government (Functions and General) Regulations 1996*, the *Local Government (Financial Management) Regulations 1996*, the Shire's Delegation Register, adopted budget and relevant internal procedures.

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Where legislation prescribes a procurement requirement, threshold, exemption or process, the Shire will apply the relevant requirement having regard to the nature, value and circumstances of the procurement.

4.8. Contractors

1. Under the *Work Health and Safety Act 2020*, “Contractors” form part of the definition of/as a “worker”. Consequently the PCBU (the Shire of Chittering) has a primary duty of care to ensure the health and safety of their workers while they are at work.
2. Contractor Engagement Procedures
 - 2.1. Before engaging the services of Contractors (ie “workers”) the Shire must ensure that they have completed all of the necessary “Worker – Work Health and Safety System Process” – which includes providing all current and necessary insurances, licences, qualifications, task risk assessments and inductions; which will enable them to perform their work safely and effectively.
 - 2.2. The tender or contractual documentation should contain appropriate indemnity insurance clauses.
 - 2.3. Contractors must provide current Certificate of Currency for Public Liability, Professional Indemnity, Motor Vehicle and Workers Compensation and copies of other relevant licence(s) and must ensure that subcontractors also supply Certificate of Currency as required and where applicable.
 - 2.4. All documentation and insurances specified above (in point 8.2.3) are to be kept current for the duration of the contract.
 - 2.5. Contractors shall observe and comply with all relevant legislation, including the *Workers Compensation and Injury Management 1981*, *Work Health and Safety Act 2020*, *Occupational Safety and Health Regulations 1996* and the *State Records Act 2000*. Contractors must also comply with improvement and prohibition notices, Codes of Practice, Guidance Notices, Australian Standards and Council requirements and policy.
3. Contractor Termination

Tender and contractual documentation is to contain the clauses that are set out below:

 - a) The Shire may terminate its agreement with the contractor immediately upon written notice to the contractor if the contractor fails to work with due diligence or expedition or make default in the performance of or observance of any covenant, condition or stipulation contained in these guidelines and the agreement made with the contractor or refuses or neglects to carry out any instruction which the Shire is empowered to give or make under these guidelines.
 - b) The Shire may terminate its agreement with the contractor immediately upon written notice to the contractor if the contractor enters bankruptcy or enters into liquidation, a deed of assignment, deed or arrangement or similar style proves with creditors or commences to carry on business under a receiver for the benefit of its creditors or any other party.

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4.9. Sole Source (Monopoly Suppliers)

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

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

4.10. Anti-Avoidance

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

4.11. Variations to Purchase Orders

1. Where a purchase order has been issued for the procurement of goods or services and it is identified that a variation to the original quoted price is required, the original purchase order plus the value of the variation, cumulatively needs to be appropriately authorised.
For example, a purchase order has been issued for \$40,000 for agreed works. The purchase order has been authorised by the Coordinator/Manager (in accordance with their authorisation limit), a variation of \$11,000 is required. The project now totals \$51,000 and therefore the original Coordinator/Manager (in accordance with their authorisation limit), no longer has the capacity to authorise the amendment. As the amendment has made the total costing of the works increase to an amount above the original authorising officers' approval, the amendment must now be approved by a relevant officer in accordance with their authorisation limit. The total of cost of works including any amendments must be appropriately authorised.
2. Where a purchase order has been issued for the procurement of goods or services and it is identified that a correction to the original general ledger or job code is required, prior to the processing of the supplier invoice, the Procurement Officer has authorisation to make the necessary coding corrections. Any corrections are to be noted in the purchase order for audit purposes.

4.12. Tender Criteria

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

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

For requests with a total estimated (excluding GST) price or;

- Between \$40,000 and \$249,999, the panel must contain a minimum of two employees.

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- \$250,000 and above, the panel must contain a minimum of three employees.

4.13. Advertising Tenders

1. Tenders are to be advertised in a state-wide publication, e.g. *The West Australian* under the “Local Government Tenders” section, with preference on a Wednesday or Saturday.
2. The advertisement shall be placed on the public notice boards located at the Shire Administration and Library building.
3. Tenders are also to be advertised on the Shire’s website or social media administered by the Shire.
4. The tender must remain open for a minimum of fourteen (14) working days after the date the tender is advertised. Care must be taken to ensure that fourteen full working days are provided as a minimum.
5. The notice must include;
 - A brief description of the goods or services required
 - Information as to where and how tenders may be submitted
 - The date and time after which tenders cannot be submitted (tender deadline or close date)
 - Particulars identifying a person from who more detailed information as to tendering may be obtained
 - Detailed information shall include;
 - Such information that the Shire decides shall be disclosed to those interested in submitting a tender
 - Detailed specifications of the good or services required
 - The criteria for deciding which tender should be accepted
 - How tenders can be submitted. E.g. Electronically, in person etc.
 - Whether or not the Shire has decided to submit a tender.

Part 4, Division 2 of the Local Government (Function and General) Regulations 1996 applies.

4.14. Issuing Tender Documentation

1. Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.
2. This is essential as if clarifications, addenda or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire not to compromise its duty to be fair.

4.15. Tender Deadline

Tenders must be received in full, in the required format, by the advertised tender deadline (close date), and tenders not meeting this criteria shall be rejected. Refer Regulation 18 of the *Local Government (Functions and General) Regulations 1996*.

All tenders shall be closed at the nominated date and time as stipulated in the tender documents.

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4.16. Opening of Tenders

1. No tenders are to be removed from the tender box, or opened (read or evaluate) prior to the tender deadline or close date.
2. Tenders are to be opened in the presence of the panel. The details of all tenders received and opened shall be recorded into the 'Tenders Register'.
3. Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as "commercial-in-confidence" to the local government. Members of the public are entitled to be present.
4. The tenderer's offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two members of the evaluation panel, present at the opening of tenders.

4.17. No Tenders Received

In accordance with s11.2(c) of the *Local Government (Functions and General) Regulations 1996*, where the Shire has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- A sufficient number of quotations are obtained
- The process follows the guidelines for seeking quotations between \$40,000 and \$249,999 (listed above)
- The specification for goods and/or services remains unchanged
- Purchasing is arranged within 6 months of the closing date of the lapsed tender.

4.18. Tender Evaluation

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

4.19. Tender Acceptance

The Chief Executive Officer is authorised to accept tenders up to and including \$250,000, excluding GST, where the procurement has been undertaken in accordance with this Policy, the approved budget, and the *Regulations*. All tenders with a total estimate contract value of more than \$250,000, excluding GST, are to be referred to Council for consideration and acceptance, unless otherwise authorised by Council or dealt with under an applicable legislative exemption.

4.20. Addendum to Tender

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

SHIRE POLICY 2.5 Purchasing & Procurement

4.21. Minor Variation

1. If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire and tenderer have entered into a contract, a minor variation may be made by the Shire.
2. A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender, or be less than 10% of the original contract price.

4.22. Variation After Contract Commencement

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless:

- The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- The variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j) of the *Local Government (Functions and General) Regulations 1996*.

Regulation 21A of the Local Government (Functions and General) Regulations 1996 applies.

4.23. Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include;

- The name of the successful tenderer
- The total value of consideration of the winning offer

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

4.24. Records Management

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

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

For a direct purchasing process this includes;

- Quotation documentation
- Internal documentation

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- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the *State Records Act 2000*, and the Shire's internal Record Keeping Policy.

4.25. Purchasing from WA Disability Enterprises

1. Pursuant to State Government policy, Local Governments are encouraged to consider the option of purchasing goods and services from registered WA Disability Enterprises. This is contingent on the provision of fair value and quality.
2. Local Governments are encouraged to invite relevant WA Disability Enterprises to respond to a Request for Quotation or Tender for goods or services. Determining the purchasing process to be followed is based on the actual or expected value of each purchase by the Local Government as outlined above in s5 (Purchasing Thresholds and Processes) of this Policy. There are seven Disability Enterprises registered in Western Australia.
3. A complete list of approved organisations is available from the following website: www.wade.org.au.

5. ROLES AND RESPONSIBILITIES

Council is responsible for adopting this Policy, determining purchasing thresholds requiring Council approval, and awarding contracts in accordance with the *Local Government (Functions and General) Regulations 1996*.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy, exercising delegated authority for procurement and tender acceptance within approved limits, and maintaining appropriate systems of internal control.

The Deputy Chief Executive Officer is responsible for overseeing procurement governance, ensuring compliance with legislative requirements, and providing advice to officers on purchasing and tender processes.

All employees involved in purchasing are responsible for complying with this Policy, observing ethical standards, declaring conflicts of interest, and ensuring accurate documentation is retained in accordance with record keeping requirements.

SHIRE POLICY 2.5 Purchasing & Procurement

6. COMPLIANCE

Legislation	<p>Local Government Act 1995</p> <p>Local Government (Functions and General) Regulations 1996</p> <p>Local Government (Financial Management) Regulations 1996</p> <p>State Records Act 2000</p> <p>Work Health and Safety Act 2020</p> <p>Competition and Consumer Act 2020</p>
Industry	<p>Western Australian Local Government Association (WALGA) Procurement and Governance Guidelines</p> <p>Department of Local Government, Industry Regulation and Safety Financial Management and Tendering Guidance</p>
Organisational Documents	<p>Delegations Register</p> <p>Policy 1.5 – Record Keeping</p> <p>Record Keeping Plan</p> <p>Policy 4.1 – Code of Conduct – Elected Members, Committee Members and Candidates</p> <p>Policy 1.9 – Risk Management</p> <p>Long Term Financial Plan</p> <p>Annual Budget</p>
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	July 2027
Policy Owner	Deputy Chief Executive Officer		
Version	Decision Ref	Date	Change
1.0	Unknown	19/04/2009	Initial adoption
2.0	131015	28/10/2015	Amendment
3.0	160620	17/06/2020	Amendment
4.0	080621	16/06/2021	Amendment
5.0	130722	20/07/2022	Amendment
6.0	151022	19/10/2022	Amendment
6.0	170623	21/06/2023	Amendment
7.0	210326	18/03/2026	Review
8.0		20/05/2026	Review

SHIRE POLICY 6.1

Nature Strip Treatments

Responsible Department:	Technical Services
Responsible Business Unit:	Infrastructure / Works
Date of Review:	20 May 2026
Council Resolution:	

1. OBJECTIVE

The objective of this Policy is to guide Council and Administration in the appropriate management and installation of protective devices within nature strips and to provide a consistent framework for property owners seeking to protect landscaping and infrastructure from vehicle encroachment.

2. SCOPE

This Policy applies to:

- Residents and occupiers within the Shire
- Elected Members, employees and contractors
- Any works or treatments undertaken on Shire-managed verges

This Policy applies to:

- Installation of kerbing, landscaping treatments and protective measures
- Management of vehicle access and parking impacts on nature strips

3. DEFINITIONS

Nature Strip means the area of land within the road carriageway like medians, roundabouts, Shire or Crown reserves and Shire properties

Protective Devices includes kerbing, retic, rocks, bollards, barriers or other treatments designed to prevent damage to nature strips or infrastructure.

4. POLICY STATEMENT

Property owners may seek approval from the Shire for to look after, manage or use portions of land within the nature strip to protect landscaping, water reticulation systems and to discourage parking on the nature strip.

Bollards

The installation of bollards or any other form of obstruction on the nature strip is permitted with approval

The Shire will also consider installation of trees alternative treatments, including vegetation on nature strips on a case-by-case basis.

SHIRE POLICY 6.1

Nature Strip Treatments

Any proposed works will be subject to assessment by the Shire to determine the cause of the issue, the suitability of the treatment, and any associated impacts on safety, drainage and infrastructure. Approved works are to be undertaken in accordance with Shire requirements.

The Shire will continue to provide information on suitable water sensitive landscaping and planting options for residents as required.

General Nature Strip Management

Routine maintenance and low-impact landscaping of nature strips may be undertaken by property owners, provided such activities do not obstruct sightlines, interfere with drainage, or create hazards for pedestrians, cyclists or vehicles. Any works beyond minor maintenance require prior approval from the Shire.

Infrastructure Programs

Where appropriate, the Shire may incorporate protective measures as part of infrastructure or footpath programs to improve safety and protect nature strip areas.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy direction for nature strip management.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy.

The Technical Services Department is responsible for assessing applications, determining appropriate treatments, and ensuring that any approved works are consistent with safety, engineering and infrastructure requirements.

Property owners and occupiers are responsible for complying with this Policy and obtaining approval where required prior to undertaking any works within the nature strip.

6. COMPLIANCE

Legislation	<i>Local Government Act 1995 (WA)</i>
Industry	Relevant engineering and road safety standards
Organisational Documents	Asset Management Plan Council Plan Corporate Business Plan Long Term Financial Plan Policy 7.1 – Verge Maintenance Policy 7.3 – Storm Water Management
Strategic Alignment	



SHIRE POLICY 6.1 Nature Strip Treatments

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	March 2028
Policy Owner	Executive Manager Technical Services		
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POLICY 6.2 Crossovers Subsidy

Responsible Department:	Technical Services
Responsible Business Unit:	Infrastructure / Works
Date of Review:	20 May 2026
Council Resolution:	

1. OBJECTIVE

The objective of this Policy is to provide a subsidy towards the construction of a vehicle crossover to a private property in a clear and consistent manner aligned with legislative requirements.

2. SCOPE

The policy applies to all property owners seeking to construct or reconstruct a crossover within the Shire.

3. DEFINITIONS

Applicant means the person who makes application to the Shire to construct a crossover.

Contractor means the person or company who will be responsible for construction of the crossover.

Crossing has the meaning as Crossover.

Crossover means that section of the “drive in” to a property that replaces the verge and footpath or will ultimately form part of the future footpath.

Footpath means the paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists.

Local Government means the local government of the Shire of Chittering.

Local Government Act means the Western Australian *Local Government Act 1995*.

Shire means the Shire of Chittering.

Subsidy means the contribution that the Shire is prepared to make towards the cost of an approved crossover as set by Council each year in the fees and charges.

Superintendent means the Executive Manager Technical Services or his/her nominated representative.

Verge means that proportion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property boundary but does not include a footpath.

SHIRE POLICY 6.2 Crossovers Subsidy

4. POLICY STATEMENT

This Policy outlines the Shire's requirements for the construction of vehicle crossovers to private property and the circumstances under which a subsidy may be provided.

This Policy operates in accordance with the *Local Government (Uniform Local Provisions) Regulations 1996*, in particular, regulation 15 (schedule 9.1, cl7(4)), which provides that where a local government constructs, approves, or requires the construction of a first standard crossover, it is required to contribute 50% of the cost of a standard crossing, as estimated by the local government.

Crossover Subsidy

1. A Crossover application must be lodged to the Shire by the Resident to seek approval before commencement of a crossover
2. All crossovers shall be constructed by the Owner/agent and approved by the Executive Manager Technical Services.
3. The crossover shall be paved utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.
4. The Shire will contribute 50% towards the cost of only one standard residential crossover, subject to the crossover being deemed to conform to the Shire specifications.
5. The subsidy (as outlined in 4 above) residential dwellings only. In the case of strata titles, a subsidy shall apply to each crossover up to the number of dwellings.
6. Crossovers, eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of six months old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following:
Crossovers in excess of their life shall not be eligible.

Crossover Type	Maximum Life of Crossover
Gravel	10 years
2 Coat Seal	10 years
Asphalt	15 years
Brick/Block	20 years
Concrete	25 years

7. Reconstruction of one crossover to a property shall attract a second subsidy where that crossover has exceeded its expected life (taken as 20 years) as determined by the Shire's Executive Manager Technical Services.
8. The reference a "standard crossover" shall mean a sealed or paved construction to a size conforming to the Shire's Executive Manager Technical Services area standard widths, referred to in specifications.

SHIRE POLICY 6.2 Crossovers Subsidy

9. Where Council undertakes road works affecting crossovers Council will bear the cost of replacement.

Crossover Maintenance

The crossover is that section of driveway that extends from the road kerb or edge of road seal to the front or side property boundary line, across the verge. The property owner is responsible for the cost of construction and all future maintenance and repairs to the crossover, including any damage resulting from the roots of street trees and water run off from private property.

The Shire will not undertake any maintenance or repairs to the crossover or accept any liability as a result of poorly constructed or maintained crossovers.

Existing Vehicle Crossover

The Shire will not provide any subsidy to replace or repair any existing crossover. It is the property's owners' responsibility to ensure the crossover complies with the Shire's minimum requirements. Crossover repairs must be undertaken if it is considered unsafe.

Administration

To apply for a subsidy, the applicant must complete the ***Application for Subsidy or Construction of a Crossing***. On receipt of the application the Technical Services Department may investigate and provide a quotation (if requested) to the owner/builder.

If the Shire's subsidy is to be claimed, then on receipt of the Application the crossing will be inspected. A subsidy will be processed on completion of the construction of the crossover and once an inspection has been carried out by an officer from the Technical Services Department, to ensure that the crossover conforms to the Shire of Chittering crossover specifications.

Note: This process will normally take a maximum of four working weeks

Bonds

- i) Bonds for the construction or reconstruction of crossovers shall be required to be paid at the time of issue of the building licence. The amount of the bond will be set by Council.
- ii) Crossover construction or reconstruction shall be required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Shire's Executive Manager Technical Services that the construction is necessary.
- iii) Construction/reconstruction of a crossover as a condition of the building licence shall not be required if the value of the licence is less than \$5,000 or the building work involve only minor works (e.g., pergola, shed, pool, patio, toilet) but shall apply to all building licences for structures accessible to vehicles.

SHIRE POLICY 6.2

Crossovers Subsidy

- iv) Council may construct the crossover in concrete if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, where payment of a crossover bond has been made.

Building Licence

The Building Licence is for building construction inside the property boundary and does not include approval for the construction of the crossover. Hence, a separate application is required for the construction of a crossover within the road verge, which is vested with the Shire of Chittering.

The position, width, and construction of the crossover shall be in accordance with this crossover specification.

Protection of Existing Services, Street Trees and the Public

1. Existing services within the vicinity of the proposed crossover shall be protected at all times. The owner or authorised representative may be contacted to provide advice in relation to the protection of services;
2. Where damage is caused to the Shire's infrastructure (i.e. kerb, pathway, road etc.) as a result of the construction of the crossover, the infrastructure shall be required to the satisfaction of the Executive Manager Technical Services;
3. Conflicting public utility services shall be adjusted or relocated at the applicant's expense, subject to formal approval of the relevant authority;
4. The Shire's existing drainage structures (i.e. pits drains or culverts) that conflict with the location of the proposed crossover are to be adjusted by the Shire's Technical Services Department and all costs associated with this work shall be borne by the Applicant;
5. The removal adjustment, or reinstatement of reticulation is the responsibility of the Applicant;
6. Street trees shall not be removed without the prior approval of the Shire's Executive Manager Technical Services. Crossovers shall be located a minimum of 2 metres from a tree and removal will only be undertaken where it can be demonstrated that this is the only option available. All costs associated with the removal of the street tree shall be borne by the Applicant;
7. The Applicant shall be responsible for the protection of the public at all times. Signage, lighting, barricades, and/or any other protection measure deemed necessary shall be provided by the applicant to ensure that the public are protected during the execution of the works;
8. Safe access for pedestrians on the verge shall be maintained at all times. The Shire will not permit pedestrians being forced to walk on the road pavement unless appropriate measures are put in place for the protection of pedestrians; and
9. Vehicle crossings abutting major roads shall be subject to the approval of MRWA in conjunction with the Shire of Chittering.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for crossover construction and subsidy provision within the Shire.

SHIRE POLICY 6.2 Crossovers Subsidy

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and may delegate authority for the administration and approval of crossover applications.

The Executive Manager Technical Services is responsible for the administration of this Policy, including assessing applications, determining compliance with Shire specifications, approving crossover locations and designs, determining subsidy eligibility, and overseeing inspections and associated infrastructure requirements.

The Technical Services Department is responsible for processing applications, undertaking inspections, coordinating any required Shire works, and ensuring crossover construction complies with approved specifications and safety requirements.

Applicants, property owners and contractors are responsible for ensuring crossover works are undertaken in accordance with approved plans, Shire specifications, relevant legislation and all conditions of approval. Applicants are also responsible for the protection of infrastructure, services, vegetation and public safety during construction works.

Property owners are responsible for all ongoing maintenance and repair of crossovers, including any damage arising from vehicle use, water runoff, tree roots or deterioration over time.

6. COMPLIANCE

Legislation	<i>Local Government Act 1995 (WA)</i> <i>Local Government (Uniform Local Provisions) Regulations 1996 (WA)</i> including regulation 15 (Schedule 9.1 clause 7(4)) <i>Road Traffic Code 2000 (WA)</i> <i>Roads 2008 (WA)</i>
Industry	Main Roads Western Australia requirements and guidelines Relevant Australian Standards for vehicle access and civil construction works Utility provider requirements relating to protection and relocation of services
Organisational Documents	Shire of Chittering Specification for Vehicular Crossing Asset Management Plan
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	March 2028
Policy Owner	Executive Manager Technical Services		
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption

SHIRE POLICY 6.3

Naming of Shire Facilities

Responsible Department:	Technical Services
Responsible Business Unit:	Infrastructure / Works
Date of Review:	20 May 2026
Council Resolution:	

1. OBJECTIVE

The objectives of this Policy are to:

- Outline Council's policy position on the naming of all Shire owned or administered buildings and community facilities, parks, reserves, open space, waterways, places, memorials and other assets (except for roads);
- Establish a naming convention for each of those categories of Shire controlled assets, which is both responsive to anticipated community expectations, and consistent with the stated values of stakeholders and Council.
- Provide guidelines for the provision of community facility name signs in accordance with the current Australian Standards for traffic control devices and wayfinding signage within the Shire; and
- Outline the process for considering a name change of Council property.

2. SCOPE

This Policy applies to the naming of Shire owned or administered buildings, structures and other assets.

This policy does not apply to the naming of roads.

The suitability of names is to be assessed using Landgate's *Policies and Standards for Geographical Naming in Western Australia*.

3. DEFINITIONS

Facility means any Shire owned or administered building, reserve, park, open space, trail, structure, sporting complex, room, memorial or other community asset.

Naming Proposal means a request or submission seeking the naming or renaming of a Shire facility or asset.

Renaming means the formal process of changing the approved name of a Shire facility or asset.

Wayfinding Signage means signage intended to direct or inform users regarding the location of facilities, public places or destinations.

SHIRE POLICY 6.3

Naming of Shire Facilities

4. POLICY STATEMENT

Council recognises that the names of buildings, gardens, parks and reserves owned by the Shire can have significant influence on the future development and sense of community within an area. With this in mind, it has determined that the naming of facilities, buildings and amenities under the control of the Shire will be undertaken in a planned and coordinated way which respects and acknowledges the area's history, heritage and environment.

Council also acknowledges that any policy and naming convention that it adopts on this issue must be both responsive to anticipated community expectations and consistent with the stated values of all relevant stakeholders.

The position adopted under this policy is that naming of Shire owned or administered infrastructure and its other assets is to be consistent with the overarching values, ethical principles, and current standards of Council, stakeholders and both the local and wider community.

This policy also includes guidelines for the selection of permanent names, which are included under the appropriate headings throughout this policy.

Proposals to give recognition to specific members of the community through naming of facilities must be able to establish an association between that individual and the facility to be named or provide other justification such as that person's notable contribution to the community.

Although this policy does not apply to bridges, waterways, reserves, other assets or infrastructure which are controlled or managed by other authorities, the Shire will use this policy to guide a response to a referral or invitation to comment made by that other authority.

4.1. Naming of towns, localities, streets and parks – general

The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers.

Council will follow the principles and guidelines for the general naming of streets, parks, roads, towns localities, as determined by the Geographic Names Committee of Western Australia, and set out by Landgate.

While in general, Parks and Reserves shall be named after an adjacent boundary road, and buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification, alternatives may be developed using the following principles.

4.2. Principles of naming facilities

Names for buildings and community facilities would normally be allocated in a way that reflects the location, geographical or historical context of the land on which the facility is erected. In some instances it may be appropriate to consider an expanded scope.

SHIRE POLICY 6.3

Naming of Shire Facilities

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

- The locality within which the development is situated
- Any historical events associated with or near the site
- Indigenous and cultural heritage relevant to the site
- Community or corporate sponsorship
- Marketing opportunities
- Pioneering families (family names only) associated with the immediate area (5-10 kilometres radius)
- Social or calendar events
- Significant individuals who have contributed substantially to the community.

Rooms and building features

Features of, and within, buildings and community facilities, (e.g., a room, courtyard or garden), may also be named. Names for these types shall be selected from the same criteria as above. Naming of rooms and features within the one building or community facility would normally be required to adopt one constant theme which has direct links to the name of the overall facility itself

4.3. Procedures for naming new facilities

Any members of the community or Council may initiate a request for naming or renaming of existing Shire owned or administered facilities. The naming of new facilities will be undertaken in a timely and coordinated fashion.

Due process will be given to the consideration of any proposed name for any new facility.

Where a new facility is being developed/constructed, Elected Members and the community may suggest, in writing, names for the facility and the reasons for the suggestion. Where it is proposed to name the facility after a person who is no longer living and who made a significant contribution to the community, it is a requirement that background information (research material) on that person be provided as part of the written submission.

The name proponent is expected to ensure that all material supplied to the Shire is accurate, objective and not a distortion of actual facts.

In the event that a name or names are suggested other than a name relating to the locality or prime function of the facility, using the criteria listed above, the Chief Executive officer will prepare a confidential report on the proposed names. Elected Members may be requested to indicate a preferred naming option through a confidential selection process where multiple suitable naming proposals are received. If an absolute majority preference is not achieved through this process, the secret ballot will be recast, based on the two most popular choices

SHIRE POLICY 6.3

Naming of Shire Facilities

4.4. Registration of the building's new name

Although the names of Shire buildings do not have to be registered with Landgate, in order that the new name will be registered on maps etc. where appropriate, Landgate shall be advised of the change.

4.5. Parks, reserves and other open space

Where a substantial parcel of land has been gifted or bequeathed as public open space by an individual (not including land dedicated to the Shire as part of a development approval or subdivision), a request for the land to bear the name of that benefactor may be considered.

Where parks provided at different times about one another, the additions shall assume the name of the adjacent previously named park. Where a small part of a planned larger park is dedicated to public use at the early stages of a development, this may be grounds for delaying the permanent naming of that facility to a later time. A proposal for permanent naming (of the combined parks) may be made by a development proponent at the time associated with dedication of the later park.

Generally, parks on opposite sides of the same public road or major waterway are to have different names. An exception to this is linear linkage park, which may retain the one name for its complete length despite the fact that it may be severed at one or more locations by roadways and/or major waterways.

When proposing names for park, reserve and other open space the following are to be considered for their relevance:

- Persons with a historical connection to the land or area;
- Indigenous connections;
- Names of pioneering families and long-term residents (20 years or more);
- Names of respected community members of considerable service who are, or were resident or working within the region (20 years or more);
- Historic landmarks;
- Persons having prior ownership of a substantial part of that land for a significant period of time;
- Persons having made a significant financial or "in kind" contribution to the park;
- Recognition of a bequeathed or gifted parcel of land for open space;
- Local fauna, flora or geographic features;
- Locality of the land.

4.6. Trails

Naming of trails (mountain bike, bridle and/or walk) within a park / adventure park shall take on a more informal approach and be derived in the same manner that is general practice in these non-registered naming events. It has universally been accepted that trail builders, relevant clubs, user groups and Stakeholders are intimately involved in the consultation process for a specific trail project name/trail(s) in a more light-hearted way to reflect the fun aspects, whilst still attempting to preserve history, topography, native flora and fauna or in some cases in recognition of local community members. A member of Council should also be included in the process.

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Naming of Shire Facilities

In relation to displaying the names within the park, it is suggested that: -

- Sign posts must comprise trail name, direction, classification and a distinctive graphic relating to the particular trail name, and may also include details on the trail itself, such as length, etc.
- Trail name and graphic ideally relate to a natural, historical or cultural value in the area occupied by the trail network. This creates additional interpretive opportunities to explain these values (e.g. interpretive content and a map on a 'You are here' sign or on a trail brochure or app).

4.7. Sporting Complexes

The hierarchical level of a sporting complex is to be clearly reflected in its name. For example, facilities of regional significance shall have this indicated within the name, whereas a smaller local facility catering for sport on a much smaller scale should reflect its subordinate/local status.

Naming shall generally be consistent with the significance of the facility and the criteria used for naming Parks, Reserves and Open Space. In instances of local level facilities catering for one sport only, naming relevant to that sport or use may be appropriate.

4.8. Sports fields

Where opportunities arise to sub-name fields, courts and ovals within a sporting complex, Council acknowledges that it would be fitting for each particular field or court to bear the name of a sports person, member or volunteer of the sports organisation having the predominant use of that field or court, who has provided a significant contribution to the organisation or has been a representative of that sport and can be shown to be of good character

When proposing names for sports fields or courts, the following are to be considered for their relevance:

- a) Sports persons of high achievement within the organisation the field or court is associated with;
- b) Long serving and respected administrators or volunteers within the sport or organisation the field or court is associated with;
- c) Sports persons of high achievement within the sport of which the organisation is associated.

Before undertaking the naming of any field pursuant to this policy, the sports organisation seeking the sub-naming must:

- Conduct due diligence and character checks on the person after whom the field is to be named;
- Supply the Shire with details of their findings on the character checks;
- Supply the Shire with copies of the minutes of the organisation meeting proposing the naming;
- Supply the Shire with supporting reasons for the proposed naming of the field;
- Provide the Shire with a layout plan clearly showing the location of the field to be named within the overall sporting complex.
- Await written approval to undertake the naming of the field.

4.9. Duplication of naming

Facility names are not to be duplicated anywhere within the region and duplication of names of existing facilities within adjacent local authority areas is to be avoided wherever practicable. Further, a similarity between the names of different facilities is also to be avoided, (e.g., "Freshwater Park" and "Freshwater

SHIRE POLICY 6.3

Naming of Shire Facilities

Place” are to be avoided wherever possible even though they may be in well separated parts of the Shire).

Facilities named after individuals having similar names shall be accepted provided that they are well separated, (e.g., “Bill Jones Park” in one locality and “Fred Jones Park” in a different and non-adjointing locality).

4.10. Community engagement for naming (and renaming) proposals

The scope of community engagement to be undertaken will be determined by the Shire on a case-by-case basis, having particular regard to anticipated community sensitivities and the results or scope of other recent consultation activities undertaken in the local community or area. In those instances where public advertising of a naming proposal is deemed to be warranted, it will be carried out by the Shire.

In order for submissions to be given due consideration, the person giving the response to the advertised naming must ensure that it:

- is made in writing;
- is Received by the Shire prior to expiry of the advertising period; and
- Fully articulates the reasons for supporting or opposing the proposed naming.

4.11. Installation of name places, signs

Once a permanent name has been assigned to a Shire owned or administered facility, a suitable plaque, name plate, sign or other similar device will be displayed stating the allocated name and, if warranted, explanatory information, or abbreviated history outlining the basis for the name. All such devices shall comply with the Shire’s standards, and/or be appropriate and applicable to the context of the facility, and may only be installed with the prior approval of the Shire.

Note that explanatory information in the context of major projects and partnerships specifically includes details such as:

- a) Date of opening or unveiling;
- b) The Shire’s current logo;
- c) Names of persons opening the place or unveiling the plaque;
- d) Names of partner organisations or sponsorships;
- e) Logos of others as may be relevant;
- f) The official name of the building or project; and
- g) Any other wording relevant to the project which the Shire considers is deserving of display.

4.12. Proposals to rename existing council facilities

Criteria for renaming an existing facility

The Shire recognises that from time to time it may be appropriate to rename a Shire owned facility.

When considering options for re-naming Shire facilities, in addition to the criteria listed above, the following will also be considered:

SHIRE POLICY 6.3

Naming of Shire Facilities

- The historical reasons for the original name;
- The public profile/familiarity of the facility's original name;
- The costs associated with changing the facility's name; and
- The relevance to the facility's main user group of the proposed new name.

Proposing the renaming of a facility

Any resident or elector of the Shire may propose the renaming of a Shire facility, but a proposal by an elector must be supported in writing by an Elected Member. Nominations must be made in writing to the Chief Executive Officer.

Recognition of community members

In instances where the renaming proposal relates to recognising a member of the community who, in their lifetime, demonstrated outstanding contributions to the Shire, the following criteria will be required to be met:

- Persons nominated should have made substantial contribution directly to the Shire of Chittering, largely in a voluntary capacity;
- The nominee must have given extensive and distinguished service to the community that goes beyond the particular Local Government Authority concerned (e.g. service to other organisations, voluntary and community groups, school P&C etc.) in a largely voluntary capacity;
- The service should be easily recognisable as having a direct benefit to the Shire and have produced substantial long term improvement for the Shire.
- Nominees should have lived within the Shire of Chittering for a significant number of years (significant would usually mean at least 20 years) and had a long and close association and identification with the Shire.

The person making a nomination to re-name a facility after an individual will provide sufficiently detailed background information to enable the Chief Executive Officer to prepare a report on the proposal which considers the criteria listed in this policy.

Being a former Councillor or former Member of Parliament is not sufficient grounds on which to nominate an individual. In the event that the nominee is still living, the nomination must be made in the strictest confidence without the nominee's knowledge. Death or former ownership of the land on which the facility is developed is not normally acceptable as criteria for nomination.

Process on receipt of a nomination

On receipt of a proposal to rename an existing facility, the Chief Executive Officer will cause a report to be prepared and circulated on a confidential basis to Elected Members for consideration. On the written advice of at least five Elected Members the report and recommendation shall be put to Council for consideration.

SHIRE POLICY 6.3 Naming of Shire Facilities

Current facilities that should not be renamed

The following facilities that have the following criteria should not be renamed:

- have a name that reflects a specific historical event within the Shire of Chittering;
- have a name that has specific relevance to indigenous peoples of Australia; or
- are already named after a person.

4.13. Renaming of Shire streets

This is generally not supported as it impacts directly on residents. Renaming of streets may be considered where a realignment or similar substantial change occurs. Under these circumstances the renaming will follow the principles and guidelines for the general naming of streets, parks, roads, towns or localities, as determined by the Geographic Names Committee of Western Australian and set out by Landgate and is delegated to the Chief Executive Officer.

4.14. Street signs advising road users

The purpose of facility and directional signage is to assist road users and visitors in identifying and locating community facilities, public places and destinations of significance, generally of a non-commercial nature. Signage is to be designed and installed in accordance with the current Australian Standards relating to traffic control devices, directional signage and wayfinding.

Shape, Size, Colour

Facility signage shall comply with the current Australian Standards, Main Roads Western Australia requirements, and any applicable Shire design standards.

4.14.1. Location, Mounting

The location and mounting of signage shall comply with current Australian Standards, Main Roads Western Australia requirements, and relevant Shire specifications and guidelines.

4.15. Approval

Upon receipt of a request in writing for a Naming of Shire Facilities, the request will be assessed against the criteria of this policy and actioned accordingly.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for the naming and renaming of Shire facilities and assets.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and for coordinating naming and renaming processes in accordance with relevant legislation, standards and Council direction.

SHIRE POLICY 6.3 Naming of Shire Facilities

The Executive Manager Technical Services is responsible for administering this Policy, including assessing naming proposals, coordinating consultation processes where required, ensuring signage complies with relevant standards, and liaising with Landgate or other relevant authorities.

The Development Services Department may provide advice regarding locality naming conventions, heritage considerations, planning implications and Landgate requirements.

Elected Members may propose names or renaming requests and participate in the assessment and determination process in accordance with this Policy.

Community members and applicants are responsible for providing accurate and sufficient supporting information when submitting naming or renaming proposals.

6. COMPLIANCE

Legislation	<i>Local Government Act 1995 (WA)</i> <i>Planning and Development Act 2005 (WA)</i> <i>Aboriginal Heritage Act 1972 (WA)</i> <i>Heritage Act 2018 (WA)</i>
Industry	Landgate Policies and Standards for Geographical Naming in Western Australia Current Australian Standards relating to traffic control devices and wayfinding signage Main Roads Western Australia requirements relating to directional signage
Organisational Documents	Council Plan Corporate Business Plan
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	February 2027
Policy Owner	Executive Manager Technical Services		
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption
2.0		15/03/2023	Amendment
3.0		20/05/2026	Amendment

SHIRE POLICY 7.1

Verge Maintenance

Responsible Department: Technical Services

Responsible Business Unit: Works

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to outline expectations, responsibilities and the extent to which verge maintenance services will be provided by the Shire of Chittering (the Shire) in the overall management of the road reserve and verges within the Shire.

This Policy aims to recognise the verge as an important component of the streetscape, encourage property owners to maintain and improve verge presentation, define the extent of verge maintenance undertaken by the Shire, reduce the impact of unwanted vegetation, and ensure compliance with relevant legislation.

2. SCOPE

This Policy applies to all verge areas within the Shire of Chittering and to all property owners, occupiers, contractors and Shire officers involved in the management, maintenance or use of verges within the road reserve.

3. DEFINITIONS

Resident / Landowner means the owner or occupier of land adjoining a verge.

Road Reserve means land under the care, control and management of the local government for road-related purposes.

Verge means the area within the road reserve between the edge of the road infrastructure and the adjacent property boundary.

4. POLICY STATEMENT

Pursuant to s55(1) of the *Land Administration Act 1997*, the land comprising a road is the absolute property of the Crown and, subject to the *Main Roads Act 1930* and the *Public Works Act 1902*, the local government within the district of which a road is situated has the care, control and management of the road.

This care, control and management includes not only the road, drainage, footpaths and supporting infrastructure but also the naturally occurring vegetation contained within.

SHIRE POLICY 7.1 Verge Maintenance

The verge area is generally considered to be the area within the road reserve between the edge of the road infrastructure and adjacent private property.

- The verge serves a range of functions, including providing safe pedestrian access, enabling vehicle access to properties, and accommodating public service infrastructure such as lighting, water, gas and telecommunications.

Due to the extensive amount of verges within the Shire, it is impractical to assign the level of resources that would be required to maintain all verges. The Shire therefore requires all residents and commercial property owners to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the wider Chittering community.

4.1. Application

The Shire recognises that the appearance of road verges is important to owners / occupiers, due to the aesthetic impact on their properties and dwellings. This policy supports safe verge management while enabling owners / occupiers to improve the aesthetics and amenity of road verges adjacent to their properties.

4.2. Interpretation

This Policy is to be read in conjunction with the Shire relevant Local Law pertaining to property.

4.3. Residents Responsibilities

Residents are responsible for the maintenance of the verge adjacent to their property, including activities such as mowing, weeding, pruning and mulching. Verge improvements must be undertaken in accordance with the Verge Development Criteria contained within this Policy and the Shire's relevant local laws.

Residents should incorporate verge areas into their fuel management practices, noting that maintaining a low fuel load can significantly reduce fire risk to private property.

Where residents undertake planting, including street trees, such planting must comply with the Verge Development Criteria. Residents are responsible for the maintenance of any vegetation they establish, and non-compliant planting may require removal.

Residents are responsible for clean-up and repair of damage caused by naturally occurring vegetation, including fallen trees or branches. This is considered a normal aspect of residing within a rural and treed environment.

Approval must be obtained prior to undertaking hazard reduction burning on verges, in accordance with the Verge Burning Requirements set out in this Policy.

Residents who do not wish for verge spraying to occur must notify the Shire in writing and assume responsibility for vegetation management. Where verge maintenance is not undertaken to the satisfaction of the Shire, the Shire reserves the right to carry out maintenance.

SHIRE POLICY 7.1 Verge Maintenance

Verge maintenance must consider environmentally sensitive areas, including high conservation roadside vegetation, and may require approval where impacts to flora and fauna are likely.

4.4. Shire Responsibilities

The Shire is responsible for regulating verge development and maintaining verges adjacent to Shire-managed buildings, parks and reserves.

The Shire undertakes verge spraying programs for weed control, primarily to protect infrastructure such as kerbs, roads, pathways, drains and public assets.

The Shire undertakes fire mitigation works within road reserves and verges in accordance with strategic bushfire risk management planning.

The Shire is responsible for addressing significant hazards and obstructions that impact road users or infrastructure.

The Shire may undertake planting and establishment of street trees, and assumes responsibility for maintenance of those trees once established. Naturally occurring vegetation remains Crown land, with the Shire managing risks where necessary.

4.5. Verge Development Criteria

Council supports the development of verges in urban areas, including grassed and native garden styles. Native gardens are encouraged, with appropriate irrigation and limited tree planting. Irrigation systems must not create nuisance and must be installed to appropriate standards.

Tree planting must consider service clearance and visibility requirements, including setbacks from infrastructure, intersections and crossovers.

Vegetation must not obstruct the verge, and hard landscaping such as large rocks or non-frangible materials is not permitted.

The Shire does not provide financial or maintenance assistance for verge development undertaken by residents.

4.6. Verge Burning Requirements

Verge burning may be permitted for hazard reduction purposes subject to approval. Applications must be submitted using the prescribed form and are subject to site inspection and environmental considerations.

Burning is only permitted under appropriate conditions and must include measures to protect native vegetation, ensure public safety, and comply with all permit conditions.

Approvals are issued only by authorised officers during the unrestricted burning period.

SHIRE POLICY 7.1 Verge Maintenance

4.7. Hazardous Trees

The Shire's involvement in tree management is limited to significant hazards or obstructions. Hazardous trees include those that are dead, structurally unsound, unstable, or pose a risk to infrastructure or safety.

Natural processes such as leaf or bark shedding, tree height, or proximity without risk do not constitute a hazard.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the strategic direction and policy framework for verge management within the Shire.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and for the allocation of appropriate resources to support verge management activities.

The Technical Services Department is responsible for the administration of this Policy, including assessing applications, managing verge maintenance programs, undertaking risk-based maintenance activities, and ensuring that verge works are carried out in accordance with relevant standards, legislation and Shire requirements.

Authorised Officers are responsible for issuing approvals where required, monitoring compliance with this Policy, and taking appropriate action where verge use or maintenance does not meet the required standards.

Property owners and occupiers are responsible for maintaining the verge adjacent to their property in accordance with this Policy, including ensuring that vegetation is appropriately managed, works are undertaken safely, and any required approvals are obtained prior to undertaking verge improvements or activities such as burning.

All persons undertaking works within the verge are responsible for ensuring that those works do not create hazards, damage infrastructure, or negatively impact the safety, amenity or environmental values of the verges.

SHIRE POLICY 7.1 Verge Maintenance

6. COMPLIANCE

Legislation	<i>Local Government Act 1995 (WA)</i> <i>Land Administration Act 1997</i> <i>Main Roads Act 1930</i> <i>Public Works Act 1902</i> <i>Agricultural and Related Resources Protection Act 1976</i>
Industry	Application for Approval to Burn the Verge
Organisational Documents	
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	May 2028
Policy Owner	Executive Manager Technical Services		
Version	Decision Ref	Date	Change
1.0		20/07/2022	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POLICY 7.2

Rural Numbering

Responsible Department: Development Services and Technical Services

Responsible Business Unit: Development Services and Technical Services

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this policy is to ensure that all properties within the Shire are allocated and display appropriate rural numbering to support property identification, emergency response and service delivery.

2. SCOPE

This Policy applies to all landowners, developers and applicants undertaking subdivision or development within the Shire of Chittering, and to all properties requiring the installation or maintenance of rural numbering.

3. DEFINITIONS

Developer means a person or entity responsible for the subdivision of land.

Landowner means the registered owner of a property within the Shire.

Rural Numbering means the allocation and display of a property identification number in accordance with the Shire's standards for addressing and location identification.

4. POLICY STATEMENT

Where new lots are created by a subdivision the developer is required to install rural numbering in accordance with the Council's standards or alternatively pay the prescribed fee (as set out in the Annual Budget Schedule of Fees & Charges) for the Shire to supply and install the required signage.

Where a building permit is issued for a new dwelling that has access from a public road and does not have an existing rural number, the landowner is required to purchase and install a rural number in accordance with Shire's standards.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for rural numbering within the Shire.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy.

The Development Services Department is responsible for the administration of this Policy, including ensuring rural numbering requirements are applied through subdivision and development processes.

SHIRE POLICY 7.2 Rural Numbering

The Technical Services Department is responsible for coordinating or undertaking the installation of rural numbering where this function is carried out by the Shire.

Developers are responsible for ensuring rural numbering is installed as part of subdivision works in accordance with Shire standards, or for payment of the prescribed fee where the Shire is to undertake installation.

Landowners are responsible for ensuring that rural numbering is installed and maintained for their property where required under this Policy.

6. COMPLIANCE

Legislation	Local Government Act 1995 (WA) Land Administration Act 1997 (WA)
Industry	Addressing and Rural number standards ????
Organisational Documents	Council Plan Corporate Business Plan Schedule of Fees and Charges
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	April 2028
Policy Owner	Executive Manager Development Services		
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POLICY 7.3

Storm Water Management

Responsible Department: Technical Services & Development Services

Responsible Business Unit: Technical Services & Development Services

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to provide a framework for the effective control and management of stormwater runoff from land under the care, control or management of the Shire.

2. SCOPE

This Policy applies to the design, construction and management of stormwater infrastructure within the Shire of Chittering, including drainage basins, compensating basins, sump, associated landscaping and fencing.

3. DEFINITIONS

Sump means a drainage retention basin that disposes of stormwater runoff by infiltration into the ground and ultimately to the ground water table.

Compensation basin means a drainage detention basin that incorporates both a piped inlet and a piped outlet. Compensating basins may also incorporate infiltration into the ground and ultimately to the ground water table.

4. POLICY STATEMENT

The Shire does not contribute toward the cost of dividing fences between privately owned land and adjoining land held by the Shire for a public purpose except where the fence separates private land from a drainage basin.

Stormwater disposal methods must be designed and implemented to the satisfaction of the Shire.

The construction of sumps and compensating basins on a road reserve or public open space, must be approved by the Shire.

4.1. Drainage sumps and fencing

Drainage retention basins (sumps) built within Public open space or easements shall be designed to retain stormwater and allow infiltration without causing damage or undue inundation to adjacent land.

All drainage sumps shall be fenced in a manner that restricts unauthorised access and enhances public safety.

SHIRE POLICY 7.3

Storm Water Management

A minimum of one (1) meter wide strip shall be supplied around the perimeter of a sump fencing to allow for, access and to the satisfaction of the Shire.

Drainage sumps shall be designed with appropriate side slopes, generally not exceeding the angle of repose of the natural soil unless otherwise required. A berm width of 2.0 metres shall be provided between the top of the slope and the fence, and suitable access for maintenance shall be incorporated.

4.2. Compensating Basins

Designs for detention basins shall be to the satisfaction of the Shire.

Where compensating basins are unfenced and are located within or adjacent to public open space or easements, side slopes shall not exceed a gradient of 1 in 8.

All inlet pipes entering compensating basins shall include protective end treatments in accordance with relevant Shire and industry guidelines.

For unfenced compensation basins the maximum storage depth shall not exceed 400mm.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the strategic framework for stormwater management within the Shire.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy.

The Development Services Department is responsible for administering this Policy, including assessing development proposals and ensuring compliance with stormwater management requirements.

The Technical Services Department is responsible for reviewing, approving and overseeing the design and construction of stormwater infrastructure, and for ensuring ongoing functionality and maintenance of Shire-managed assets.

Developers and contractors are responsible for the design and construction of stormwater infrastructure in accordance with Shire requirements, approved plans and relevant standards.

6. COMPLIANCE

Legislation	<i>Local Government Act 1995 (WA)</i> <i>Land Administration Act 1997 (WA)</i>
Industry	IPWEA Guidelines Relevant Australian Standards for drainage and stormwater management
Organisational Documents	
Strategic Alignment	

SHIRE POLICY 7.3

Storm Water Management

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	June 2028
Policy Owner	Executive Manager Technical Services		
Version	Decision Ref	Date	Change
1.0		19/10/2022	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POLICY 8.1 Bush Fire Control

Responsible Department:	Development Services
Responsible Business Unit:	Emergency Management
Date of Review:	20 May 2026
Council Resolution:	

1. OBJECTIVE

The objective of this Policy is to minimise the risk and impact of bush fires, regulate burning and fire-related activities within the Shire, ensure appropriate training and preparedness of fire fighters, and support for the Shire in meeting its statutory obligations under the *Bush Fires Act 1954*.

2. SCOPE

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

3. DEFINITIONS

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

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

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

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

4. POLICY STATEMENT

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

4.1. Harvesting, Movement of Machinery and Burning

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

SHIRE POLICY 8.1

Bush Fire Control

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

- The Bush Fire Control Officer is notified;
- That a fully operational fire-fighting unit (inclusive of associated pump, hose system and a minimum of 600 litres of water is present at all times; and

At least two (2) able-bodied adults are present during the harvesting operations, only one of whom may be operating harvesting equipment.

5. ROLES AND RESPONSIBILITIES

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

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

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

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

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

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

6. COMPLIANCE

Legislation	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1978</i> <i>Shire of Chittering Bush Fires Local Law 2012</i>
Industry	Department of Fire and Emergency Services (DFES) Guidelines Relevant bush fire risk management standards
Organisational Documents	Bush Fire Risk Management Plan Annual Firebreak Notice Council Plan Corporate Business Plan
Strategic Alignment	

SHIRE POLICY 8.1 Bush Fire Control

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	April 2028
Policy Owner	Chief Bush Fire Control Officer, Community Emergency Services Manager, Ranger		
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption
2.0		17/06/2015	Amendment
3.0		17/03/2021	Amendment
4.0		20/05/2026	Amendment

SHIRE POLICY 8.2

Multiple Dogs

Responsible Department: Development Services

Responsible Business Unit: Ranger Services

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to provide a consistent, transparent and equitable framework for the assessment and approval of applications to keep dogs in excess of the prescribed limits under the *Shire of Chittering Dogs Local Law 2023*.

2. SCOPE

This Policy applies to all residents within the Shire of Chittering seeking approval to keep additional dogs above the prescribed limits, and to all officers responsible for assessing and determining such applications.

3. DEFINITIONS

Additional Dogs / Multiple Dogs means a number of dogs kept on a premises that exceeds the limits prescribed under the *Shire of Chittering Dog Local Law 2023*.

Authorised Officer means a Ranger or other officer appointed under relevant legislation to administer and enforce this Policy.

Exceptional Circumstances means the limited circumstances under which approval for additional dogs may be considered under this Policy.

4. POLICY STATEMENT

This Policy aligns with the *Shire of Chittering Dog Local Law 2023*, including section 3.2(2), which prescribes limits on the number of dogs that may be kept on a premises.

Applications to keep additional dogs may be considered where the applicant can demonstrate that exceptional circumstances exist and that the keeping of additional dogs will not adversely impact neighbouring properties, public amenity or animal welfare.

4.1. Application Procedure

Residents seeking approval to keep additional dogs must complete and submit to the Shire of Chittering an "Application for Exemptions on Limitations of Number of Dogs" form. The application must include completion of the prescribed form, payment of the applicable (non-refundable) fee, and a written explanation outlining the purpose of the request and how it meets the exceptional circumstances criteria.

SHIRE POLICY 8.2 Multiple Dogs

Applicants must also ensure that all existing dogs at the property are registered in accordance with the *Dog Act 1976*. Approval must be obtained prior to acquiring additional dogs, and retrospective applications may be subject to additional fees.

4.2. Assessment Procedure

Applications will be assessed by an Authorised Officer, who will undertake neighbour consultations, including written notification to adjoining and nearby landowners within 50 metres, allowing a minimum of 21 days for submissions. A site inspection will be conducted to assess animal welfare, fencing suitability and property conditions.

Where submissions are received, the Authorised Officer may contact submitters to clarify concerns. The applicant's compliance history will also be considered.

Following assessment, a report and recommendation will be prepared for review by the Executive Manager Development Services. Where objections cannot be resolved or significant issues are identified, the application will be referred to Council for determination.

4.3. Exceptional Circumstances

Approval for additional dogs will only be considered in limited circumstances, including where a dog is being replaced due to age or illness, where a dog has been inherited due to family circumstances, where households have merged, where prior approval existed in another local government, or where dogs are required for stock management or training on appropriately zoned land.

Each application will be assessed on its individual merits, and these circumstances do not guarantee approval.

4.4. Conditions of Approval

Where approval is granted, conditions will apply, including requirements for registration and microchipping of all approved dogs within prescribed timeframes, and limitations that approval applies only to the approved dogs for their lifetime.

Applicants must notify the Shire of any changes to their circumstances, including relocation or changes to dog numbers.

The Shire may impose additional conditions as necessary to ensure compliance, animal welfare and community amenity.

Where conditions are breached, and Authorised Officer may revoke approval and require removal of the additional dogs within a specified timeframe.

All dogs must be contained within suitable enclosures, with fencing appropriate to the breed, size and condition of the dog to prevent escape.

SHIRE POLICY 8.2 Multiple Dogs

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for the management of multiple dogs within the Shire.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and the appropriate delegation of decision-making authority.

The Executive Manager Development Services is responsible for oversight of application assessments and decision-making under delegated authority.

Authorised Officers (Rangers) are responsible for assessing applications, conducting inspections, undertaking community consultation, and enforcing compliance with this Policy and relevant legislation.

Applicants are responsible for complying with all application requirements, conditions of approval, and legislative obligations relating to dog ownership.

6. COMPLIANCE

Legislation	<i>Dog Act 1976, s26(3)</i> <i>Local Government Act 1995, s5.18, 5.42 and 5.46(1)</i> <i>Shire of Chittering Dog Local Law 2023, cl3.2(2)</i>
Industry	Animal welfare standards and guidelines
Organisational Documents	Application for Exemptions on Limitations of Number of Dogs form
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	April 2029
Policy Owner	Executive Manager Development Services		
Version	Decision Ref	Date	Change
1.0		21/11/2012	Initial adoption
2.0		20/02/2013	Amendment
3.0		19/07/2023	Amendment
4.0		20/05/2026	Amendment

SHIRE POLICY 8.3

Trading in Public Places

Responsible Department: Development Services

Responsible Business Unit: Environmental Health

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to provide a clear and consistent framework for the assessment and approval of Trader's Permits under Part 12 of the *Shire of Chittering Local Government Property and Public Places Local Law 2023*. The local law prevails in the event of any inconsistency with this Policy.

2. SCOPE

This Policy applies to all applicants seeking a Trader's Permit to operate within public places in the Shire of Chittering, and to officers responsible for assessing, issuing and managing permits.

3. DEFINITIONS

Authorised Officer means an officer appointed to administer and enforce this Policy and the relevant Local Law.

Public Place has the meaning given in the *Shire of Chittering Local Government Property and Public Places Local Law 2023*.

Trader's Permit means an approval issued by the Shire permitting a person to trade in a public place in accordance with the Local Law.

4. POLICY STATEMENT

All applications for Trader's Permits must be submitted on the approved form and include sufficient information to enable proper assessment.

Permits will only be issued for approved locations, as defined by the Principal Environmental Health Officer (PEHO) in collaboration with the Executive Manager Technical Services.

Hours of operation shall be generally restricted to 7am to 9pm however times may be varied subject to individual application and assessment.

Permits are issued for a maximum period of 12 months, subject to payment of the Shire's annual fee (located in the Schedule of Fees and Charges) after which renewal is required.

Any issues or complaints arising from the operation of permit holder will be assessed by the PEHO and, where necessary, the Chief Executive Officer may revoke a permit.

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Trading in Public Places

Permit holders do not have exclusive right to any approved location and must operate in a manner that is considerate of other users of the space.

The Shire will maintain a register of permit holders and approved locations to manage site use and minimise conflicts between traders.

This policy does not restrict registered food businesses from operating at approved public events subject to separate approvals processes.

4.1. Location-Specific Requirements (Bindoon and Other Areas)

Traders permits for food vehicles and stalls will be issued for within the Bindoon and Muchea townsites, and other locations of commercial sensitivity, where applications meet the requirements of the Local Law.

Trading at Clune Park (Bindoon) is restricted to between 5:00pm – 9:00pm unless otherwise approved.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for trading in public places.

The Chief Executive Officer is responsible for ensuring the implementation of this Policy and may exercise delegated authority in relation to permit approvals and revocations.

The Principal Environmental Health Officer is responsible for assessing applications, determining appropriate locations, maintaining the register of permit holders, and managing compliance and complaints.

The Executive Manager Technical Services is responsible for providing input into location suitability and infrastructure considerations.

Authorised Officers are responsible for monitoring compliance and enforcing permit conditions and Local law requirements.

Permit holders are responsible for complying with all conditions of their approval, operating in a safe and responsible manner, and ensuring their activities do not negatively impact public amenity.

6. COMPLIANCE

Legislation	<i>Shire of Chittering Local Government Property and Public Places Local Law 2023</i>
Industry	Relevant food safety and mobile trading standards
Organisational Documents	Schedule of Fees and Charges Council Plan Corporate Business Plan
Strategic Alignment	

SHIRE POLICY 8.3

Trading in Public Places

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	June 2029
Policy Owner	Principle Environmental Health Officer		
Version	Decision Ref	Date	Change
1.0		12/12/2018	Initial adoption
2.0		20/04/2022	Amendment
3.0		19/07/2023	Amendment
4.0		20/05/2026	Amendment

SHIRE POLICY 8.4

Temporary Accommodation

Responsible Department: Development Services

Responsible Business Unit: Environmental Health

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to establish a framework for approving and regulating temporary accommodation outside of caravan parks, in response to amendments to the *Caravan Parks and Camping Regulations 1997* (Regulations). This policy ensures temporary accommodation options comply with environmental health, safety, and amenity standards while addressing local housing needs.

2. SCOPE

This Policy applies to all temporary accommodation applications within the Shire of Chittering including vacant and established properties. It is applicable to properties zoned under the Shire's Local Planning Scheme and considers both the construction of permanent dwellings and other purposes allowed under the Regulations.

3. DEFINITIONS

Authorised person means a person appointed under s17 of the *Caravan Parks and Camping Grounds Act 1995* (WA).

Building Permit means a building permit as defined in the *Building Act 2011*.

Caravan means a vehicle that is fitted or designed for habitation and can include an annex (Note: a tiny home on wheels is regarded as a 'caravan').

Dwelling means a Class 1a building defined in the *Building Code of Australia* which is used for habitation.

Shed means a Class 10a building defined in the *Building Code of Australia* which is non-habitable.

Substantial progress means a dwelling is at least 50% completed.

Temporary accommodation means a caravan that is used for temporary occupation of land.

4. POLICY STATEMENT

Temporary accommodation may be approved for up to 24 months on eligible properties, subject to compliance with relevant legislation, health and safety, and amenity standards. Approvals are contingent upon meeting the specified conditions and are subject to revocation in cases of non-

SHIRE POLICY 8.4

Temporary Accommodation

compliance. Living in sheds without approval is prohibited, and temporary accommodation in tents will not be supported.

4.1. Policy Provisions

Temporary accommodation on private property (in one caravan) may be considered for approval by the Shire, subject to the following provisions:

1. A current Building Permit has been issued to construct a permanent dwelling on the site or an approved permanent dwelling already exists on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
4. Caravans used for temporary accommodation on vacant properties may be parked inside of a shed. If no shed is available, the caravan shall be parked in close proximity to the approved dwelling location or the existing dwelling.
5. Caravans must be mobile and capable of being moved offsite at all times to minimise the risk to the occupants in the event of a bushfire emergency and enable efficient evacuation of the site.
6. A temporary accommodation approval can only be issued for a period no longer than twenty-four (24) consecutive months.
7. Approval will only be considered on land zoned under the Shire's Local Planning Scheme as:
 - (a) Agricultural resource
 - (b) Rural Residential
 - (c) Rural Smallholdings
 - (d) Rural Retreat
 - (e) Townsite
 - (f) Residential
8. The following minimum facilities are to be provided in a caravan or available to use at the lot to enable approval for temporary occupation to be granted:
 - (a) Connection to an approved wastewater treatment and disposal system (use of an offsite dump point will not be considered an appropriate means of wastewater disposal);
 - (b) An adequate supply of potable water;
 - (c) Cooking facilities and sink;
 - (d) A refrigerator;
 - (e) Connection to the mains power supply or an alternative power supply (e.g. solar panels with battery storage), however the use of a generator is not supported;
 - (f) Shire waste and recycling bins (in services areas); and
 - (g) Beds for all intended occupants.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
 - (a) A toilet;
 - (b) A sink or trough;
 - (c) A shower;

SHIRE POLICY 8.4

Temporary Accommodation

- (d) A washing machine
- 10. Overnight sleeping is not permitted in a shed, only a caravan.
- 11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

4.2. Application Process

1. The applicant is to complete the attached 'Application for temporary accommodation' form and submit this to the Shire together with site plan, evacuation plan and the application fee.
2. An Authorised Person may conduct a site inspection prior to the issuance of an approval for temporary accommodation to determine the suitability of the land for temporary accommodation with respect to:
3. Following the expiry of the 'temporary accommodation' approval, an inspection will be conducted by an Authorised Person to ensure that the construction of the dwelling has commenced or is completed.
4. Should an approval for temporary accommodation expire, the Shire may issue a further approval with the timeframe at the discretion of the Shire, but not exceeding twenty-four (24) consecutive months subject to:
 - (a) 'Substantial progress' has been made to a dwelling on the site being constructed under a valid Permit;
 - (b) No significant complaints or amenity impacts have occurred in the preceding approval period; and
 - (c) A renewal application form is submitted along with payment of the relevant fee.

4.3. Advice relating to approval

If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.

Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.

Should a shed be constructed prior to a dwelling being constructed on a site in order to supplement 'temporary accommodation', Development Approval from the Shire is likely required to be sought, and a proponent should contact the Shire's Planning Department for further information.

5. ROLES AND RESPONSIBILITIES

Council is responsible for establishing the policy framework for temporary accommodation within the Shire.

The Chief Executive Officer (or a delegated authority per the Council's delegated authority register), is authorised under the *Caravan Parks and Camping Grounds Act 1995* to approve temporary accommodation applications.

SHIRE POLICY 8.4 Temporary Accommodation

The Development Services Department is responsible for administering this Policy, including assessing applications, undertaking inspections and monitoring compliance.

Authorised Persons are responsible for conducting inspections and ensuring compliance with environmental health and safety requirements.

Applicants are responsible for complying with all approval conditions, maintaining facilities and ensuring the temporary accommodation does not adversely impact safety or amenity.

6. COMPLIANCE

Legislation	<i>Building Code of Australia Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997 Health (Miscellaneous Provisions) Act 1911 Public Health Act 2016 Local Government Act 1995 Shire of Chittering Health Local Law 2017 Shire of Chittering Local Planning Scheme No. 6</i>
Industry	Department of Local Government, Sport & Cultural Industries Guidelines
Organisational Documents	Application forms and internal procedures
Strategic Alignment	

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	November 2026
Policy Owner	Executive Manager Development Services		
Version	Decision Ref	Date	Change
1.0		XX/XX/XXXX	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POLICY 8.5

Nutrient Removal Effluent Disposal Systems

Responsible Department: Development Services

Responsible Business Unit: Environmental Health

Date of Review: 20 May 2026

Council Resolution:

1. OBJECTIVE

The objective of this Policy is to establish a framework for the installation and management of wastewater systems within the Shire of Chittering, ensuring protection of public health, environmental values and water resources in accordance with relevant legislation and State Planning Policy.

2. SCOPE

This Policy applies to all development requiring onsite wastewater treatment and effluent disposal within the Shire of Chittering, particularly within areas identified as sensitive to nutrient export or water resource impact. It applies where reticulated sewerage is not available or not viable.

3. DEFINITIONS

Nutrient Retentive Effluent Disposal System means an onsite wastewater system designed to treat and dispose of effluent while minimising nutrient export to the environment.

Onsite Wastewater System means a system for the treatment and disposal of wastewater on the property where it is generated.

Sensitive Water Resource Area means an area identified as having environmental, ecological or public health significance in relation to water resources.

4. POLICY STATEMENT

All development within the Shire of Chittering requiring onsite effluent disposal must ensure that wastewater is managed in a manner that protects public health, maintains water quality and supports sustainable land use outcomes.

Consistent with State Planning Policy, onsite wastewater disposal will only be supported where reticulated sewerage is not available or viable, and where risks to environmental values and water resources can be appropriately managed.

4.1. Policy Provisions

Pursuant to the provisions of the *Health Act* and associated Regulations, the Shire requires that all new developments within identified sensitive Water Resource areas utilise a Nutrient Retentive Effluent Disposal System, including amended soils, as approved by the Principal Environmental Health Officer.

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Nutrient Removal Effluent Disposal Systems

All systems must be designed, installed and operated in accordance with the Code of Practice for the design, manufacture, installation and operation of secondary treatment systems, published by the Department of Health under Section 344A(2) of the *Health Act*.

The Code of Practice is to be read in conjunction with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the conditions of approval issued by the Shire of Chittering.

Where a site and soil evaluation has been undertaken in accordance with Department of Health guidelines, the findings of that study will inform system design and may take precedence in determining the most appropriate effluent disposal method.

In accordance with State Planning Policy 2.9, development must ensure that onsite wastewater systems do not adversely impact groundwater, surface water, ecological systems or public health, and must adopt a risk-based approach to wastewater management.

5. ROLES AND RESPONSIBILITIES

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

The Chief Executive Officer (or delegated authority) is responsible for ensuring implementation of this Policy and issuing approvals where required.

The Principal Environmental Health Officer is responsible for assessing applications, approving system types, and ensuring compliance with health legislation, State policy and technical standards.

Applicants and property owners are responsible for ensuring systems are installed, operated and maintained in accordance with approvals, manufacturer specifications and legislative requirements.

6. COMPLIANCE

Legislation	<i>Health Act 1911</i> <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>
Industry	Department of Planning, Lands and Heritage Department of Health – Code of Practice (ATUs) State Planning Policy 2.9 – Water
Organisational Documents	
Strategic Alignment	

SHIRE POLICY 8.5

Nutrient Removal Effluent Disposal Systems

7. ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	August 2028
Policy Owner	Principal Environmental Health Officer		
Version	Decision Ref	Date	Change
1.0		19/05/2021	Initial adoption
2.0		20/05/2026	Amendment

SHIRE POSITION STATEMENT

Nuclear Waste

Responsible Department: Development Services

Responsible Business Unit: Environmental Health

Date of Adoption: 20 May 2026

Council Resolution:

STATEMENT OF POSITION

The Shire of Chittering does not support the transport of nuclear waste within or through the district, or the establishment, construction or operation of facilities within the district for the processing, storage or disposal of nuclear waste.

BACKGROUND / CONTEXT

The Shire recognises that nuclear waste, radioactive material, transport, storage and related facilities are regulated through Commonwealth and State legislative frameworks, including radiation safety, environmental protection, transport and planning controls. This position provides a clear local-government statement to guide the Shire's response to any relevant proposal, consultation or matter affecting the district.

APPLICATION AND SCOPE

This Position Statement applies to Council, the Chief Executive Officer, Shire employees and external stakeholders when considering, responding to or making representations about proposals involving nuclear waste within or through the district.

The Position Statement stands alone as Council's adopted position. It does not establish operational procedures, create approval requirements or replace statutory assessment and approval processes administered by Commonwealth or State agencies. It does not limit the Shire's legal obligations or the exercise of any statutory function, power or discretion.

IMPLEMENTATION DIRECTION

Council expects this Position Statement to inform Shire advocacy, submissions, consultation responses, intergovernmental correspondence and strategic decision-making where matters involving nuclear waste arise.

The Position Statement may also guide the Shire's consideration of related land use planning, environmental emergency management and community safety matters. Any administrative implementation, including the preparation of correspondence or submissions consistent with this position, is the responsibility of the Chief Executive Officer.



SHIRE POSITION STATEMENT Nuclear Waste

COMPLIANCE

Legislation	<p><i>Local Government Act 1995 (WA)</i> <i>Planning and Development Act 2005 (WA)</i> <i>Environmental Protection Act 1986 (WA)</i> <i>Radiation Safety Act 1975 (WA)</i> <i>Radiation Safety (Transport of Radioactive Substances) Regulations 2002 (WA)</i> <i>Australian Radiation Protection and Nuclear Safety Act 1998 (Cth)</i> <i>National Radioactive Waste Management Act 2012 (Cth)</i></p>
Industry	<p>Relevant radiation safety, environmental protection, transport and emergency management standards</p>
Organisational Documents	<p>Council Plan Local Planning Strategy Local Planning Scheme Local Emergency Management Arrangements Risk Management Framework</p>
Strategic Alignment	

ADMINISTRATION

Review Cycle	Every 3 years	Next Review Due	May 2029
Version	Decision Ref	Date	Change
1.0		00/11/2005	Initial adoption
2.0		20/05/2026	Transfer to PS