



## AGENDA

### ORDINARY COUNCIL MEETING

25 August 2021

#### NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member & Community Members

Pursuant to [Resolution 1020.012 of 27 October 2020](#), an Ordinary Meeting of the Shire of Narrogin will be held on 25 August 2021, in the Shire of Narrogin Council Chambers, 89 Earl Street, Narrogin, commencing at 7:00 pm.

A handwritten signature in black ink, appearing to read 'Dale Stewart'.

Dale Stewart  
**Chief Executive Officer**

### **Acknowledgement of Noongar People**

The Shire of Narrogin acknowledges the Noongar people as traditional custodians of this land and their continuing connection to land and community. We pay our respect to them, to their culture and to their Elders past and present.

Naatj ngiyan Birdiya Gnarojin kep unna nidja Noongar Moort ngaala maya nidja boodjera baarlap djoowak karlerl koolark. Ngalak niny ngullang karnan balang Bibolman baalap borong koora wer boorda.

**Electronic copies of minutes and agendas are available for download from the Shire of Narrogin website [www.narrogin.wa.gov.au](http://www.narrogin.wa.gov.au)**

**Alternative formats are also available upon request, including large print, electronic format (disk or emailed), audio or Braille**



Shire of  
**Narrogin**

*Love the life*

# STRATEGIC COMMUNITY

**SNAPSHOT**

**PLAN**  
2017-27

## VISION

A leading regional economic driver and a socially interactive and inclusive community.

## MISSION

Provide leadership, direction and opportunities for the community.

## KEY PRINCIPLES

In achieving the Vision and Mission, we will set achievable goals and work with the community to maintain a reputation of openness, honesty and accountability. In doing so we will:

- Respect the points of view of individuals and groups;
- Build on existing community involvement;
- Encourage community leadership;
- Promote self-reliance and initiative;
- Recognise and celebrate achievement;
- Support the principles of social justice; and
- Acknowledge the value of staff and volunteers.

## OUR VALUES

### Care with Trust & Teamwork

**Caring** - We display kindness and concern for one another and our community

**Accountability** - We accept responsibility for our actions and outcomes

**Respect** - We treat everyone how we would like to be treated

**Excellence** - We go the extra mile to deliver outstanding services

**Trust** - We share without fear of consequences

**Team Work** - We work together for a common goal

## ECONOMIC

### Support growth and progress, locally and regionally...

#### Growth in revenue opportunities

- Attract new industry, business, investment and encourage diversity whilst encouraging growth of local business
- Promote Narrogin and the Region
- Promote Narrogin's health and aged services including aged housing

#### Increased Tourism

- Promote, develop tourism and maintain local attractions

#### An effective well maintained transport network

- Maintain and improve road network in line with resource capacity
- Review and implement the Airport Master Plan

#### Agriculture opportunities maintained and developed

- Support development of agricultural services

Shire of Narrogin

## SOCIAL

### Provide community facilities and promote social interaction...

#### Provision of youth services

- Develop and implement a youth strategy

#### Build a healthier and safer community

- Support the provision of community security services and facilities
- Advocate for mental health and social support services
- Continue and improve provision of in-home care services

#### Existing strong community spirit and pride is fostered, promoted and encouraged

- Develop and activate Sport and Recreation Master Plan
- Engage and support community groups and volunteers
- Facilitate and support community events
- Provide improved community facilities (eg library/recreation)
- Encourage and support continued development of arts and culture

#### Cultural and heritage diversity is recognised

- Maintain and enhance heritage assets
- Support our Narrogin cultural and indigenous community

#### A broad range of quality education services and facilities servicing the region

- Advocate for increased education facilities for the region
- Advocate for and support increased education services

Agenda Ordinary Council Meeting 25/08/2021

## ENVIRONMENT

### Conserve, protect and enhance our natural and built environment...

#### A preserved natural environment

- Conserve, enhance, promote and rehabilitate the natural environment

#### Effective waste services

- Support the provision of waste services

#### Efficient use of resources

- Increase resource usage efficiency

#### A well maintained built environment

- Improve and maintain built environment

## CIVIC

### Continually enhance the Shire's organisational capacity to service the needs of a growing community...

#### An efficient and effective organisation

- Continually improve operational efficiencies and provide effective services
- Continue to enhance communication and transparency

#### An employer of choice

- Provide a positive, desirable workplace

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## DISCLAIMER

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Please note that meetings may be recorded for minute taking purposes.

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# ORDINARY COUNCIL MEETING

## 25 AUGUST 2021

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### 1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, President Ballard, declared the meeting open at 7:00 pm.

### 2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

#### Elected Members (Voting)

Mr L Ballard – Shire President (Presiding Member)

Cr T Wiese – Deputy Shire President

Cr M Fisher

Cr C Bartron

Cr J Early

Cr B Seale

#### Staff

Mr D Stewart – Chief Executive Officer

Mr A Awang – Executive Manager Development & Regulatory Services

Mr T Evans – Executive Manager Technical & Rural Services

Mr F Ludovico – Executive Manager Corporate & Community Services

Ms C Thompson – Executive Assistant

#### Leave of Absence

Cr G Broad

Cr G Ballard

#### Apologies

Cr S Lushey

#### Absent

#### Visitors

### 3. DECLARATION OF INTEREST BY ELECTED MEMBERS AND COUNCIL EMPLOYEES IN MATTERS INCLUDED IN THE MEETING AGENDA

Name	Item No	Interest	Nature
Cr B Seale	10.3.5	Impartiality	Church Warden – Anglican Church

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

The next meeting is scheduled for 22 September 2021.

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

7.1 Ordinary Council Meeting

**OFFICER'S RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 28 July 2021 be confirmed as an accurate record of the proceedings.

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

**9. PETITIONS, DEPUTATIONS, PRESENTATIONS OR SUBMISSIONS**

Nil



## 10. MATTERS WHICH REQUIRE DECISIONS

### 10.1 DEVELOPMENT AND REGULATORY SERVICES

#### 10.1.1 APPLICATION FOR PLANNING CONSENT: PUBLIC AMUSEMENT (NARROGIN MARTIAL ARTS CENTRE)

File Reference	A118500
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Daniel McGrath
Previous Item Numbers	Nil
Date	13 August 2021
Author	David Johnston – Planning Officer
Authorising Officer	Azhar Awang – Executive Manager Development and Regulatory Services
Attachments	1. Site Plan

#### Summary

Council's consideration is requested in regard to the Application for Planning Consent for a Martial Arts Centre at Lot 121 (No. 13B) Clayton Road, Narrogin.

#### Background

On 21 July 2021, the Shire received an Application for Planning Consent from Daniel McGrath to convert an existing workshop at Lot 121 (No. 13B) Clayton Road, Narrogin to a Martial Arts Centre.

The purpose of the business is to teach mixed martial arts and provide fitness classes to customers aged five and over.

The business is run by one person and does not have any additional employees. The services offered range from personal training to larger classes with numbers ranging from 10 to 30 people.

The subject lot has a total area of 2,456m<sup>2</sup> and is a former car dealership and service centre. The Martial Arts Centre's lease is fenced from the rest of the lot. It occupies 1,000m<sup>2</sup> which is inclusive of a 300m<sup>2</sup> former workshop. The former workshop has recently been converted to a Martial Arts Centre.

#### Consultation

A site visit was undertaken by the Planning Officer on 11 August 2021.

Under Clause 6.3 of the Former Town of Narrogin Town Planning Scheme No. 2 (FTPS2) for 'PS' uses, Council may give notice of the Application, but is not required to do so.

It is requested that the Council dispense of public advertising as per Clause 6.3 on the basis that similar approvals for businesses that run fitness classes have not attracted any negative feedback.

### Statutory Environment

The following statutory documents relate to the proposal:

- Environmental Protection Act 1986
- Environmental Protection (Noise) Regulations 1997
- Planning and Development Act 2005
- Former Town of Narrogin – Town Planning Scheme No. 2
  - Clause 6.3 – Special Approval

### Policy Implications

Nil

### Financial Implications

The Application for Planning Consent Fee (retrospective) of \$441, being three (3) times the scheduled fee was paid to the Shire.

### Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	1.	Economic Objective (Support growth and progress, locally and regionally)
Outcome:	1.1	Growth in revenue opportunities
Strategy:	1.1.1	Attract new industry, business, investment and encourage diversity whilst encouraging growth of local business
Strategy:	1.1.2	Promote Narrogin and the Region
Objective:	2.	Social Objective (To provide community facilities and promote social interaction)
Outcome:	2.1	Provision of youth services
Strategy:	2.1.1	Develop and implement a youth strategy
Outcome:	2.2	Build a healthier and safer community

### Comment/Conclusion

#### Zoning

Lot 121 (No. 13B) Clayton Road, Narrogin is zoned “Central Business” under the FTPS2. The Policy Statement for the zoning states:

*“To provide for the function and development of the town centre primarily for retail shops and offices, Council will control the development of other uses and co-ordinate such uses to ensure that compatible development occurs in like areas.”*

The Martial Arts Centre falls under the definition of ‘Public Amusement’, which:

*“means land and buildings used as a theatre cinema, dance hall, skating rink, squash court, swimming pool, meeting hall or non-residential club or for the playing of active indoor sports.”*

Such use is listed as a PS use under the ‘Central Business Zone’, which means:

*“Use not permitted unless special approval given by Council and conditions complied with.”*

Clause 6.3 – Application for Special Approval of the FTPS2 states as follows:

*“6.3.1 The Council shall in the case of an application for permission to carry on a use marked AP in the Development Table and may in the case of an application for permission to carry on a use marked PS in the Development Table or in any other case in which application is made for its approval give notice of the application in accordance with the provisions of this Clause.*

*6.3.2 Where the Council is required or decides to give notice of an application the Council shall cause:*

- a) notice of the proposed use and development to be sent by post or delivered to the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of the application;*
- b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area and in the State of Western Australia stating that submissions may be made to the Council within 21 days from the publication thereof; and*
- c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land for a period of 21 days from the date of publication of the notice referred to in paragraph (b) hereof.”*

Given that there have been a number of fitness class businesses established in the ‘Central Business Zone’ with no negative submissions received during those previous public advertising periods, it is recommended that Council waive the requirement for public advertising as the application is unlikely to attract negative feedback based on previous applications.

Clause 6.3.5 further states:

*“6.3.5 A resolution to grant special approval must be passed by an absolute majority of the Council.”*

#### Car parking

Under FTPS2, Public Amusement Uses are required to have 1 car bay per seat. This is not a practical way to assess carparking for this development as classes will be conducted standing and will vary in numbers. Instead, the more appropriate requirement for the Central Business Zone which is 1 car bay per 33m<sup>2</sup> of gross floor area is to be provided.

Using this method, the 300m<sup>2</sup> Martial Arts Centre needs to provide 10 parking bays. Aerial imagery shows that this requirement has been achieved.

### Landscaping

The site visit concluded that although there is adequate landscaping provided on site, the landscaping has not been maintained to a good standard. The Zoning Table of FTSP2 requires that Central Business zoned lots are to dedicate 7% of the lot to landscaping. It is recommended that the applicant be required to maintain the existing landscaping to a satisfactory standard.

### Noise

The type of use and activities to be carried out at the premises may generate noise which may have an impact on adjacent residential premises. The Officers' recommendation includes conditions that address this. These include the applicant submitting a noise management strategy to ensure sound from within the premises will not create a noise problem for properties in the vicinity.

Should complaints be received, it is the applicant's responsibility to manage noise levels in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.

### **Voting Requirements**

Part 1 of 2 – Simple Majority

Part 2 of 2 – Absolute Majority

#### **OFFICERS' RECOMMENDATION – PART 1 OF 2**

That, with respect to the Application for Planning Consent: Public Amusement (Narrogin Martial Arts Centre) (Retrospective), Council dispenses the requirement to advertise the Application in accordance with Clause 6.3 of the Former Town of Narrogin – Town Planning Scheme No. 2.

#### **OFFICERS' RECOMMENDATION – PART 2 OF 2**

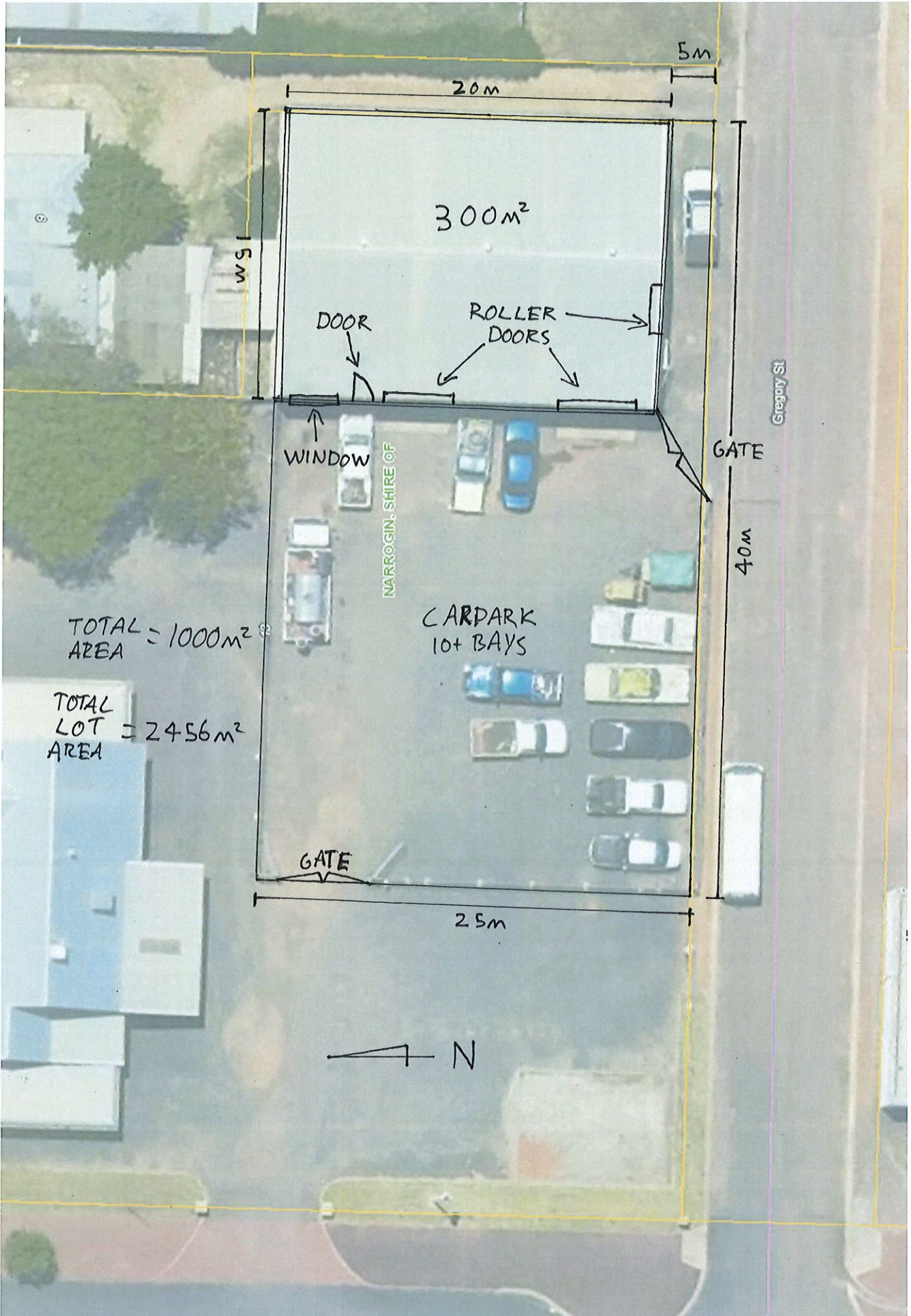
That, with respect to the Application for Planning Consent: Public Amusement (Narrogin Martial Arts Centre) (Retrospective), Council approves the Application subject to the following conditions:

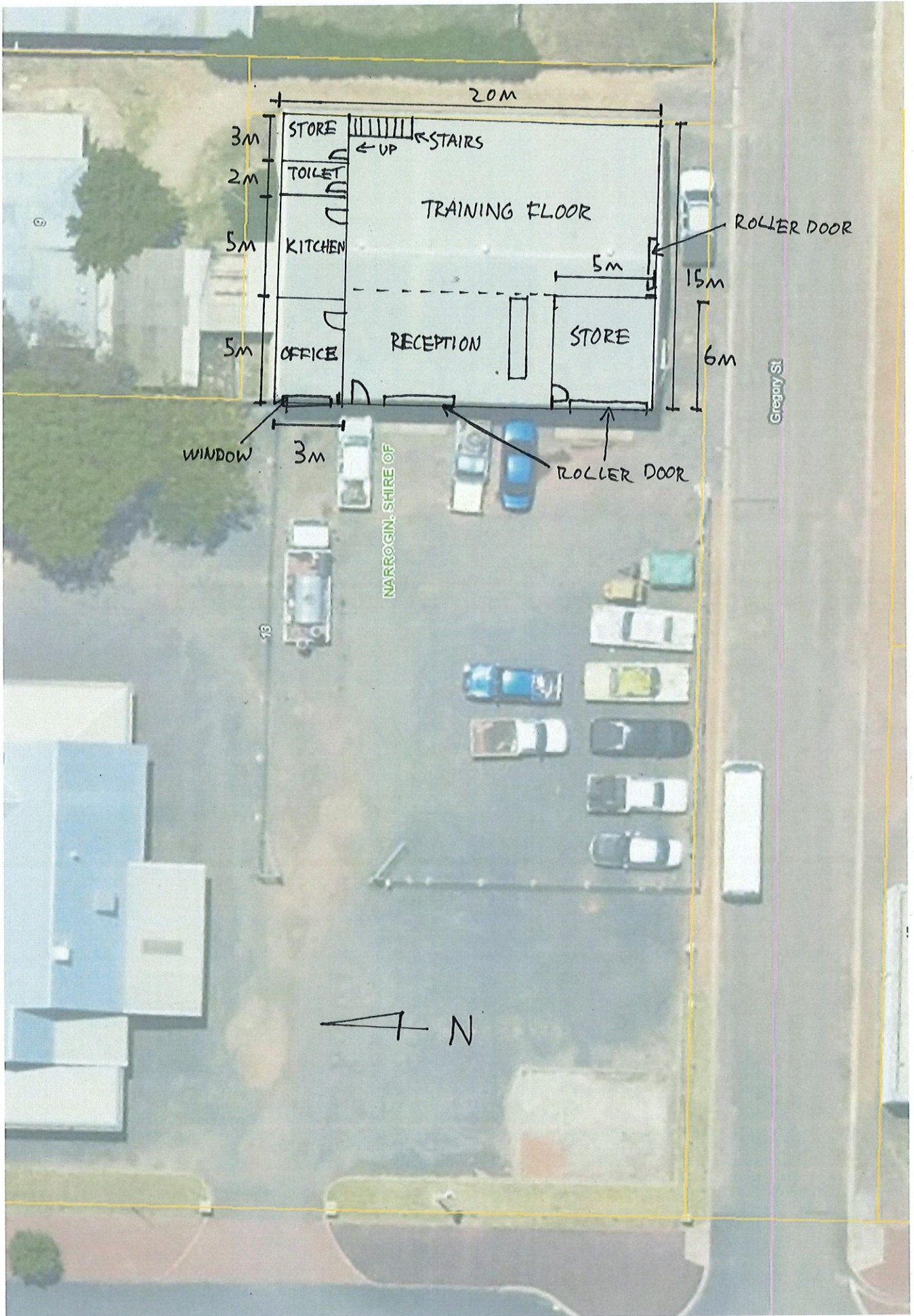
1. The approval shall expire if the development permitted is not completed within two years of approval, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Shire is granted by it in writing.
2. The development approved shall be in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Chief Executive Officer.
3. Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.
4. All drainage run-off associated with the development shall be contained on site or connected to the Shire's storm water drainage system to the satisfaction of the Chief Executive Officer.
5. Landscaping areas are to be maintained at all times to the satisfaction of the Chief Executive Officer.

6. All signage is to be in accordance with the Shire of Narrogin's local laws unless further approval is granted by the Shire of Narrogin.
7. The use permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason or appearance or the emission of noise.
8. The applicant is requested to submit a noise management plan, to the satisfaction of the Chief Executive Officer, that will be used to ensure that sound from activities within the premises will not create a noise problem for properties in the vicinity.
9. Any outside lighting to comply with Australian Standard AS4282-1997 for the control of obstructive effects of outdoor lighting and not spill into any adjacent residential premises.

Advice Notes:

1. The premises will be subject to noise assessments and control procedures prescribed by the Environmental Protection (Noise) Regulations 1997 when required.
2. The applicant is advised that they are required to apply for a Certificate of Compliance as a public building, from the Shire of Narrogin.









## 10.1.2 APPLICATION FOR PLANNING CONSENT TOURISM ACCOMMODATION AT 443 KILPATRICK ROAD, NOMANS LAKE.

<b>File Reference</b>	A622
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
<b>Applicant</b>	Planning Outcomes WA
<b>Previous Item Numbers</b>	Item 10.1.1. 23 June 2021 Res. 0621.002
<b>Date</b>	13 August 2021
<b>Author</b>	David Johnston – Planning Officer
<b>Authorising Officer</b>	Azhar Awang – Executive Manager Development and Regulatory Services
<b>Attachments</b> 1. Cover Letter 2. Site Plans, Floor Plans and Elevations 3. Wastewater Management System Design Proposal 4. Bushfire Management Plan 5. Justification Letter 6. Schedule of Submissions	

### Summary

Council's consideration is requested in regard to the proposed Tourism Accommodation on various lots at 443 Kilpatrick Road, Nomans Lake, at the completion of the public advertising period.

The lots included in this application under the address, 443 Kilpatrick Road are as follows:

Address	Volume/Folio	Area	Landowners
Lot 6645	1705/523	647,927m <sup>2</sup>	Joseph and Meryl Armstrong
Lot 6801		2,321,106m <sup>2</sup>	
Lot 7056 (No. 363)		644,757m <sup>2</sup>	
Lot 10634		411,882m <sup>2</sup>	
Lot 11485		1,047,905m <sup>2</sup>	
Lot 5092	1934/743	824,930m <sup>2</sup>	Armstrong Farmlands Pty Ltd
Lot 10845 (part)	1302/478	3,649,471m <sup>2</sup>	
Lot 3	2659/390	214,232m <sup>2</sup>	
Lot 4	2659/391	369,448m <sup>2</sup>	
Lot 14845 (part)	1238/605	550,625m <sup>2</sup>	

### Background

On 14 May 2021, the Shire received an Application for Planning Consent for the proposed Tourism Accommodation on various lots at 443 Kilpatrick Road, Narrogin. This proposal comprises five "tiny homes". These "tiny homes" are essentially licensed caravans which are designed to be more aesthetically pleasing and include more facilities than a regular caravan. Pictures and 3D images have

been included in Attachments 1 and 2. These “tiny homes” will be positioned around the farm, each on a separate lot and with their own water tank, parking space and ablution facilities. Also included in the application is four timber signs all measuring 900mm wide and 400mm high on a 1000mm high post. These will be located at each driveway entrance.

Council previously considered the matter at its meeting held on 23 June 2021, whereby Council resolved as follows:

*“OFFICERS’ RECOMMENDATION AND COUNCIL RESOLUTION – PART 1 OF 2, 0621.002*

*That, with respect to Application for Planning Consent: Tourism Accommodation (Use not listed) at Various Lots (No. 443) Kilpatrick Road, Nomans Lake, Council:*

- 1. Determine that the proposed Use may be consistent with the objectives and purpose of the ‘Farming’ zone in accordance with Clause 3.2.5 b) of the Former Shire of Narrogin Local Planning Scheme No. 2.*
- 2. Publicly advertise the Application for a period of 21 days in accordance with Clause 6.3 of the Former Shire of Narrogin Local Planning Scheme No. 2.”*

Council further resolved:

*“COUNCIL RESOLUTION – PART 2 OF 2, 0621.002*

*That, with respect to Application for Planning Consent: Tourism Accommodation (Use not listed) at Various Lots (No. 443) Kilpatrick Road, Nomans Lake, if at the close of Public Advertising there are no negative submissions, Council approves the Application subject to the following conditions:*

- 1. The approval shall expire if the development permitted is not completed within two years of approval, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Shire is granted by it in writing.*
- 2. The development approved shall be in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Chief Executive Officer.*
- 3. Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.*
- 4. A Bushfire Emergency Evacuation Plan is to be prepared and submitted to the Shire prior to commencing operations on site.*
- 5. Any advertising signage is not to be located on the road reserve and is to be simple and large font in order to be readable without causing driver inattention.*

*Advice Notes:*

- 1. The applicant be advised that they would need to apply for a Nature-Based Park license from the Shire.”*

At the close of advertising, one negative submission was received and so in accord with Council’s resolution, the item is now presented for Council’s further consideration.

## Consultation

The proposal was advertised through the Shire's website, the Narrogin Observer, Facebook and the adjoining property owners were notified in writing of the proposal. The advertising period lasted 21 days, beginning 8 July 2021 and closing 5:00 pm 28 July 2021. During this period, one negative submission was received. The submission had concerns that can be summarised as follows:

- Concern that there would be dogs and other pets on site that could be set loose and attack livestock on neighbouring farms.
- Concern that guests not familiar with the area could accidentally trespass onto neighbouring properties.
- Concern that guests would create a nuisance with noisy vehicles such as motorbikes and quadbikes.

The Schedule of Submissions contains the original submission and the officer's comments in Attachment 6.

Following the closure of advertising, the applicant was contacted for their comments. Their response to concerns is included in their letter, see Attachment 5.

Further details are contained in the Comment/Conclusion section below.

## Statutory Environment

The following Acts, Regulations and Schemes that apply to this item include:

- Former Shire of Narrogin – Local Planning Scheme No. 2;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- Planning and Development Act 2005;
- Caravan Parks and Camping Grounds Regulations 1997.

## Policy Implications

Nil

## Financial Implications

An Application for Planning Consent Fee of \$1,280 has been paid to the Shire of Narrogin.

## Strategic Implications

The Application directly relates to the Shire of Narrogin Tourism Strategy. The proposal is well aligned with Strategy number 6 which states: *"Encourage the Development of Experiential Accommodation Options: Farm-stay, caravanning, camping (possibly glamping)"*

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	1.	Economic Objective (Support growth and progress, locally and regionally)
Outcome:	1.1	Growth in revenue opportunities
Strategy:	1.1.1	Attract new industry, business, investment and encourage diversity whilst encouraging growth of local business
Strategy:	1.1.2	Promote Narrogin and the Region

Outcome:	1.2	Increased Tourism
Strategy:	1.2.1	Promote, develop tourism and maintain local attractions
Objective:	3.	Environment Objective (Conserve, protect and enhance our natural and built environment)
Outcome:	3.1	A preserved natural environment
Strategy:	3.1.1	Conserve, enhance, promote and rehabilitate the natural environment
Outcome:	3.4	A well maintained built environment
Strategy:	3.4.1	Improve and maintain built environment

## Comment/Conclusion

### Zoning

The various lots at 443 Kilpatrick Road, Narrogin, included in the Application are all zoned 'Farming' under the Former Shire of Narrogin Local Planning Scheme No. 2 (FS-LPS). The objectives of this zone are as follows:

*"4.13 The Council intends the predominant form of farming activity in the Farming Zone will continue to be based on large farming units. It will generally be opposed to the fragmentation of farming properties through the process of subdivision.*

*4.13.2 Development: The Council shall not grant planning approval for any development that will in the opinion of the Council adversely affect the rural landscape or be contrary to the agricultural use of the land."*

The use of "tiny homes", caravan park, tourism accommodation, or similar is not included in the zoning table of the FS-LPS. Therefore, Council may treat the proposal as a use not listed:

*"3.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:*

- a) Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or*
- b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and therefore follow the advertising procedures of sub-clause 7.2 in considering an application for planning approval."*

Given that the proposal has a small footprint in comparison to the various lots of 443 Kilpatrick Road and that the proposal is to have only minor impacts on the main farming use of the land, it is recommended that Council support the application.

### Submissions

In assessing the submission, the Officer recommends that the concerns raised could be addressed through additional planning conditions. These conditions are as follows and are contained in the Officers' recommendation.

1. Guests of the approved development are not to bring animals on site other than approved assistance animals. This is in keeping with the response of the applicant.
2. Rural style fencing is to be installed and maintained along property boundaries to the satisfaction of the Chief Executive Officer so to ensure all activities associated with the development are contained on site.

As part of the submissions process, the applicant has also requested that Council review the proposed condition 1. The applicant suggested that this condition limits the approval timeframe. Under the current proposed condition 1, approval would expire after two years if the development is not completed. Condition 1 does however note that the applicant can request an extension of approval. The Officer has recommended, consistent with previous approvals, that a relaxed condition is not warranted and a request for extension of approval would likely be granted.

#### Caravan and Camping Ground Regulations

Under the Caravan Park and Camping Ground Regulations 1997 (the Regulations), the proposed “Tiny Homes” are classed as “Caravans.” Schedule 7 of the Regulations outlines the criteria with which the “tiny homes” need to comply in order to be compliant caravans on a compliant caravan park. Written approval of the Local Government in accordance with Part 5 of the Regulations is necessary for the caravan park to operate. Any variations to the Regulations including the proposed increase in maximum stay from three nights to four nights (consistent with the applicant’s request) per 28 days (each time) requires written approval from the Minister for Local Government or Local Government, unless an appropriate Caravan Park license is obtained.

#### Bushfire Management Plan

Parts of 443 Kilpatrick Road are located in Bushfire Prone areas. The necessary Bushfire Attack Level Assessment has been completed and returned an attack level of BAL-29. As a result, a Bushfire Management Plan has been prepared and is included in Attachment 4. Any further development approval should condition that a Bushfire Emergency Evacuation Plan be prepared.

#### Utilities

The proposed “tiny homes” are off-grid. Electricity is provided through the use of solar panels and batteries in each “tiny home”.

The Applicant proposes the use of waterless composting toilets from the Department of Health’s list of ‘Approved Waterless Toilets’.

Water tanks with a small capacity of 4,500 litres will be located at each “tiny home”. The reduced water capacity is mitigated by a maximum stay of 4 nights and overall maximum of 28 nights per 3 months for guests.

A shower, hand basin and kitchen sink are all included in each tiny home. These will utilise water from the attached tanks. Waste water is to be processed using a settling tank and absorption style land application system.

The Wastewater Management proposal has been detailed in Attachment 3, and will be subject to the approval of the Shire’s Environmental Health Officer prior to occupation of the Tiny Homes.

### Traffic Management

All parking associated with the proposal will be contained on site. Each “tiny home” has a dedicated parking bay that will be 2WD accessible. Each internal road will be four metres wide gravel and include passing sections. The internal roads are to connect to existing crossovers.

### Signage

Four timber signs all measuring 900mm wide and 400mm high on a one-metre-high post. These will be located at each driveway entrance. In order to address potential safety concerns, any approval should condition that the signs be a simple design and not located within the road reserve.

### Vegetation

No vegetation clearing is necessary for establishing the “tiny homes” and associated infrastructure.

### Management

Each “tiny home” will be managed by the two landowners residing on site. Cleaning and removal of solid waste is to be conducted by outside cleaners.

### Disability Access

One “tiny home” is to be built as fully wheelchair accessible with a ramp included. Door width is compliant.

### Tourism Strategy

The proposal directly relates to the Shire of Narrogin Tourism Strategy. The following information has been provided by the Manager Community, Leisure and Culture:

*“Opportunities to stay on farms either in purpose-built cabins, bed and breakfast style, or simply through letting out a spare room on Airbnb is a low-risk way to increase the variety of appealing accommodation experiences. Offering supplemental tours and rural experiences, such as tractor rides, shearing demonstrations, fruit picking, animal feeding, etc., would further enhance the visitor experience. Although many of these experiences would not generate sufficient income to be viable as standalone tourism enterprises, they do offer opportunities for existing tourism businesses to value add, or for people employed in other industries to generate a supplemental income. The Shire’s role is primarily to highlight the opportunities and facilitate a clear regulatory path to ensure that barriers to providing enhanced tourism experiences in the Shire are not prohibitive.”*

The proposed “tiny homes” address Strategy no. 4 of the Shire of Narrogin Tourism Strategy:

- “Identify and cater for niche visitor interests.
- Identify and develop tourist experiences that cater to specific niche interests (e.g., wildflowers, bird spotting, and nocturnal animal viewing, walk and mountain bike trails, (including the proposed pump track at Gnarojin Park).
- Take ownership of activities and interests of prospective visitors to the area and add them to Narrogin’s tourism portfolio”.

The proposal also addresses the State’s Two Year Tourism Action Plan and the State Government’s ‘Strategy for Tourism in Western Australia 2000’. This includes caravanning and nature-based experiences.

## Voting Requirements

Absolute Majority

### OFFICERS' RECOMMENDATION

That, with respect to the Application for Planning Consent: Tourism Accommodation (Use not listed) at Various Lots (No. 443) Kilpatrick Road, Nomans Lake, Council approves the Application subject to the following conditions:

1. The approval shall expire if the development permitted is not completed within two years of approval, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Shire of Narrogin is granted by it in writing.
2. The development approved shall be in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Chief Executive Officer.
3. Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.
4. A Bushfire Emergency Evacuation Plan is to be prepared and submitted to the Shire of Narrogin prior to commencing operations on site.
5. Any advertising signage is not to be located on the road reserve and is to be simple and large font in order to be readable without causing driver inattention.
6. Guests of the approved development are not to bring animals on site other than approved assistance animals.
7. Rural style fencing is to be installed and maintained along property boundaries to the satisfaction of the Chief Executive Officer so to ensure all activities associated with the development are contained on site.

#### Advice Notes:

1. The applicant be advised that they would need to apply for a Nature-Based Park license from the Shire of Narrogin, pursuant to the Caravan Parks and Camping Grounds Regulations 1997.



# Planning Outcomes WA

town planning, urban design, landscaping + appeals

Our Ref: 443Kilpatrick-DA1

14 May 2021

Development & Regulatory Department  
 Shire of Narrogin  
 PO Box 1145  
 NARROGIN WA 6312  
 Via E-Mail: enquires@narrogin.wa.gov.au

Attn: David Johnston

Dear Sir,

## **VARIOUS LOTS, KILPATRICK ROAD, NOMANS LAKE – DEVELOPMENT APPLICATION PROPOSED CARAVAN PARK (5 x TINY CABINS) & SIGNAGE**

Thank you for your e-mail regarding the above matter dated 29 January 2021.

Planning Outcomes WA has been engaged by the tenants (T/A Tiny Cabins) of the above property (the **Site** or **Subject Site**) to support a planning application for a caravan park (**Attachment 1**).

In response to the planning requirements, the following is submitted in support of the application, and structured as follows.

- |                                  |                              |
|----------------------------------|------------------------------|
| 1. Background                    | 6. Land-Use                  |
| 2. Regional Context              | 7. Site Requirements         |
| 3. Local Context                 | 8. Access, Traffic & Parking |
| 4. Site Features & Existing Devt | 9. Planning for Bushfires    |
| 5. Proposal Overview             | 10. Other Potential Issues   |

### **1. Background**

In mid-2020, a cycling trail (Public Recreation use) was approved on the Site, used by the Wheatbelt Cycling Collective once every two months for events with between 2-20 people participating.

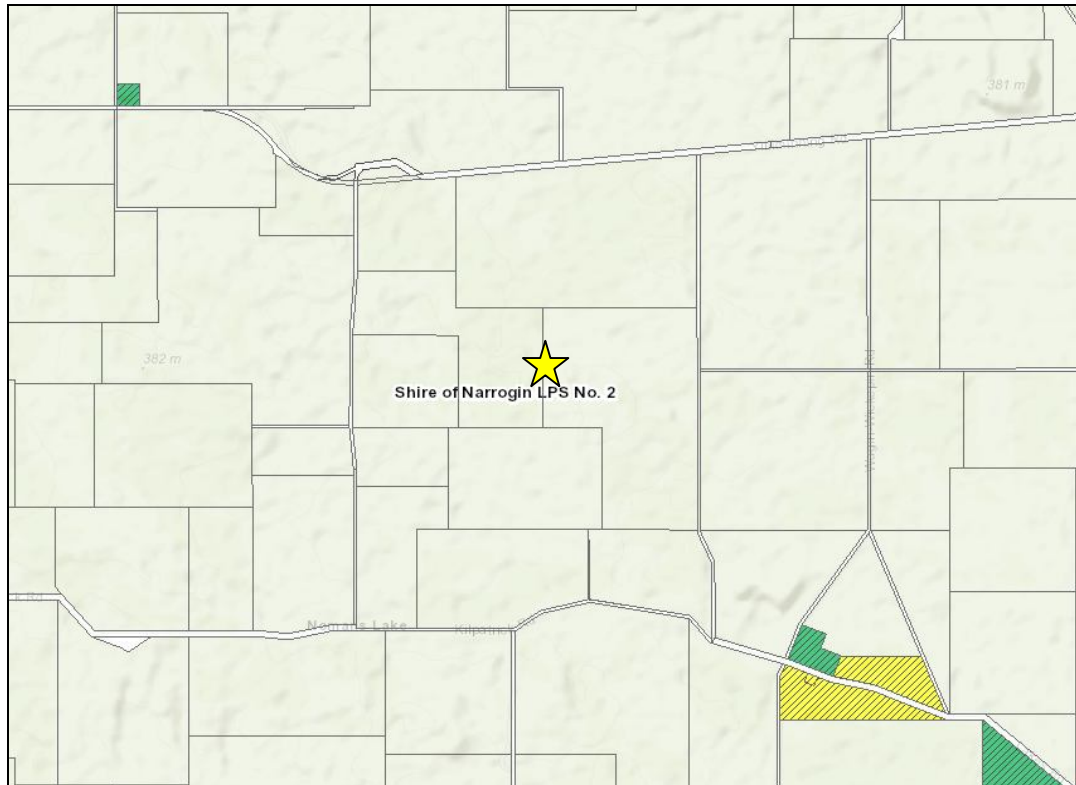
### **2. Regional Context**

The Subject Site is located 230 kilometres southeast from Perth (by road) in the Wheatbelt Region, 205km east from Bunbury, and 32km east from Narrogin, in the rural locality of Nomans Lake (**Attachment 4.1**).



### 3. Local Context

The Site is zoned Farming under the Shire’s Local Planning Scheme No. 2 (**Scheme**), in a locality with a rural character, noting the following within the focus area.



**Scheme Zones & Reserves**

Local Zoning within the Focus Area		
Direction	Zoning	Current Land-Use
North	opposite a <u>Farming</u> zone	Agricultural
East	opposite a <u>Farming</u> zone	Agricultural
	opposite a <u>Parks &amp; Recreation</u> reserve	Unknown building, all possibly vacant
	opposite a <u>Public Purpose</u> reserve	
South	opposite a <u>Farming</u> zone	Agricultural
West	abuts a <u>Farming</u> zone	Linda Valley Farm (sheep and cropping) <u>Bed &amp; Breakfast</u>

### 4. Site Features & Existing Development

The Subject Site currently features the following:

- **Roads** – Located on Kilpatrick, Yillmilling and Wagin-Wickepin Roads within the rural locality of Nomans Lake, with all but Kilpatrick being sealed.

- **Large Landholding** – The Site has a large area of approximately 1,600 hectares, large enough to facilitate existing farming and the proposal without significantly impacting neighbouring properties. The Site is divided into many smaller lots (**Attachment 4.2**) for historical reasons, but with the same owners.
- **Topography** – Ground levels are sloping with a slight average grade (70m from east to west over a distance of 4.8km).
- **Existing Development** – Includes broadacre cropping, a homestead, various sheds, many dams, and water tanks.
- **Encumbrances on the Title** – Nil (Landgate search).

<b>Subject Site by Lot</b>			
<b>Address</b>	<b>Vol./Fol.</b>	<b>Area</b>	<b>Landowners</b>
No. 443 ( <b>multi lot</b> ) Kilpatrick Road, Nomans Lake		see below	
Lot <b>5324</b>		652,865m <sup>2</sup>	
Lot <b>6645</b>		647,927m <sup>2</sup>	
Lot <b>6801</b>		2,321,106m <sup>2</sup>	Joseph & Meryl <u>Armstrong</u>
Lot <b>7056</b> (No. 363)	1705/523	644,757m <sup>2</sup>	
Lot <b>10463</b>		419,094m <sup>2</sup>	
Lot <b>10634</b>		411,882m <sup>2</sup>	
Lot <b>11485</b>		1,047,905m <sup>2</sup>	
Lot <b>3888</b>	2652/350	809,096m <sup>2</sup>	
Lot <b>5092</b>	1934/743	824,930m <sup>2</sup>	Joseph & Meryl <u>Armstrong</u>
Lot <b>7186</b> (part)	1705/524	1,069,081m <sup>2</sup>	
Lot <b>10845</b> (part)	1302/478	3,649,471m <sup>2</sup>	
Lot <b>3</b>	2659/390	214,232m <sup>2</sup>	
Lot <b>4</b>	2659/391	369,448m <sup>2</sup>	
Lot <b>9856</b>	1548/436	2,027,072m <sup>2</sup>	<u>Armstrong</u> Farmlands Pty Ltd
Lot <b>10717</b>	2652/357	1,418,618m <sup>2</sup>	
Lot <b>14845</b> (part)	1238/605	550,625m <sup>2</sup>	
<i>Total</i>		<i>17,078,109m<sup>2</sup></i>	<i>(4,220 ac. / 1,708 ha.)</i>



**Subject Site – Farmlands**

## 5. Proposal Overview

The proposed development is considered to be low-impact with the following features (**Attachments 4.3-4.4**):

- **Theme** – Working farm with onsite mountain bike trails.
- **Accommodation** – 5 x tiny homes / tiny cabins / caravans, 2.9m x 7.0m (20m<sup>2</sup> each).
- **Services & Amenities** – Gas, power, water supply, hot water, shower, toilet, air-conditioning, kitchenette and laundry facility.
- **Deck & Stairs** – Freestanding structure, removable, for access only (3m<sup>2</sup>).



**Tiny Cabin – Chittering Site**

- **Car-Parking** – Ample parking.
- **Access** – Unsealed driveways (2WD), proposed footpaths.
- **Signage** – Simple pylon signs, site-specific advertising.
- **Existing Vegetation** – No clearing required.
- **Visual Impact** – Large site, tiny cabin, earthy tones.
- **Guests** – Max. 2 persons per unit (8 total), adults only, no animals except for assistance dogs.
- **Operations** – 24 hours per day, 7 days a week, 16 month year lease with possible extension.

Operational details are as follows, and considered low-impact:

- **Duration of Stay** – Typically 2 nights, max. 4 nights (compliant to max. 28 days / 3 months).
- **Management / Staffing** – 2 staff (the landowners) residing onsite plus 1-2 external cleaners.
- **Tracks** – Driveways min. 4.0m wide with passing opportunities throughout.
- **Disabled Access** – Plans show a compliant large door, and a disabled access ramp will be provided for one cabin.
- **Laundry Facility** – An internal wash-basin and space for a caravan washing machine (ultra compact) is included in the utility room.
- **Phone & Internet** – 3G Telstra and Optus is available except on the lower plain.



**Daybed**



**Kitchen, Toilet & Main Bed Above**

- **Power** – Solar panels on roof.
- **Water Supply** – 1,000L internal tank and 4,500L external tank.
- **Wastewater** – Settling tank and absorption trench system (**Attachment 3**).
- **Solid Waste** – Removed by cleaners.



**Roof-Mounted Solar Panels**

## 6. Land-Use

The Scheme Zoning Table does not have an extensive list of land-uses, and does not provide guidance on this proposal, which necessitates the employment of a Use Not Listed.

Being DoT-registered caravans (number-plated), the proposal can be considered to meet the Scheme definition of 'Caravan Park':

means an area of land specifically set aside for the parking of caravans and park homes or for the erection of camps on bays or tent sites allocated for that purpose.

As the proposed use is not listed, an analysis of the zone objective is considered below and found to be compliant.

<b>Farming Zone – Objectives (s. 4.13)</b>		
<b>Objectives</b>	<b>Response</b>	<b>Complies?</b>
The Council intends the predominant form of farming activity in the Farming Zone will continue to be based on large farming units.	The Site is currently used for broad-acre cropping, and will continue so.	Yes
4.13.2 Development: The Council shall not grant planning approval for any development that will in the opinion of the Council adversely affect the rural landscape or be contrary to the agricultural use of the land.	Being small cabins, they are low-impact, 'touching the ground lightly', earthy colours, and fitting well within the rural landscape.	

### Caravan Reg's

Examining the requirements in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 7, it is apparent that the proposal complies:

- **Park Types** – Nature-Based Parks with a presumption against most ancillary structures.
- **Management** – Must be onsite.
- **Duration of Stay** – Max. 28 days / 3 months.
- **Setbacks** – 3.0m between caravans/camps, 1.0m to boundaries.
- **Services** – Must be provided.
- **Fencing** – Limits on specifications.
- **Roads** – Min. 4.0m wide, with passing opportunities throughout, speed limit (8km/h).
- **Mobility** – Caravans able to be moved within 24 hours.
- **Licensing** – Further licence required after planning approval.

## 7. Site Requirements

Relevant site requirements of the Scheme have been considered below, and the proposal is found to be compliant.

Site Requirements (Cl. 4.5)				
Issue		Required	Proposed	Complies?
Building Setbacks	Northern Cabin	20m	37m	Yes
	Northwest Cabin		44m	Yes
	Western Cabin		135-139m	Yes
	Southern Cabin		127m	Yes
	Eastern Cabin		88m	Yes
<b>NB:</b> None of the roads are controlled by Main Roads.				

## 8. Access, Traffic & Parking

### Access

Access is gained from Kilpatrick (Access Road), Yillmilling (Regional Distributor) and Wagin-Wickepin Roads (Local Distributor), with all but Kilpatrick being sealed. None of the roads are controlled by Main Roads. Driveways are not proposed to be sealed in keeping with the rural character of the locality.

### Traffic

With regard to traffic, proposed vehicle movements is 4 trips in peak hour, is classed as 'low impact' as it is under the threshold of 10 trips, and therefore a transport statement or assessment is not required in accordance with the Transport Impact Assessment Guidelines 2016.

### Parking

Specific car-parking requirements are not found in the Scheme or the Policy Manual. Notwithstanding this, each cabin will be provided with a suitable field parking area, and are not proposed to be sealed in keeping with the rural character of the locality.

## 9. Planning for Bushfires

As the Site is within a Bushfire Prone Area (**BPA**), a Bushfire Attack Level (**BAL**) assessment Bushfire Management Plan (**BMP**) was commissioned and returned a BAL-29 rating (**Attachment 2**), which does not present any barriers to development. Furthermore the site also has two access routes for safe access and egress.

## 10. Other Potential Issues

The Site is not listed as a Bush Forever site or a Heritage site (local / state / aboriginal).

In relation to neighbour consultation, it is anticipated that the minimal impact of the structures will not generate objections.

With regard to the application fee, a call or invoice from the cashier is requested.

### Conclusion

This application is for a 5 low-impact tiny homes (caravans) on a large property with an existing farm. The Site is well-placed for tourist accommodation, with the locality having a strong rural character with one neighbouring property also operating tourist accommodation (a B&B). The property also has a working farm theme and onsite mountain-bike trails. All these activities will work well together to bolster each other and the wider local economy.

The units are fitted-out with ample services for comfort and enjoyment. The development is minimalistic, low-intensity and low-impact with no clearing required and touching the ground lightly. The proposal is compliant with local and state requirements, not least of which is the Bushfire Guidelines.

Accordingly, it is considered that the proposed development is an acceptable outcome for the Site and the surrounding area, and as such the Shire's discretion is requested to approve the discretionary land-use. If the Shire does not see this proposal as being acceptable, I would appreciate a call or meeting to discuss the most efficient way forward.

If you have any queries, or wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely



Matt Stuart

**Principal Urban Planning Consultant**

**BA (URP) Hons | Grad Cert (UD) | MLGPA**

0408 000 477 | [matt@townplanningadvice.com.au](mailto:matt@townplanningadvice.com.au)

- Att.
1. Development Application Form (dated 24 February 2021)
  2. BMP & Certificate (dated 4 May 2021)
  3. Wastewater Management Plan (dated February 2021)
  4. Development Drawings (Rev. A)



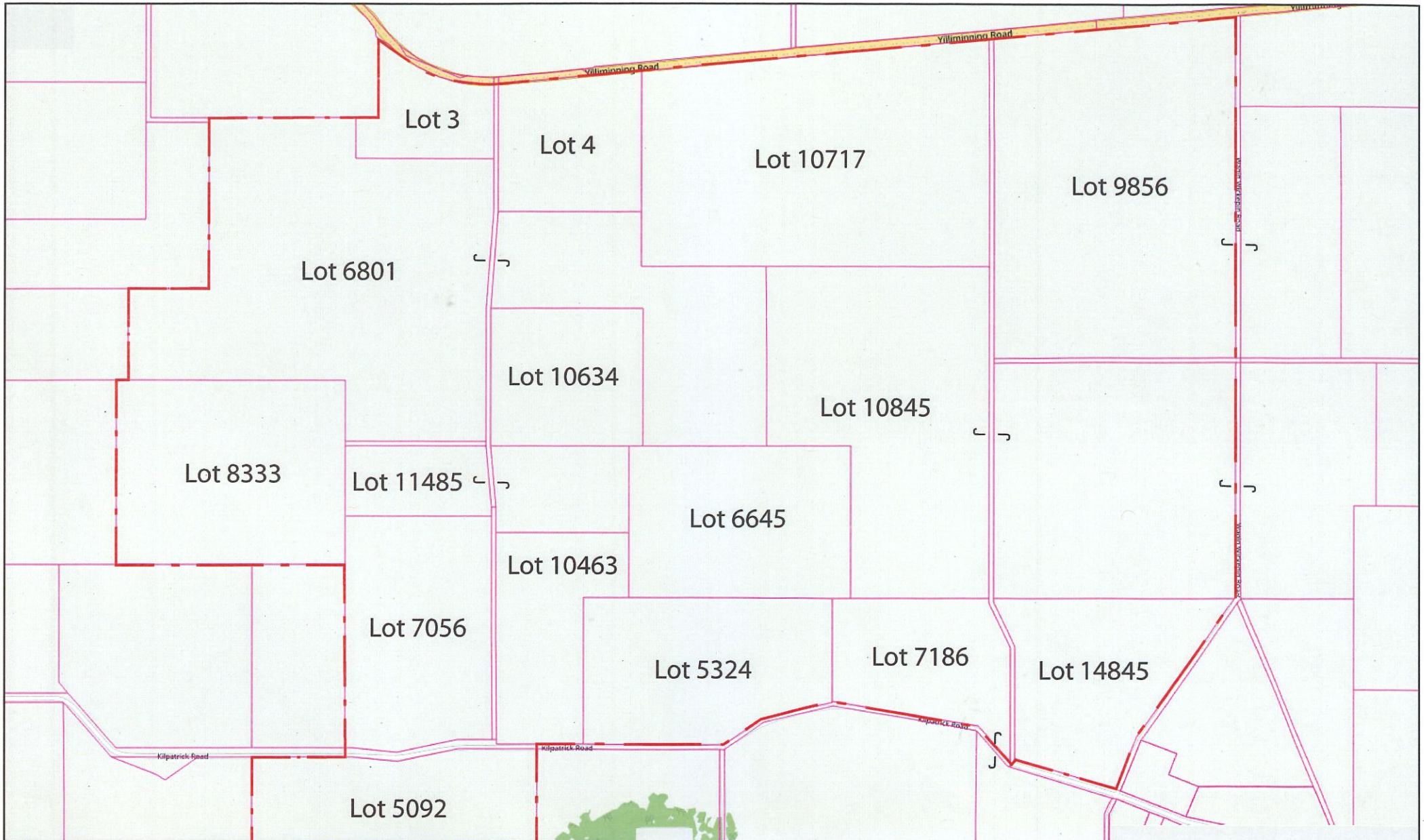


**Planning Outcomes WA** M: 0408 000 477  
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 town planning, urban design, landscaping + appeals

0 5 10 30 40 50 60 100  
 Kilometres

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Rev. A - May 2021  
 Tiny Cabins  
 Various Lots, Kilpatrick/Yillmilling/Wagin-Wickepin Roads, Nomans Lake  
 Tourism Development - Att. 4.1: Regional Plan  
 1:1M (A4)



No Restrictive Covenants, Caveats, or Easements for the Subject Site.



LEGEND (Not To Scale)	
	Gate, min. 3600W
	Signage
	2WD Driveway, 4000W (compacted gravel / limestone / sealed)
	Emergency & Service, 4000W
	Bike Trail (existing)
	Carpark, gravel
	Tiny-Cabin, 2.9m x 7.0m
	Dam (existing)
	Water Tanks
	Firefighting Equip. (existing)
	Setback to Boundary

**SIGNAGE**

1:100

**Timber Sign**

**Pylon Sign Elevation (North)**

- 900H x 400W (0.36m<sup>2</sup>)
- Non-illuminated
- Not overhanging verge

**APPROVAL**

**Planning Outcomes WA**  
town planning, urban design, landscaping + appeals  
Shire of Narrogin

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**TINY CABINS**

0 100 300 600 1000 Metres

Rev. A - May 2021  
Tiny Cabins

Various Lots, Kilpatrick/Yillmilling/Wagin-Wickepin Roads, Nomans Lake

**Tourism Development - Att. 4.3: Site Plan** 1:15,000(A3)

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**ECO WASTEWATER**  
**SOLUTIONS**

**WASTEWATER  
MANAGEMENT SYSTEM  
DESIGN PROPOSAL**

443 Kilpatrick Road, Normans Lake, WA

Prepared for: Sam Soley – Tiny Cabins  
February 2021

Anthony Smith  
info@ecowastewater.com.au  
Ph: (08) 9758 8640 Mob: 0407 247 844  
10 Merchant Street, Margaret River, W.A.  
[www.ecowastewater.com.au](http://www.ecowastewater.com.au)

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## Introduction

This document has been prepared to describe and support an Onsite Wastewater Management Application for the above property. The application is to be considered as a special case. The proposed development and usage of proposed facilities is considerably different from standard usages and hence the proposed system design may fall outside of current regulations. Suitable design considerations with reference to relevant documentation has been made to support the feasibility of the design and its appropriateness as a wastewater management solution for this proposed development.

To support the design sizing and components of this unconventional style of development, a prototype setup has been built and operational on a private property in Chittering. This prototype setup, referred to as 'Joey', has been able to provide valuable data including actual water usage, wastewater production volumes and physical, proven evidence that this small-scale wastewater management system is effective and sustainable.

## Background and Development Description

The proposed development consists of small self-contained holiday cabins.



Figure 1: Front view of the tiny cabin "Joey" in Chittering.

The cabins are energy and water efficient, holiday accommodation alternatives. They have a small ecological footprint and the wastewater management system, consisting of a waterless composting toilet and small-scale greywater dispersal system, has a minimal/negligible impact on the environment.

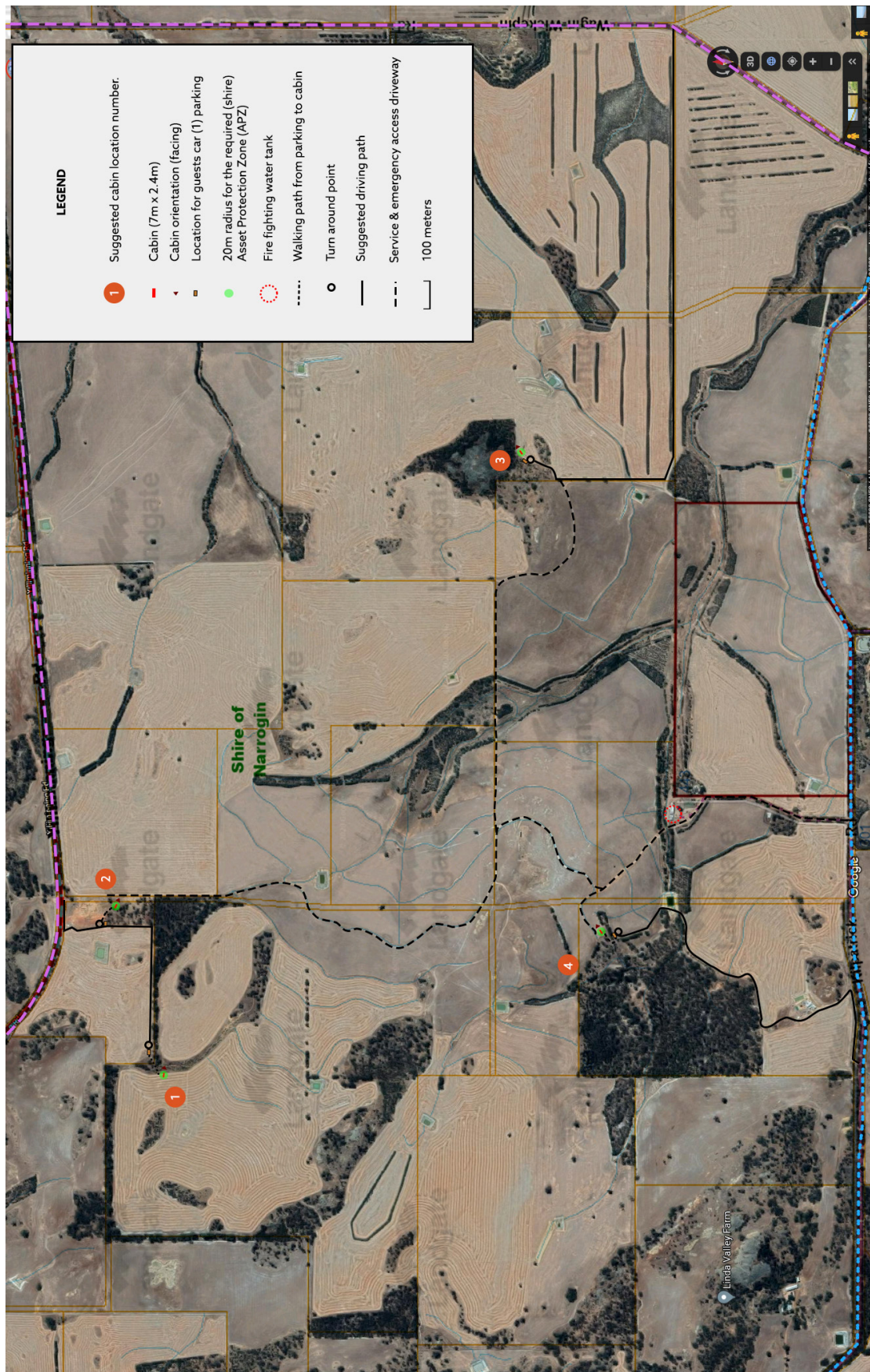
There is a maximum of 2 guests allowed per booking and a standard booking duration of 2 nights (representing most bookings).



Figure 2: Inside view of “Joey” showing the tiny kitchen on the right.

Maintenance is performed at the cabins on a regular basis in between bookings or during periods of vacancy. Cleaners are tasked with the upkeep of the cabins in between bookings and perform a review of the cabins’ facilities at every checkout.

Figure 3: Site plan and proposed cabin locations:





## Fixtures and water consumption / hydraulic loading

### Water Supply

A 4,500L potable water premium corrugated tank is the sole water supply. It is suitable for drinking water in accordance with AS/NZS 4020:2002 and AS 2070 Part 1 & Part 8 Aust. Std. for food contact.

### Fixtures

Each cabin will have:

- 1 x waterless toilet
- 1 x hand basin
- 1 x shower
- 1 x small kitchen sink

Note: no laundry facility

All taps are manufactured to comply with a WELS rating of 4 stars or more (7.5L/min or less) in accordance with AS/NZS 6400:2005.

### Hydraulic loading

- No wastewater is produced from the waterless toilet. A small, excess liquid drain will be installed, as per manufactures specifications.
- Actual wastewater production volumes have been recorded over a 12-month period from the prototype setup, 'Joey'. The maximum combined wastewater production volume from shower, handbasin and kitchen use, over this 12-month period (2019 – 2020) was **18L/p/d.**
- The nominated design hydraulic loading for this proposed development is **40L/p/d.** - incorporating more than a 2X design safety buffer.
- Max occupancy of two guests per day, total maximum design hydraulic loading  $40 \times 2 =$  **80L/d.**

## Low impact, sustainable tourism

Cabin guests are encouraged to embrace a minimalist lifestyle during their stay to minimise environmental impacts and promote sustainable tourism.

Guests are provided with biodegradable soaps and detergents and the "House Rules" are both emailed out to guests before their bookings and confirmed on laminated sheets mounted on the cabin wall and in the cabin booklet.

### Relevant excerpts from the "House Rules"

#### Mindful Solar and Water Consumption

*"The Cabin is not connected to mains water or power. We have solar power which will charge the batteries during the day and water is either rainwater or water delivered.*

*Please be mindful about the amount of water and power you use. Please don't leave taps running unnecessarily and please turn off all appliances when you leave the cabin."*

#### Kitchenette and Washing Dishes

*"The cabin has a small sink in the kitchenette. As the water from the kitchen sink is filtered and processed it is important to make sure that NO food scraps, fats or oils are washed down the sink. This greatly helps the performances of our greywater system and reduces the need for maintenance."*

*“Before washing any dishes and cutlery, please wipe all excess food scraps and oils/fats using the paper towels provided (in the cupboard) and dispose of the paper towels in the rubbish bin. Once plates and cutlery have been wiped you can wash your dishes with the biodegradable dishwashing liquid provided. Wiping your dishes first will also help you conserve water!”*

## Toilets

There are several composting toilet models, approved by the WA Department of Health, which would be suitable for this application. Specifically, one Green Loo - GL90 will be installed in each cabin. This model is on the W.A. Department of Health’s list of ‘Approved Waterless Toilets’ and is approved to the capacity of 3 people, full time usage. This model is suitable, and would have ample capacity, for the proposed usage.

Guests of the cabins are informed on how to use the toilet with a wall note in the toilet area, multiple notes in the cabins booklet and digital information sent at the time of booking and prior to the guest’s arrival in the cabin.

Excerpt from the cabin’s booklet, “house rules”:

*“Our composting toilet operates very much like your toilet at home with the only difference that it is dry. The only things supposed to go down the composting toilet are your solids and liquids accompanied by our provided toilet paper.”*

The toilet will be installed according to the manufacturer requirements.

In compliance with Health Dept. regulations and guidance from AS/NZS 1546.2:2008 – *On-site domestic wastewater treatment units – Waterless Composting Toilets*, the composted end-product from the toilet will be buried on site away from human contact and in non-food related plant areas.

## Greywater

Greywater from all sources (shower, handbasin and kitchenette), will be managed with a simple, passive settling and absorption style land application system. The design of this system is based on design principles taken from Australian Standards AS/NZS 1547:2012, scaled down to accommodate the small wastewater volumes from the cabins.

Kitchen water will pass through a small grease trap to capture grease, oils, fats and food scraps upstream of the main sedimentation/settling tank. This will allow ease of access and maintenance/disposal of captured solids wastes (greases and food scraps etc). Partially clarified water will flow from the grease trap into the main sedimentation/settling tank.

Greywater from the shower and handbasin will flow directly into the main sedimentation/settling tank combined with the partially clarified water from the kitchenette grease trap.

Clarified greywater will then flow from the sedimentation/settling tank into a simple land application absorption trench in accordance with AS/NZS 1547:2012.

## Grease Trap

Although the guests are encouraged to minimise grease, fat, oil and food scraps going down the kitchen sink (see excerpt from “House Rules”), the installation of a small grease trap will reduce the organic loading of the sedimentation tank and piped trench system as well as making maintenance of the system manageable by staff.

Assuming kitchen water production of 15L day, a grease trap of 15L/d capacity or larger will give retention time of at least 1 day and hence will allow the grease trap to perform effectively.

Nominated Grease Trap: Reln 18L



### Sedimentation/Settling Tank

A tank of 200L capacity will enable a retention time of 2.5 days, similar to the design capacity of septic tanks (200 / 80 = 2.5).

Nominated Tank: AWWS 200L Settling tank.

### Piped Trench/Bed System

Utilising design principles from AS/NZS 1547:2012 and with reference to the Grey to Green system (W.A. Department of Health 'approved greywater disposal system'), the greywater disposal Land Application Area will consist of:

Assuming (worst case scenario) **Clay loam: L.I.R 15 L/m<sup>2</sup>/day**, (Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974).

Length of bed required:

$$L = (V / \text{L.I.R.}) / 2$$

Where L = Length of bed (m), V= design flow volume (L/day) and L.I.R. = Loading Infiltration Rate (L/m<sup>2</sup>/day)

$$L = (80/15) / 2 = \underline{2.6\text{m}}$$

Greywater absorption bed dimensions: **2 width x 3m length.**

### Installation

The greywater disposal system will be assembled and installed in accordance with AS/NZS1547:2012 and/or the approved product design and sizing document for the Grey 2 Green System as specified by the Department of Health.

The conventional piped trench will be clear of all rocks, tree roots and debris to the depth of the drain bottom and to comply with all setbacks as specified relevant regulatory documentation. Stormwater will be diverted away from the piped trench area.

## Maintenance and reporting

The installation will be inspected by Eco Wastewater Solutions 3 months after its installation to ensure its efficacy and efficiency. Similarly, after 12 months, a report will be prepared by Eco Wastewater Solutions and submitted to the local government, or any other relevant regulatory authority, indicating the efficacy and efficiency of the system.

Maintenance will be carried out by Eco Wastewater Solutions at a maximum interval of 12 months or ad hoc as the conditions dictate.



Fire Protection  
Association Australia  
Life. Property. Environment.



# Bushfire Management Plan Coversheet

This Coversheet and accompanying Bushfire Management Plan has been prepared and issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme.

## Bushfire Management Plan and Site Details

<b>Site Address / Plan Reference:</b> 443 Kilpatrick Road			
<b>Suburb:</b> NOMANS LAKE	<b>State:</b> WA	<b>P/code:</b> 6312	
<b>Local government area:</b> Shire of Narrogin			
<b>Description of the planning proposal:</b> Tourism Land Use - Tiny Cabins			
<b>BMP Plan / Reference Number:</b> 201008	<b>Version:</b> v1.0	<b>Date of Issue:</b> 04/03/2021	
<b>Client / Business Name:</b> Proponent - Heyscape Pty Ltd & Planning Outcomes WA			

Reason for referral to DFES	Yes	No
Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the BPC elements)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Is the proposal any of the following special development types (see SPP 3.7 for definitions)?</b>		
Unavoidable development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strategic planning proposal (including rezoning applications)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Minor development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
High risk land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vulnerable land-use	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**If the development is a special development type as listed above, explain why the proposal is considered to be one of the above listed classifications (E.g. considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?**

Tourism Land Use - Short stay accommodation or visitation uses that involve people who are unaware of their surroundings and who may require assistance or direction in the event of a bushfire.

**Note: The decision maker (e.g. local government or the WAPC) should only refer the proposal to DFES for comment if one (or more) of the above answers are ticked "Yes".**

## BPAD Accredited Practitioner Details and Declaration

<b>Name</b> Kathy Nastov	<b>Accreditation Level</b> Level 3	<b>Accreditation No.</b> BPAD 27794	<b>Accreditation Expiry</b> 01/08/2021
<b>Company</b> Bushfire Prone Planning		<b>Contact No.</b> 6477 1144	

**I declare that the information provided within this bushfire management plan is to the best of my knowledge true and correct**

Signature of Practitioner

Date

04/05/2021



# Bushfire Management Plan

## Armstrong Farmlands - Tiny Cabins

443 Kilpatrick Road, Nomans Lake

Shire of Narrogin

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**Bushfire Policy – Specific  
Development or Use Type:**

Vulnerable Land Use (Tourism)

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**Job Number:**

201800

**Assessment Date:**

19 March 2021

**Report Date:**

4 May 2021

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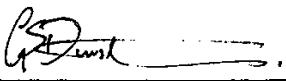

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Person/Business: Heyscape Pty Ltd Email: pierre@heyscape.com.au	1.0	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Limitation of Liability:</b> The measures contained in this Bushfire Management Plan, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.</p> <p>All surveys, forecasts, projections and recommendations made in this report associated with the proposed development are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.</p> <p>Notwithstanding anything contained therein, Bushfire Prone Planning will not, except as the law may require, be liable for any loss or other consequences whether or not due to the negligence of their consultants, their servants or agents, arising out of the services provided by their consultants.</p> <p><b>Copyright ©2020 BPP Group Pty Ltd:</b> All intellectual property rights, including copyright, in format and proprietary content contained in documents created by Bushfire Prone Planning, remain the property of BPP Group Pty Ltd. Any use made of such format or content without the prior written approval of Bushfire Prone Planning, will constitute an infringement on the rights of the Company which reserves all legal rights and remedies in respect of any such infringement.</p>				

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## EXECUTIVE SUMMARY

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This Bushfire Management Plan is to accompany a Development Application for proposed 'Tiny Cabins' which are to be located at Armstrong Farms, (No.443) Kilpatrick Road, Nomans Lake, in the Shire of Narrogin.

There are scenarios of 'vulnerable' land use (location and type of land use) for which current deemed to satisfy bushfire planning provisions (the bushfire protection criteria established by the Guidelines), and bushfire construction standards cannot always be met. 'Tourism' land use is potentially one of these. The Armstrong Farms, Nomans Lake, Tiny Cabin proposal is considered a Tourism Land Use and will be assessed against the Department of Planning, Lands and Heritage (DPLH) Position Statement for Tourism Land Uses in Bushfire Prone Areas acceptable solutions for caravan and camping grounds.

As a Tourism Land Use the proposed development is by default also considered a Vulnerable Land Use and a Bushfire Emergency Plan is required to accompany this Bushfire Management Plan. The emphasis will be on early evacuation or closure on days of an elevated fire danger rating or days where a total fire ban in the area is declared. The BEP may be conditioned at the subsequent stage of the development application post initial consideration by the Shire of Narrogin, on the merit of the development proposal.

The proposed Tiny Cabins will be situated in grassland/cropping areas and the creation of Asset Protection Zones around these sites will not require the removal of native vegetation. The 'Tiny Cabins' are constructed to a BAL-29 standard and will be subject to a corresponding BAL rating of BAL-29 through the implementation of the asset protection zones.

Access to the Tiny Cabins will be via unsealed trafficable driveways through large areas of privately owned farmland. Kilpatrick Road to the south and Yilliminning Road to the north, provide two way access to two differing locations via sealed and unsealed sections of public roads that are available to the public and emergency services at all times.

The internal private driveway to the proposed carpark areas for each Tiny Cabin site will comply with the technical requirements of the Guidelines for Planning in Bushfire prone Areas, including provision for turn-around area suitable for large fire appliances. The Tiny Cabin development will include signposting along the driveway access and at each carpark site detailing the site configuration and egress to the public road. The carpark will be large enough to accommodate the private vehicles and provide a turnaround area for fire appliances. This area is to be constructed to comply with the requirements for private driveways with respect to clearances, grade, weight capacity, crossfall and all-weather surface.

A minimum 50,000 litres of water will be dedicated for fire-fighting purposes, utilising existing static water tanks, which are located at the rear of the existing shed site, with primary access from Kilpatrick Road and will incorporate fire services connection couplings to comply with the technical requirements of the Guidelines for Planning in Bushfire prone Areas.

Water can also be drafted from dams that have permanent water all year round, a natural hard surface maintained access for vehicles to access the dam within 2.5m of the dam edge for drafting purposes and access to water through connection to above ground standpipe for fire-fighting purposes should a bushfire emergency require an additional water supply source for a bushfire burning on the subject property. The identified water supplies are not utilised for potable domestic water supply to the dwellings on the property.

# 1 PROPOSAL DETAILS

---

## 1.1 Description and Associated Plans and Maps

Proponent:	Heyscape Pty Ltd (T/A Tiny Cabins)
Purpose of the BMP:	To accompany a planning application
'Armstrong Farms' Lot Total Area:	Approx. 6000 hectares
Description of the Land Use:	
Development application – Addition to land use (Short-term accommodation). Bushfire management planning assessment and compliance requirement report for No.443 Kilpatrick Road, NOMANS LAKE.	



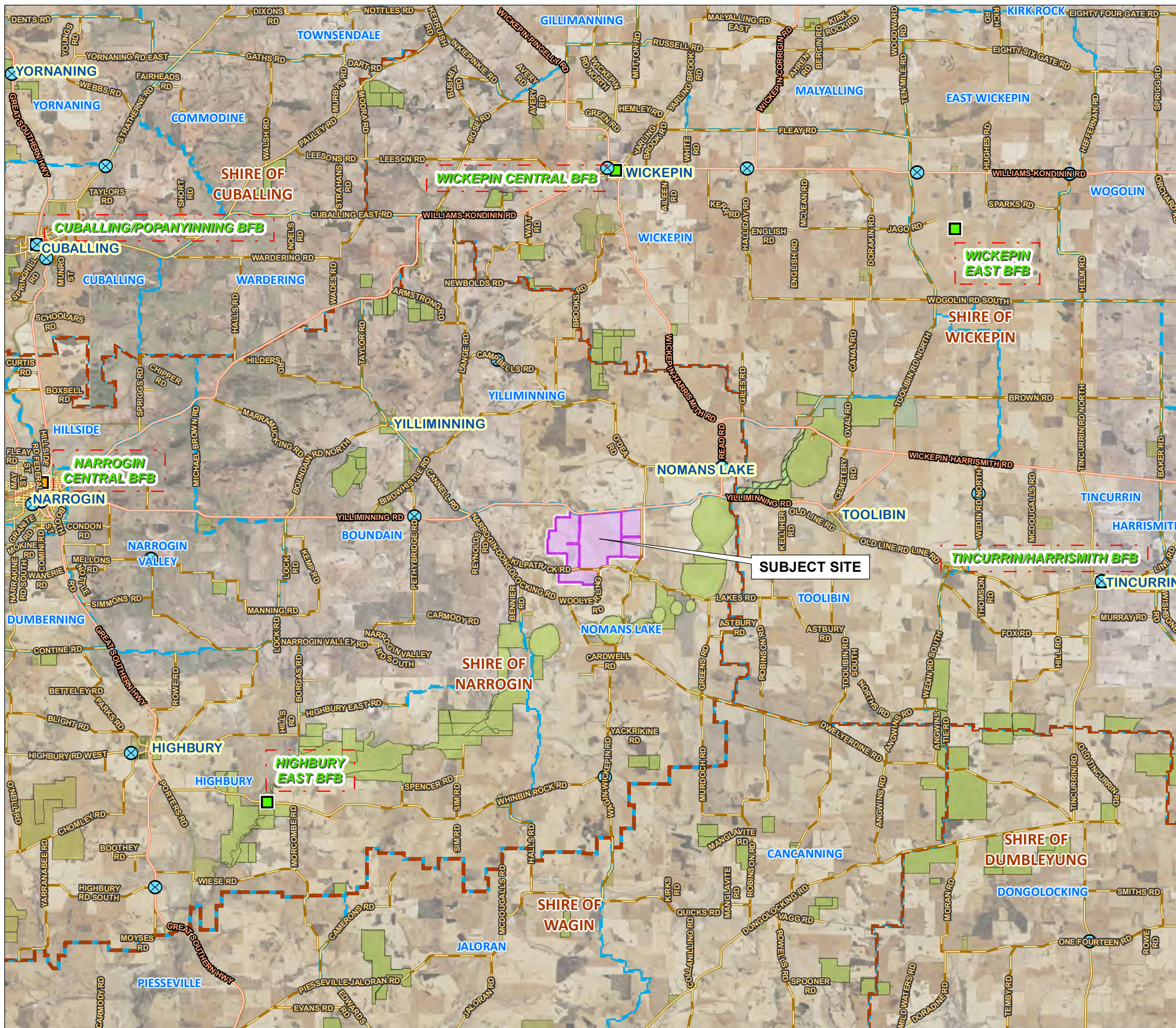
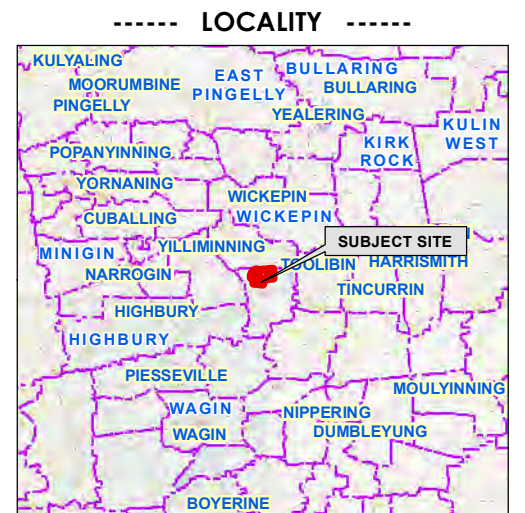
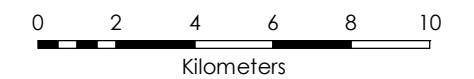


Figure 1.2  
Location Plan

Lot 5324 on Plan 118430, Area : 652,865 sq m  
443 Kilpatrick Road,  
NOMANS LAKE 6312  
SHIRE OF NARROGIN

- LEGEND -----
- Subject Site
  - Local Government Authority
  - Locality / Suburb
  - Bush Fire Brigade
  - State Emergency Service Unit
  - Volunteer Fire & Rescue Service
  - Standpipe
  - Reserves
- DBCAs Legislated Lands and Waters**
- Nature Reserve
  - Section 34A Freehold
  - Section 5(1)(g) Reserve
  - Section 5(1)(h) Reserve
  - State Forest
- DBCAs Lands of Interest**
- Crown Freehold - Dept Interest



Aerial Imagery : Landgate/SLIP  
Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
Projection: Universal Transverse Mercator Units: Metre  
Map compiled by: Ian Ross 4/05/2021  
Map updated by: Ian 4/05/2021

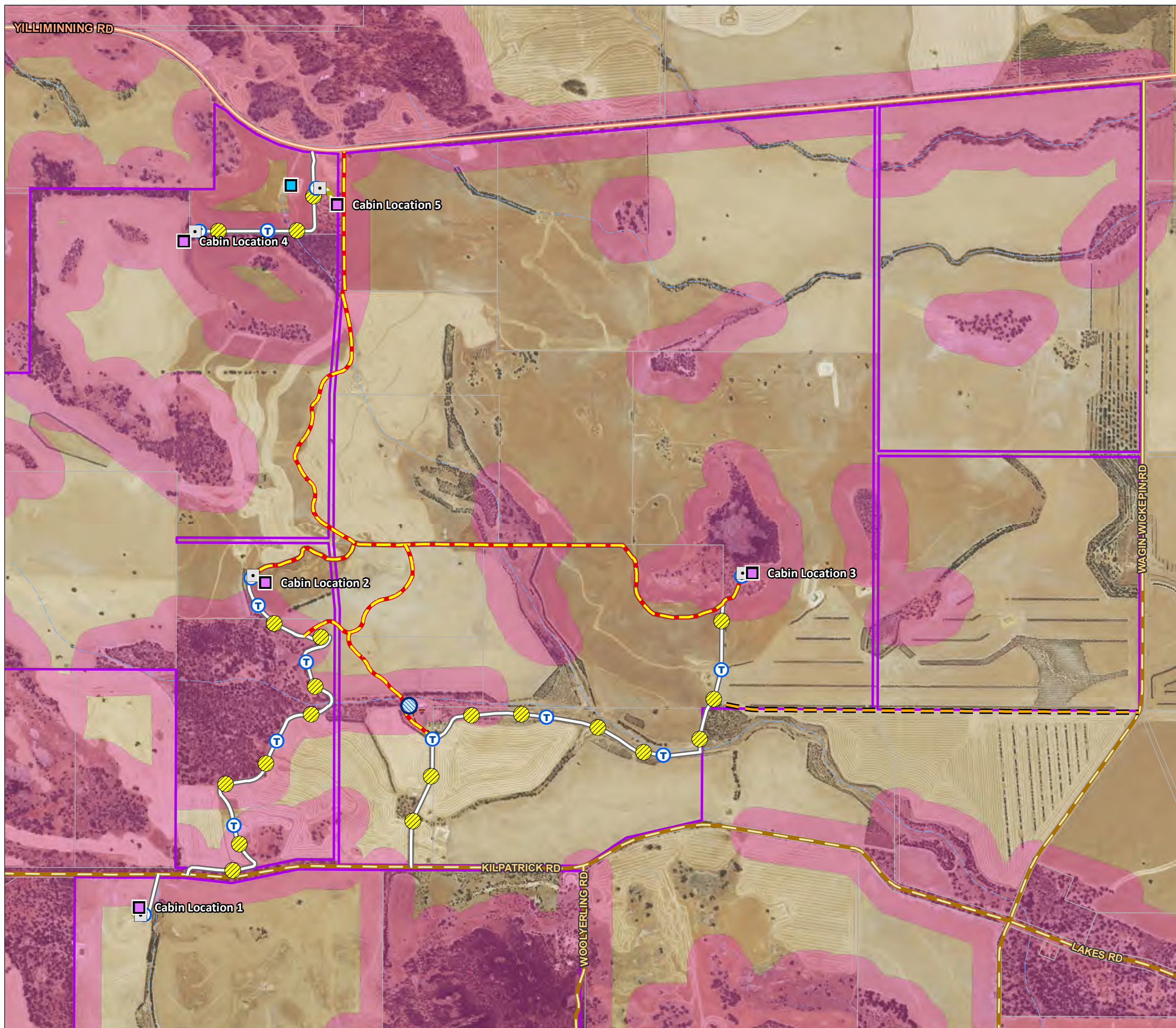
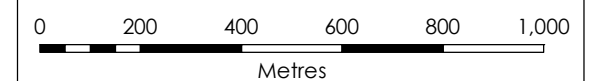


Figure 1.3  
**Bushfire Prone Area**

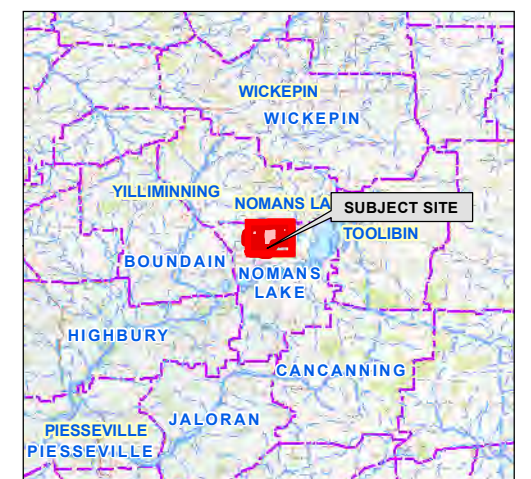
Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Cabin
- Passing Bay (20m x 6m)
- Turnaround (20m Wide)
- Parking
- Fire Fighting Water Supply
- Fire Fighting Water Tank
- Access / Egress**
- Emergency Access
- Driveway
- Exit Track
- Turnaround (20m Wide)
- Walktrack
- Bushfire Prone Areas (2019)



----- **LOCALITY** -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

## 1.2 The Specific 'Land Use' and the Bushfire Planning Requirements

SPP 3.7, the associated Guidelines and Position Statements, define certain land uses that require additional and/or alternative bushfire related assessment and additional information to be provided. This is necessary to facilitate future planning application assessment and for subsequent operational use.

When such a future proposal is unable to fully achieve the implementation of all required bushfire protection measures - as established by the 'acceptable solutions' contained in the Guidelines and Position Statements – further assessments and the development of additional protection measures are required.

The land use classification that applies to the **Armstrong Farms, Tiny Cabins** is identified in Table 1.2, along with the required additional assessments and information and the form and location in which this is provided.

Table 1.2: The determined land use and assessment/information requirements.

THE LAND USE CLASSIFICATION AND BUSHFIRE PLANNING REQUIREMENTS		
Assessment / Information / Documents Detail		
The proposed land use classification is determined to be:		Vulnerable (Tourism)
Category, type and/or operations of the land use that have determined the classification:		Other Vulnerable Short Term Accommodation or Vulnerable Day Uses
The Policies, Guidelines and Position Statements against which the proposed land use will be assessed, and which guide the information to be provided. <sup>1</sup>	SPP 3.7	<input checked="" type="checkbox"/>
	Guidelines including the BPC	n/a
	Guidelines excluding the BPC	<input checked="" type="checkbox"/>
	Position Statement - BPC Element 1 and 2	<input checked="" type="checkbox"/>
	Position Statement - Tourism	<input checked="" type="checkbox"/>
The documents and the information developed and the format and location in which they are provided.	Bushfire Management Plan (BMP)	<input checked="" type="checkbox"/> Separate Document
	Risk Management Plan (RMP)	n/a
	Risk Assessment and Treatment Plan	<input type="checkbox"/> Addendum to BMP
	Vulnerability Assessment - Short Stay Accommodation/Visitation (supporting BMP and BEP)	<input type="checkbox"/> Addendum to BMP and <input type="checkbox"/> Addendum to BEP
	Bushfire Emergency Plan (BEP)	<input checked="" type="checkbox"/> *Separate Document
	BEP Supporting Information	<input type="checkbox"/> Addendum to BEP
	Additional bushfire protection measures	<input checked="" type="checkbox"/> In BMP s5.4
	Owner/operator additional responsibilities associated with the land use.	<input checked="" type="checkbox"/> In BMP s6.0
<p>Note 1: State Planning Policy 3.7 Planning in Bushfire Prone Areas; Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3; Bushfire Protection Criteria (BPC) established in the Guidelines; Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design WAPC November 2019; Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019.</p>		

\*To be provided subject to consideration of the development proposal by the Shire of Narrogin.

### 1.3 Existing Documentation Relevant to the Construction of this Plan

This section acknowledges any known reports or plans that have been prepared for previously, that refer to the subject area and that may or will impact upon the assessment of bushfire risk and/or the implementation of bushfire protection measures and will be referenced in this Bushfire Management Plan.

Table 2.1: Existing relevant documentation.

RELEVANT EXISTING DOCUMENTS		
Existing Document	Copy Provided by Client	Title
Structure Plan	-	N/A
Environmental Report	-	N/A
Landscaping (Revegetation) Plan	-	N/A
Bushfire Risk Assessments	-	N/A



## 2 ENVIRONMENTAL CONSIDERATIONS

### 2.1 Native Vegetation – Restrictions to Modification and/or Clearing

Many bushfire prone areas also have high biodiversity values. SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values (Guidelines s2.3).

There is a requirement to identify any need for onsite modification and/or clearing of native vegetation and whether this may trigger potential environmental impact/referral requirements under State and Federal environmental legislation. Confirmation that any proposed native vegetation modification and/or clearing is acceptable, should be received from the relevant agencies by the proponent and provided to the bushfire consultant for inclusion in the Bushfire Management Plan if it will influence the required bushfire planning assessments and outcomes. The following table details any potential environmental restrictions of which the author of this report is aware.

Table 2.2: Native vegetation and potential environmental considerations and restrictions.

NATIVE VEGETATION MODIFICATION / CLEARING - POTENTIAL ENVIRONMENTAL RESTRICTIONS IDENTIFIED			
Environmental Consideration / Feature	Mapping Data Source (SLIP / Local Planning)	Relevant to Proposed Development	Comment/Description (as required)
Will onsite clearing of native vegetation be required?		Yes	Asset protection zones will require modification of some vegetation to maintain a low threat status
Might environmental impact/referral requirements under State and Federal environmental legislation be triggered?		Unaware	-
National Park / Nature Reserve	DBCA-011	N/A	-
Conservation Covenants	DPIRD-023	No	-
Bush Forever Sites	DPLH-019	No	-
RAMSAR Wetlands	DBCA-010	No	-
Geomorphic and Other Wetlands	DBCA-011-019, 040, 043, 044	No	-
Threatened Ecological Communities (TECs)	DBCA-038	Unaware	-
Declared Rare Flora (DRFs)	DBCA-036	Unaware	-
Land Identified as significant through a Local Biodiversity Strategy	L/G - Intramaps	N/A	-
<b>Statement of how the identified environmental feature is dealt with in this Bushfire Management Plan:</b>			
The assessments and bushfire protection measures detailed the BMP, assume that environmental approval will be achieved or clearing permit exemptions will apply.			
It is advised that the proponent seek further advice from an Environmental Consultant or the WA Department of Biodiversity Conservation and Attractions for further information on the condition and species contained within the proposed development area and the requirement for referral of the proposal.			

### 3 POTENTIAL BUSHFIRE IMPACT ASSESSMENT

#### 3.1 Assessment Input

##### 3.1.1 Fire Danger Index (FDI) Applied

AS 3959:2018 Table 2.1 specifies the fire danger index values to apply for different regions. The values used in the model calculations are for the Forest Fire Danger Index (FFDI) and for which equivalent representative values of the Grassland Fire Danger Index (GFDI) are applied as per Appendix B. The values can be modified if appropriately justified.

Table 3.1: Applied FDI Value

FDI VALUE			
Vegetation Areas	As per AS 3959:2018 Table 2.1	As per DFES for the Location	Value Applied
All	80	N/A	80

##### 3.1.2 Vegetation Classification and Effective Slope

**Classification:** Bushfire prone vegetation identification and classification has been conducted in accordance with AS 3959:2018 s2.2.3 and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016).

When more than one vegetation type is present, each type is identified separately, and the applied classification considers the potential bushfire intensity and behaviour from the vegetation types present and ensures the worst case scenario is accounted for – this may not be from the predominant vegetation type.

The vegetation structure has been assessed as it will be in its mature state (rather than what might be observed on the day). Areas of modified vegetation are assessed as they will be in their natural unmodified state (unless maintained in a permanently low threat, minimal fuel condition, satisfying AS 3959:2018 s2.2.3.2(f) and asset protection zone standards). Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its revegetated mature state.

**Effective Slope:** Refers to the ground slope under each area of classified vegetation which most influences the bushfire attack (and is described in the direction relative to the view from the building or proposed development site). This slope has a direct and significant influence on the fire's rate of spread and intensity.

Where there is a significant change in effective slope under an area of classified vegetation, that will cause a change in fire behaviour, separate vegetation areas will be identified to enable the correct assessment.

When the effective slope, under a given area of bushfire prone vegetation, will be different relative to multiple proposed development sites, then the effective slopes corresponding to the different locations, are separately identified.

Table 3.2: Vegetation classification and effective slope (Indicative Cabin Locations)

ALL VEGETATION WITHIN 150 METRES OF THE ARMSTRONG FARMS - TINY CABIN LOCATION 1				
Vegetation Area	Identified Vegetation Types <sup>1</sup> or Description if 'Excluded'	Applied Vegetation Classification <sup>1</sup>	Effective Slope (degrees) <sup>2</sup>	
			Assessed	Applied Range
1	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	0	upslope or flat
2	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	1.6	downslope >0-5
3	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15	Class D Scrub	0	upslope or flat
4	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15	Class D Scrub	1.5	downslope >0-5

Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.

Note<sup>1</sup>: Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)

Note<sup>2</sup>: Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4

ALL VEGETATION WITHIN 150 METRES OF THE ARMSTRONG FARMS - TINY CABIN LOCATION 2				
Vegetation Area	Identified Vegetation Types <sup>1</sup> or Description if 'Excluded'	Applied Vegetation Classification <sup>1</sup>	Effective Slope (degrees) <sup>2</sup>	
			Assessed	Applied Range
5	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	2.4	downslope >0-5
6	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	0	upslope or flat
7	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15	Class D Scrub	0	upslope or flat
8	Open forest A-03; Low woodland B-07; Open scrub D-14	Class A Forest	0	upslope or flat

Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.

Note<sup>1</sup>: Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)

Note<sup>2</sup>: Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4

ALL VEGETATION WITHIN 150 METRES OF THE ARMSTRONG FARMS - TINY CABIN LOCATION 3				
Vegetation Area	Identified Vegetation Types <sup>1</sup> or Description if 'Excluded'	Applied Vegetation Classification <sup>1</sup>	Effective Slope (degrees) <sup>2</sup>	
			Assessed	Applied Range
9	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	0	upslope or flat
10	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15	Class D Scrub	0	upslope or flat
11	Open forest A-03; Low woodland B-07; Open scrub D-14	Class A Forest	0	upslope or flat

Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.

Note<sup>1</sup>: Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)





Note<sup>2</sup>: Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4

ALL VEGETATION WITHIN 150 METRES OF THE ARMSTRONG FARMS - TINY CABIN LOCATION 4				
Vegetation Area	Identified Vegetation Types <sup>1</sup> or Description if 'Excluded'	Applied Vegetation Classification <sup>1</sup>	Effective Slope (degrees) <sup>2</sup>	
			Assessed	Applied Range
12	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	0	upslope or flat
13	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	3.8	downslope >0-5
14	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	4.0	downslope >0-5
15	Low shrubland C-12; Sparse open tussock G-24	Class C Shrubland	6.7	downslope >5-10
16	Open forest A-03; Low woodland B-07; Open scrub D-14	Class A Forest	4.6	downslope >0-5
Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.				
Note <sup>1</sup> : Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)				
Note <sup>2</sup> : Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4				

ALL VEGETATION WITHIN 150 METRES OF THE ARMSTRONG FARMS - TINY CABIN LOCATION 5				
Vegetation Area	Identified Vegetation Types <sup>1</sup> or Description if 'Excluded'	Applied Vegetation Classification <sup>1</sup>	Effective Slope (degrees) <sup>2</sup>	
			Assessed	Applied Range
17	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	0	upslope or flat
18	Closed tussock grassland G-21; Sown pasture G-26	Class G Grassland	2.6	downslope >0-5
19	Woodland B-05; Low woodland B-07	Class B Woodland	3.6	downslope >0-5
Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.				
Note <sup>1</sup> : Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)				
Note <sup>2</sup> : Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4				

Table 3.3: Vegetation assessment and classification (Indicative Cabin Locations)

VEGETATION ASSESSMENT AND CLASSIFICATION
In accordance with AS 3959:2018 Section 2, clause 2.2.3, FPA Australia guidance and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016), all vegetation within 150 metres of the site (part of the lot on which a building stands or is to be erected) is assessed and classified. Vegetation of any type more than 100m from the site is excluded from the BAL assessment.

TINY CABIN LOCATION 1	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cabin site – Cropping land and pasture currently maintained below 100mm in height.
<b>Post Development Assumptions:</b>	Asset protection zones are able to be constructed/developed around each cabin site. Cropping land and pasture grasses will be maintained below 100mm in height within the asset protection zone.
	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cropping land and pasture currently reduced <100mm in height. Classified on worst case scenario.
<b>Post Development Assumptions:</b>	Cropping land and pasture areas are classifiable due to seasonal growth outside of cabin asset protection zone.
Photo ID: 1	Photo ID: 2
	
Photo ID: 3	Photo ID: 4

**TINY CABIN LOCATION 1**



Photo ID: 5

Photo ID: 6

**TINY CABIN LOCATION 1**

<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class D Scrub
<b>Vegetation Types Present:</b>	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15
<b>Description/Justification:</b>	Scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, >30% foliage cover, with grass understorey.
<b>Post Development Assumptions:</b>	Vegetation likely to remain. Windbreaks and remnant standing vegetation, adjacent cropping and pasture land.



Photo ID: 7

Photo ID: 8

<b>TINY CABIN LOCATION 2</b>	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cabin site – Cropping land and pasture currently maintained below 100mm in height.
<b>Post Development Assumptions:</b>	Asset protection zones are able to be constructed/developed around each cabin site. Cropping land and pasture grasses will be maintained below 100mm in height within the asset protection zone.
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p style="font-size: small; color: gray;">Site Assessment Photo -32°57'38", 117°28'39", 316.5m, 32° 19/03/2021 11:03:50</p> </div> <div style="text-align: center;">  <p style="font-size: small; color: gray;">Site Assessment Photo -32°57'39", 117°28'41", 313.1m, 350° 19/03/2021 11:08:05</p> </div> </div>	
Photo ID: 9	Photo ID: 10
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cropping land and pasture currently reduced <100mm in height. Classified on worst case scenario.
<b>Post Development Assumptions:</b>	Cropping land and pasture areas are classifiable due to seasonal growth outside of cabin asset protection zone.
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p style="font-size: small; color: gray;">Site Assessment Photo -32°57'37", 117°28'39", 319.1m, 268° 19/03/2021 11:01:20</p> </div> <div style="text-align: center;">  <p style="font-size: small; color: gray;">Site Assessment Photo -32°57'36", 117°28'41", 316.2m, 38° 19/03/2021 11:01:59</p> </div> </div>	
Photo ID: 11	Photo ID: 12

## TINY CABIN LOCATION 2



Photo ID: 13



Photo ID: 14

## TINY CABIN LOCATION 2

**AS 3959:2018 Vegetation Classification Applied:** Class D Scrub

**Vegetation Types Present:** Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15

**Description/Justification:** Scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, >30% foliage cover, with grass understorey.

**Post Development Assumptions:** Vegetation likely to remain. Windbreaks and remnant standing vegetation, adjacent cropping and pasture land.





Photo ID: 15





Photo ID: 16



TINY CABIN LOCATION 2	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class A Forest
<b>Vegetation Types Present:</b>	Open forest A-03; Low woodland B-07; Open scrub D-14
<b>Description/Justification:</b>	Mixed composition of tall trees 20m in height, with understorey of scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, ~60% foliage cover, with grass understorey.
<b>Post Development Assumptions:</b>	Vegetation likely to remain. Windbreaks and areas of standing vegetation, adjacent cropping and pasture land.
 	
Photo ID: 17	Photo ID: 18

TINY CABIN LOCATION 3	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cabin site – Cropping land and pasture currently maintained below 100mm in height.
<b>Post Development Assumptions:</b>	Asset protection zones are able to be constructed/developed around each cabin site. Cropping land and pasture grasses will be maintained below 100mm in height within the asset protection zone.
 	
Photo ID: 19	Photo ID: 20

TINY CABIN LOCATION 3	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class A Forest
<b>Vegetation Types Present:</b>	Open forest A-03; Low woodland B-07; Open scrub D-14
<b>Description/Justification:</b>	Mixed composition of tall trees up to 10m in height, with understorey of scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, ~60% foliage cover, with grass understorey.
<b>Post Development Assumptions:</b>	Vegetation likely to remain. Windbreaks and areas of standing vegetation, adjacent cropping and pasture land.
	
Photo ID: 21	Photo ID: 22

TINY CABIN LOCATION 3	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cropping land and pasture currently reduced <100mm in height. Classified on worst case scenario.
<b>Post Development Assumptions:</b>	Cropping land and pasture areas are classifiable due to seasonal growth outside of cabin asset protection zone.
	
Photo ID: 23	Photo ID: 24

**TINY CABIN LOCATION 3**



Photo ID: 25

Photo ID: 26

**TINY CABIN LOCATION 3**

**AS 3959:2018 Vegetation Classification Applied:**

Class D Scrub;

**Vegetation Types Present:**

Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15

**Description/Justification:**

Predominantly scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, >30% foliage cover, with grass understorey.

**Post Development Assumptions:**



Vegetation likely to remain. Windbreaks and remnant standing vegetation, adjacent cropping and pasture land.




Photo ID: 27



Photo ID: 28



<b>TINY CABIN LOCATION 3</b>	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class D Scrub;
<b>Vegetation Types Present:</b>	Closed scrub D-13; Open scrub D-14 ; Tall shrubland E-15
<b>Description/Justification:</b>	Predominantly scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, >30% foliage cover, with grass understorey.
<b>Post Development Assumptions:</b>	Vegetation likely to remain. Windbreaks and remnant standing vegetation, adjacent cropping and pasture land.
 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°57'38", 117°29'53", 296.9m, 333° 19/03/2021 11:28:10</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°57'37", 117°29'54", 302.9m, 317° 19/03/2021 11:28:55</p>
Photo ID: 29	Photo ID: 30



<b>TINY CABIN LOCATION 4</b>	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cabin site – Cropping land and pasture currently maintained below 100mm in height, adjoining shrubland.
<b>Post Development Assumptions:</b>	Asset protection zones are able to be constructed/developed around each cabin site. Cropping land and pasture grasses will be maintained below 100mm in height within the asset protection zone. Shrubland to be removed within asset protection zone to APZ standards.
 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'52", 117°28'27", 352.9m, 177° 19/03/2021 12:14:38</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'53", 117°28'27", 352.1m, 10° 19/03/2021 12:13:54</p>
Photo ID: 31	Photo ID: 32

TINY CABIN LOCATION 4	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cropping land and pasture currently reduced <100mm in height. Classified on worst case scenario.
<b>Post Development Assumptions:</b>	Cropping land and pasture areas are classifiable due to seasonal growth outside of cabin asset protection zone.
 <p style="font-size: small; text-align: right; margin-top: 5px;">Site Assessment Photo -32°56'53", 117°28'27", 353.0m, 217° 19/03/2021 12:08:40</p>	 <p style="font-size: small; text-align: right; margin-top: 5px;">Site Assessment Photo -32°56'53", 117°28'27", 348.1m, 290° 19/03/2021 12:09:22</p>
Photo ID: 33	Photo ID: 34
 <p style="font-size: small; text-align: right; margin-top: 5px;">Site Assessment Photo -32°56'50", 117°28'28", 355.3m, 76° 19/03/2021 12:16:25</p>	 <p style="font-size: small; text-align: right; margin-top: 5px;">Site Assessment Photo -32°56'53", 117°28'28", 346.8m, 141° 19/03/2021 12:12:11</p>
Photo ID: 35	Photo ID: 36

TINY CABIN LOCATION 4	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class A Forest
<b>Vegetation Types Present:</b>	Open forest A-03; Low woodland B-07; Open scrub D-14
<b>Description/Justification:</b>	Mixed composition of tall trees up to 18m in height, with understorey of scrub comprising medium to tall shrubs >2m in height and low trees up to 6m in height with multi-stemmed appearance, ~60% foliage cover, with grass understorey.
<b>Post Development Assumptions:</b>	Vegetation likely to remain. Windbreaks and areas of standing vegetation, adjacent cropping and pasture land.
 <p style="font-size: small; text-align: right;">Site Assessment Photo -32°56'52", 117°28'28", 348.0m, 47° 19/03/2021 12:11:08</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo -32°56'51", 117°28'27", 353.5m, 40° 19/03/2021 12:15:21</p>
Photo ID: 37	Photo ID: 38

TINY CABIN LOCATION 4	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class C Shrubland
<b>Vegetation Types Present:</b>	Low shrubland C-12; Sparse open tussock G-24
<b>Description/Justification:</b>	Mixed composition of low shrubs <1m in height and ~30% foliage cover, grass interspersed with shrubland.
<b>Post Development Assumptions:</b>	Vegetation likely to remain on embankment to limit soil erosion.
 <p style="font-size: small; text-align: right;">Site Assessment Photo -32°56'53", 117°28'28", 348.1m, 196° 19/03/2021 12:12:59</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo -32°56'53", 117°28'27", 350.3m, 40° 19/03/2021 12:13:20</p>
Photo ID: 39	Photo ID: 40

TINY CABIN LOCATION 5	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland ; Excluded as per Section 2.2.3.2 (e)
<b>Vegetation Types Present:</b>	Sown pasture G-26; Non vegetated areas
<b>Description/Justification:</b>	Cabin site – Gravel areas interspersed with pasture currently maintained below 100mm in height.
<b>Post Development Assumptions:</b>	Asset protection zones are able to be constructed/developed around each cabin site. Cropping land and pasture grasses will be maintained below 100mm in height within the asset protection zone..
 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'48", 117°28'52", 331.6m, 508° 19/03/2021 11:45:34</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'46", 117°28'50", 334.9m, 133° 19/03/2021 11:53:58</p>
Photo ID: 41	Photo ID: 42

TINY CABIN LOCATION 5	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Class G Grassland
<b>Vegetation Types Present:</b>	Sown pasture G-26; Closed tussock grassland G-21 (Commercial Crops)
<b>Description/Justification:</b>	Cropping land and pasture currently reduced <100mm in height. Classified on worst case scenario.
<b>Post Development Assumptions:</b>	Cropping land and pasture areas are classifiable due to seasonal growth outside of cabin asset protection zone.
 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'48", 117°28'52", 331.9m, 146° 19/03/2021 11:45:17</p>	 <p style="font-size: small; text-align: right;">Site Assessment Photo 32°56'46", 117°28'52", 327.4m, 50° 19/03/2021 11:44:27</p>
Photo ID: 43	Photo ID: 44

**TINY CABIN LOCATION 5**



Photo ID: 45

Photo ID: 46

**TINY CABIN LOCATION 5**

**AS 3959:2018 Vegetation Classification Applied:**

Class B Woodland

**Vegetation Types Present:**

Woodland B-05; Low woodland B-07

**Description/Justification:**

Mixed composition of tall trees, including Wandoo, up to 20m in height, with understorey of low trees up to 6m in height with multi-stemmed appearance, ~30% foliage cover, with grass understorey.

**Post Development Assumptions:**

Vegetation likely to remain. Areas of standing vegetation, adjacent cropping and pasture land.



Photo ID: 47

Photo ID: 48





TINY CABIN LOCATION 5	
<b>AS 3959:2018 Vegetation Classification Applied:</b>	Excluded as per Section 2.2.3.2 (e)
<b>Vegetation Types Present:</b>	Non-vegetated Area
<b>Description/Justification:</b>	Cleared gravel areas and driveway/firebreak access. Area devoid of vegetation likely to be conducive to bushfire run.
<b>Post Development Assumptions:</b>	It is reasonable to expect the existing cleared gravel area to remain as low threat. Previously used for gravel storage/extraction and currently provides vehicle parking and driveway access from Yillminning Road.
 <p style="text-align: right; font-size: small;">Site Assessment Photo -32°56'46", 117°28'49", 335.4m, 13° 19/03/2021 11:52:53</p>	 <p style="text-align: right; font-size: small;">Site Assessment Photo -32°56'46", 117°28'50", 335.3m, 42° 19/03/2021 11:52:07</p>
Photo ID: 49	Photo ID: 50

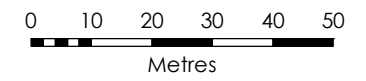
Figure 3.1.1  
**Topography & Classified Vegetation**

**CABIN LOCATION 1**  
 Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

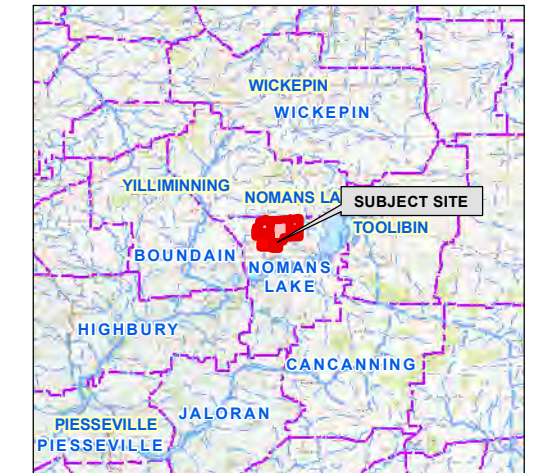


----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- ↔ Photo & Direction
- Asset Protection**
- Indicative Proposed APZ
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Vegetation Assessment Area**
- 150m from Subject Site
- 100m from Subject Site
- Classified Vegetation**
- Class (D) Scrub
- Class (G) Grassland
- Exclusion 2.2.3.2
- ↔ APZ Distance



----- **LOCALITY** -----

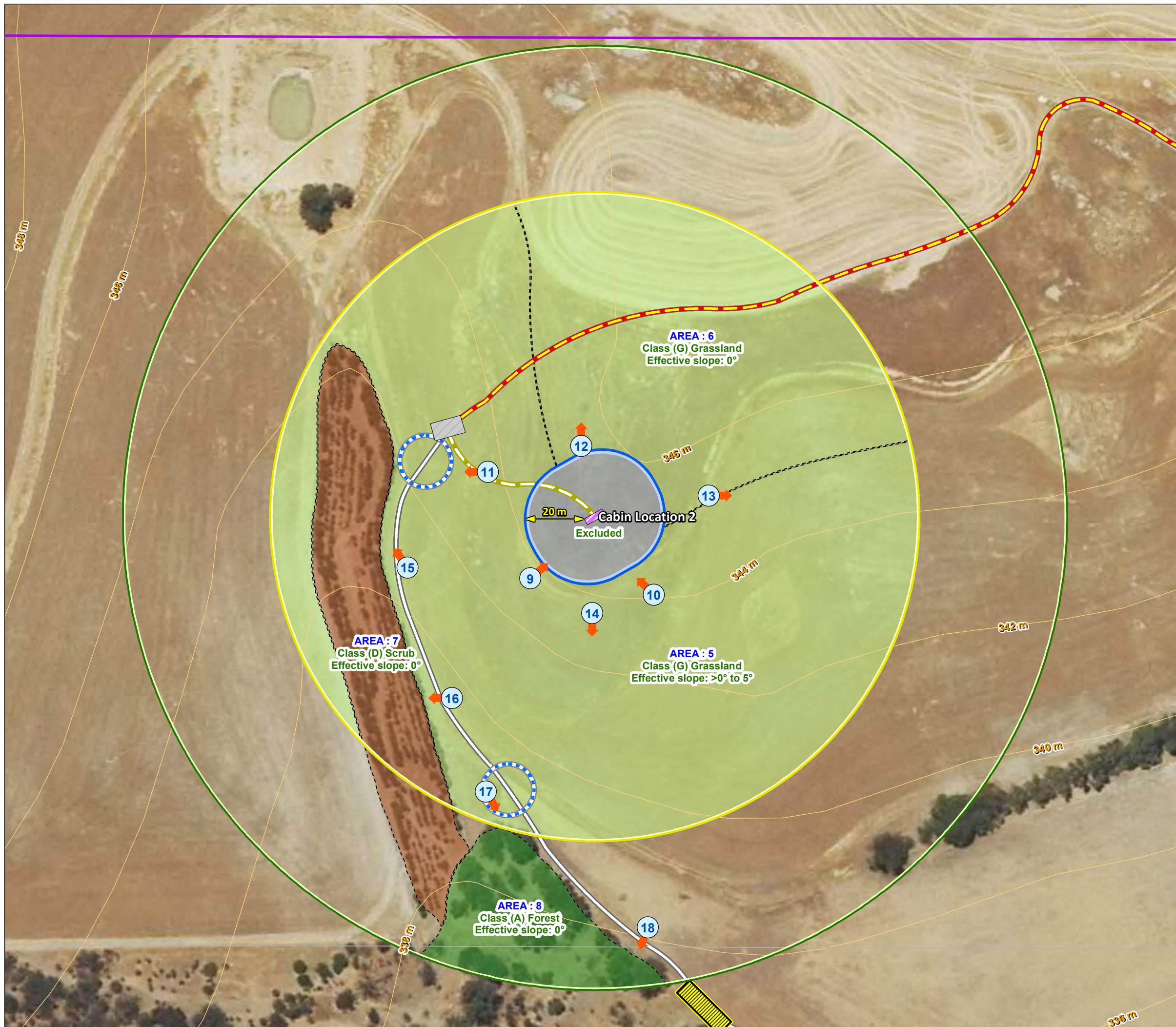


Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

Figure 3.1.2  
**Topography &  
 Classified Vegetation**

**CABIN LOCATION 2**  
 Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

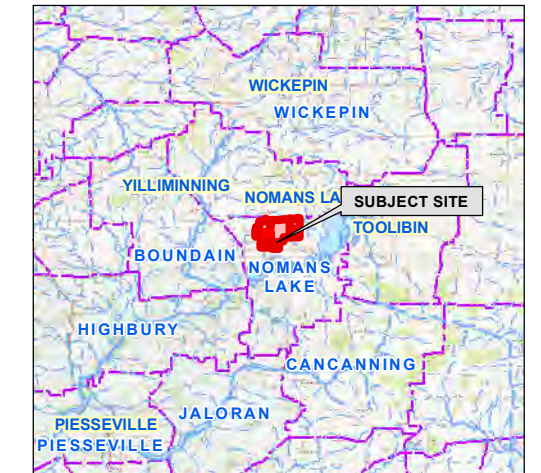


----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- ↔ Photo & Direction
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 150m from Subject Site
- 100m from Subject Site
- Classified Vegetation**
- Class (A) Forest
- Class (D) Scrub
- Class (G) Grassland
- Exclusion 2.2.3.2
- ↔ APZ Distance



----- **LOCALITY** -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

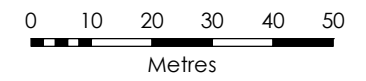
Figure 3.1.3  
**Topography &  
 Classified Vegetation**

**CABIN LOCATION 3**  
 Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

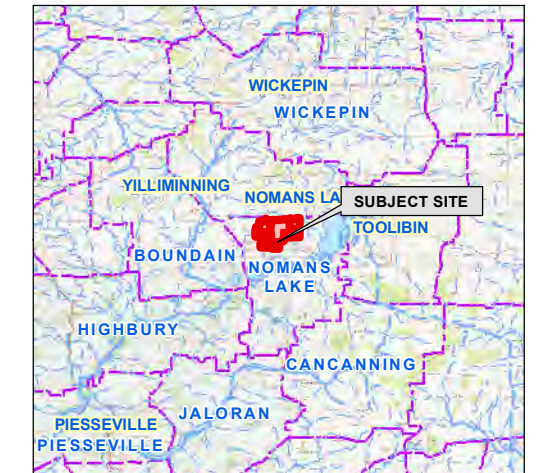


----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Photo & Direction
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Vegetation Assessment Area**
- 150m from Subject Site
- 100m from Subject Site
- Classified Vegetation**
- Class (A) Forest
- Class (D) Scrub
- Class (G) Grassland
- Exclusion 2.2.3.2
- APZ Distance



----- **LOCALITY** -----

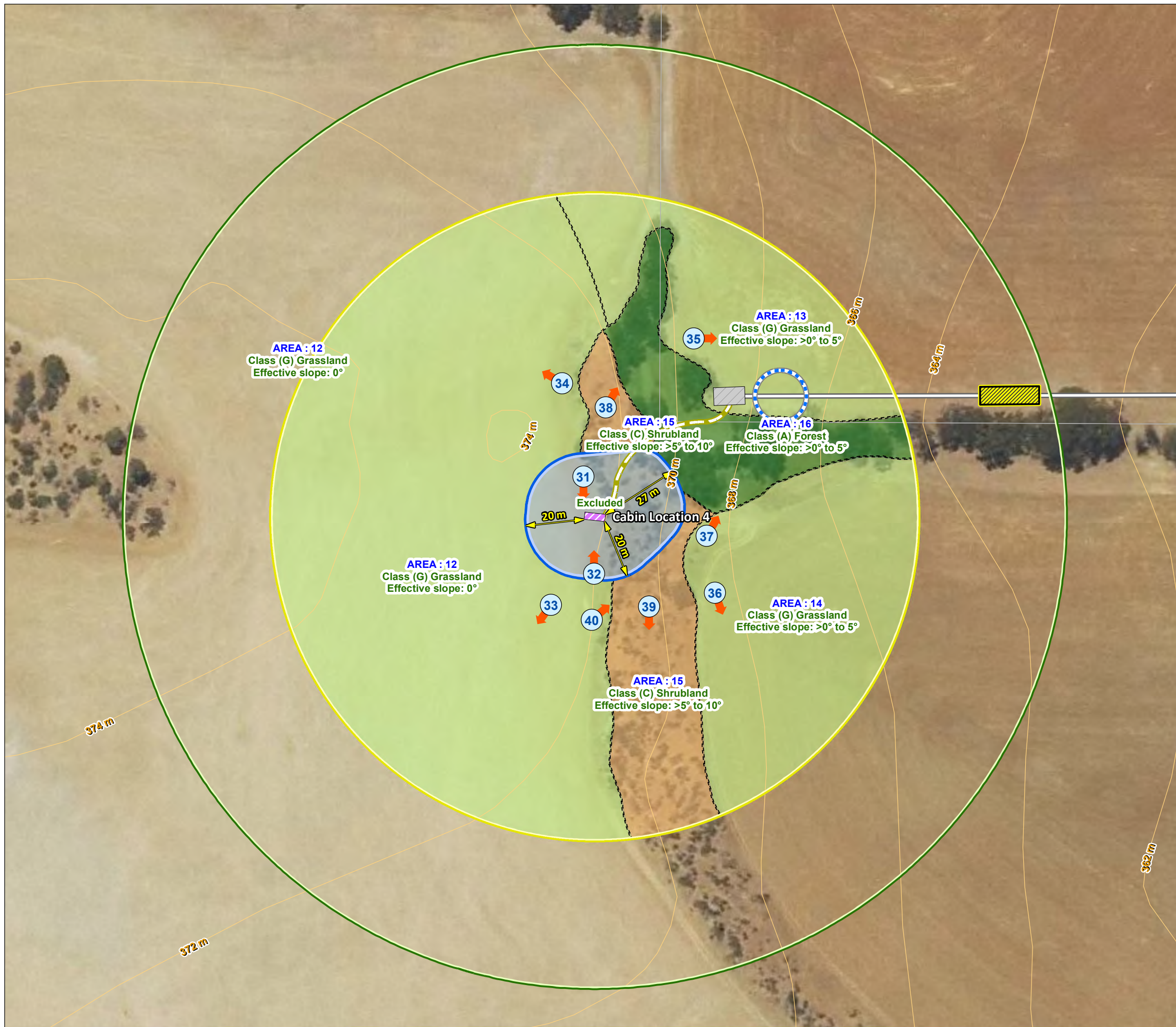


Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map dated by: Ian 4/05/2021

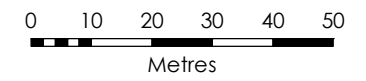
Figure 3.1.4  
**Topography & Classified Vegetation**

**CABIN LOCATION 4**  
 Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

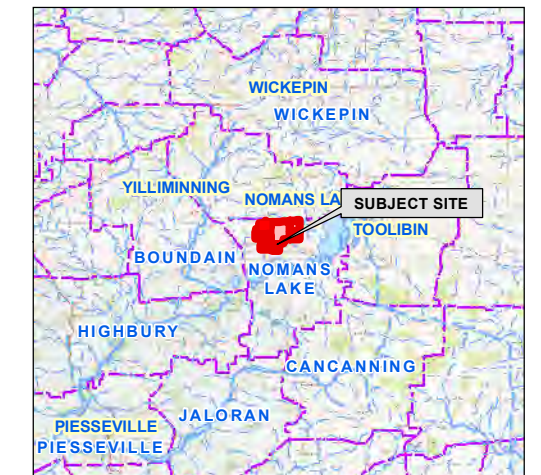


----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- ↔ Photo & Direction
- Asset Protection**
- Indicative Proposed APZ
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 150m from Subject Site
- 100m from Subject Site
- Classified Vegetation**
- Class (A) Forest
- Class (C) Shrubland
- Class (G) Grassland
- Exclusion 2.2.3.2
- ↔ APZ Distance



----- **LOCALITY** -----

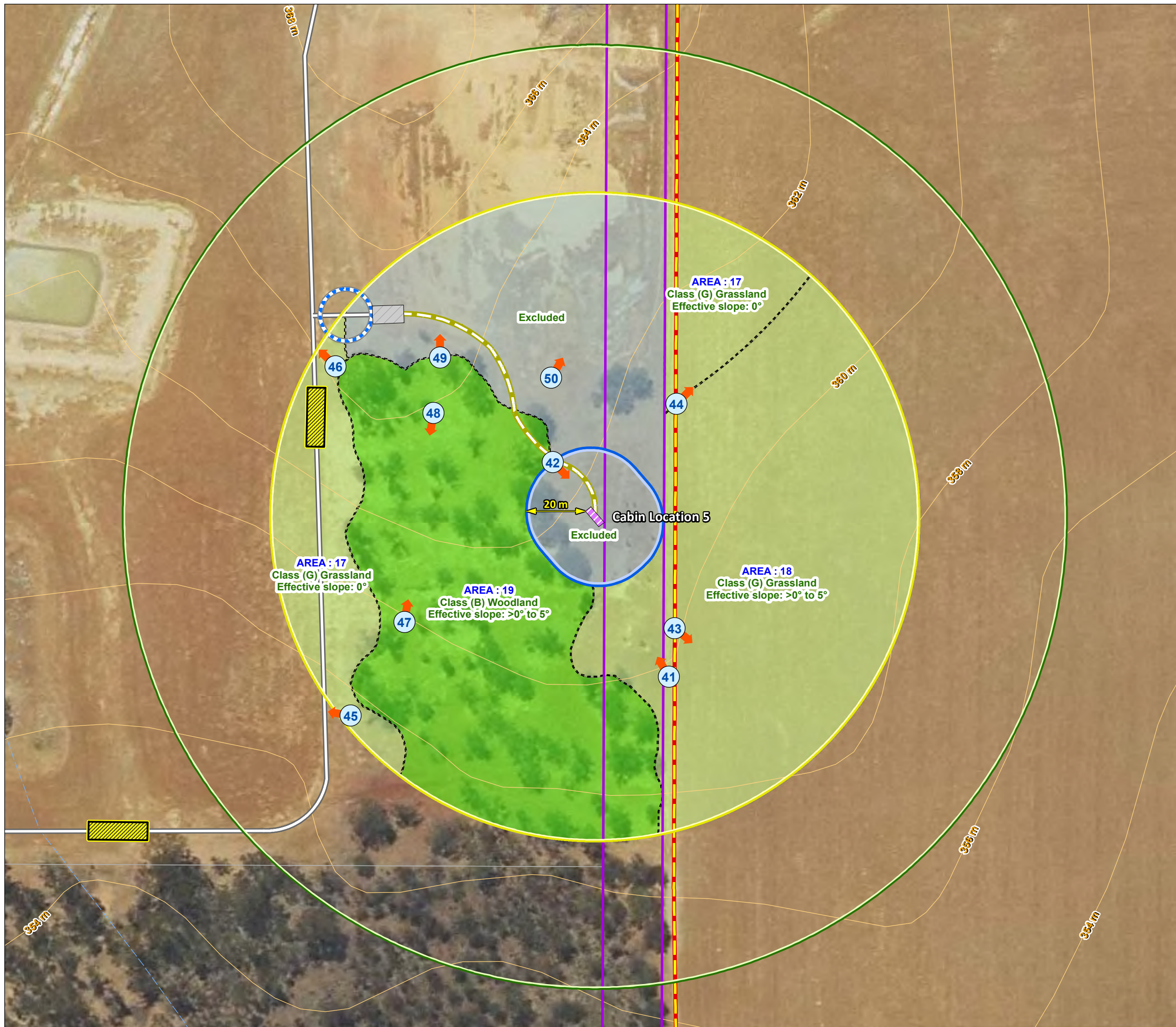


Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

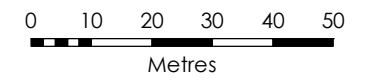
Figure 3.1.5  
**Topography &  
 Classified Vegetation**

**CABIN LOCATION 5**  
 Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

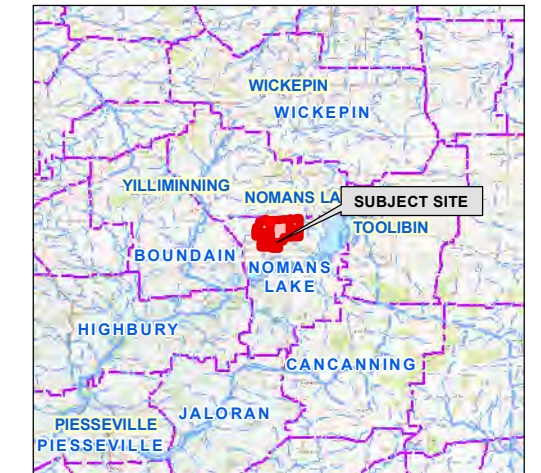


----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- ↻ Photo & Direction
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 150m from Subject Site
- 100m from Subject Site
- Classified Vegetation**
- Class (B) Woodland
- Class (G) Grassland
- Exclusion 2.2.3.2
- ↔ APZ Distance



----- **LOCALITY** -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map dated by: Ian 4/05/2021

### 3.1.3 Vegetation Separation Distance

The vegetation separation distance is the horizontal distance measured from the relevant parts of an existing building or a future building's planned location (within a lot), to the determined edge of an area of classified vegetation.

This separation distance applied to determining a Bushfire Attack Level (BAL) can be either:

- The measured distance – for which the location of the building relative to the edge of classified vegetation must be known. This will result in single determined BAL that will apply to a building. (The measured distance is a required calculation input); or
- A calculated minimum and maximum distance (range) that will correspond to each individual BAL. The calculated distances provide an indicative (or achievable) BAL for which the determined BAL will be dependent on the known location of the building relative to the edge of classified vegetation.

The calculated range of distances corresponding to each BAL can be presented in different formats (tables or a BAL contour map), dependent on the form of information that is most appropriate for the proposed development/use. These distance ranges corresponding to BAL(s) will be presented in Section 3.2: 'Assessment Output'.

For the proposed land use, the applicable vegetation separation distances will be presented within the Bushfire Management Plan in this location:

In Section 3.2 'Assessment Output' as a table containing the calculated ranges of distance corresponding to each BAL and illustrated as a BAL Contour Map.

## 3.2 Assessment Output

### UNDERSTANDING THE RESULTS OF THE BUSHFIRE IMPACT ASSESSMENT

#### **Bushfire Attack Levels (BALs) – Their Application in the Building Environment is Different to the Planning Environment**

In the building environment, a **determined BAL** is required for the proposed construction at the building application stage. This is to inform approval considerations and establish the bushfire construction standards that are to apply. An indicative BAL is not acceptable for a building application.

In the planning environment, through the application of SPP 3.7 and associated Guidelines, the deemed to satisfy requirement for a proposed 'development site' or sites (defined by the LPS Amendment Regulations 2015 as "that part of a lot on which a building that is the subject of development stands or is to be constructed"), is that a BAL-29 or lower rating can be achieved once all works associated with the proposal are completed. For planning approval purposes, an **indicative BAL** can provide the required information.

#### **Determined Bushfire Attack Level**

A determined BAL is to apply to an existing building or the 'development site' on which the building is to be constructed and not to a lot or building envelope. Its purpose is to state the potential radiant heat flux to which the building will be exposed, thereby determining the construction standard to be applied.

A determined BAL cannot be given for a future building whose design and position on the lot are unknown or the vegetation separation distance has not been established. It is not until these variables have been fixed that a determined BAL can be stated, and a BAL Certificate can be issued.

The one exception is when a building **of any dimension** can be **positioned anywhere** on a proposed lot (within R-Code building setbacks) or within a defined building envelope, and always remain subject to the same BAL, regardless of the retention of any existing classified vegetation either onsite or offsite.

#### **Indicative Bushfire Attack Level**

If a BAL is not able to achieve 'determined' status it will be an indicative BAL. It indicates the BAL that can be achieved by the proposed development/use. However, it is conditional upon an assessment variable(s) being confirmed at a later stage (e.g. the building location is established/changed, or vegetation is removed to establish the vegetation separation distance).

A BAL certificate cannot be issued for an indicative BAL – unless that BAL cannot vary (refer to 'Determined BAL' above).

In table form, a single or a range of indicative BAL(s) may be presented. If a single indicative BAL is stated for a defined area (i.e. the lot or building envelope), this will be the highest indicative BAL impacting the defined area.

In BAL contour map form (refer to Section 3.2.1), the illustrated BAL contours visually identify areas of land for which if any part of an existing or proposed building is located on that land and within the BAL contours, then the highest BAL affecting that building (or part of the land on which the building will be constructed), will be the indicative BAL that is to apply.

The BAL can only become a determined BAL once the actual location of that building on the land is known and/or the required minimum vegetation separation distance corresponding to the relevant BAL contour is established (refer to Table 3.3).



### 3.2.1 Bushfire Attack Level Results - BAL Contour Map Format

#### **INTERPRETATION OF THE BUSHFIRE ATTACK LEVEL (BAL) CONTOUR MAP**

The contour map will present different coloured contour intervals extending from the areas of classified bushfire prone vegetation. These represent the different bushfire attack levels that will exist at varying distances away from the classified vegetation in the event of a bushfire in that vegetation.

The areas of classified vegetation are those that will remain as the intended end state of the subject development once earthworks, clearing and/or landscaping and re-vegetation have been completed (or each stage completed).

Each bushfire attack level corresponds to a set range of radiant heat flux that is generated by a bushfire. That range is defined by the AS 3959:2018 BAL determination methodology.

The width of each shaded BAL contour is a diagrammatic representation of the separation distances from the classified vegetation that correspond to each BAL for each separately identified area of classified vegetation. They have been calculated by the application of the unique site variables including vegetation types and structure, ground slope and applied fire weather.

Refer to Section 3.2 'Understanding the Results of the Bushfire Impact Assessment' for the explanation of how BAL(s) for buildings will be assessed from the BAL Contour Map).

## Construction of the BAL Contours

Table 3.2: Vegetation separation distances applied to construct the BAL contours.

BAL CONTOUR MAP – APPLIED VEGETATION SEPARATION DISTANCES								
Derived from the Application of Method 1 BAL Determination Methodology (AS 3959:2018 Section 2, Table 2.5) <sup>1</sup>								
Vegetation Area	Vegetation Classification	Effective Slope (degree range)	BAL and Corresponding Separation Distance (m)					
			BAL-FZ	BAL-40	BAL-29	BAL-19	BAL12.5	BAL-LOW
1	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50
2	Class G Grassland	downslope >0-5	<7	7-<9	9-<14	14-<20	20-<50	>50
3	Class D Scrub	downslope >0-5	<11	11-<15	15-<22	22-<31	31-<100	>100
4	Class D Scrub	upslope or flat	<10	10-<13	13-<19	19-<27	27-<100	>100
5	Class D Scrub	downslope >0-5	<11	11-<15	15-<22	22-<31	31-<100	>100
6	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50
7	Class D Scrub	upslope or flat	<10	10-<13	13-<19	19-<27	27-<100	>100
8	Class A Forest	upslope or flat	<16	16-<21	21-<31	31-<42	42-<100	>100
9	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50
10	Class D Scrub	upslope or flat	<10	10-<13	13-<19	19-<27	27-<100	>100
11	Class A Forest	upslope or flat	<16	16-<21	21-<31	31-<42	42-<100	>100
12	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50
13	Class G Grassland	downslope >0-5	<7	7-<9	9-<14	14-<20	20-<50	>50
14	Class G Grassland	downslope >0-5	<7	7-<9	9-<14	14-<20	20-<50	>50
15	Class C Shrubland	downslope >5-10	<8	8-<11	11-<17	17-<25	25-<100	>100
16	Class A Forest	downslope >0-5	<20	20-<27	27-<37	37-<50	50-<100	>100
17	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50
18	Class G Grassland	downslope >0-5	<7	7-<9	9-<14	14-<20	20-<50	>50
19	Class B Woodland	downslope >0-5	<13	13-<17	17-<25	25-<35	35-<100	>100

Note<sup>1</sup> All the assessment inputs applied are presented in Section 3.1

Figure 3.2.1

### BAL Contour Map

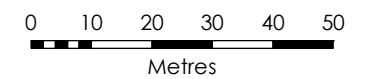
#### CABIN LOCATION 1

Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312

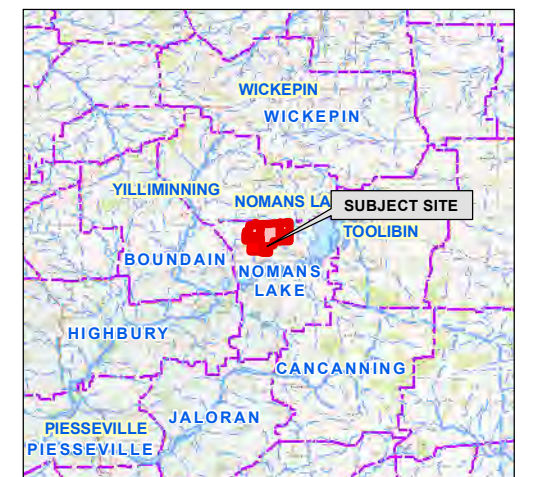
SHIRE OF NARROGIN

----- LEGEND -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Asset Protection**
- Indicative Proposed APZ
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Vegetation Assessment Area**
- 100m from Subject Site
- Classified Vegetation Boundary
- Indicative Bushfire Attack Levels**
- BAL FZ
- BAL 40
- BAL 29
- BAL 19
- BAL 12.5
- APZ Distance



----- LOCALITY -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016



Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

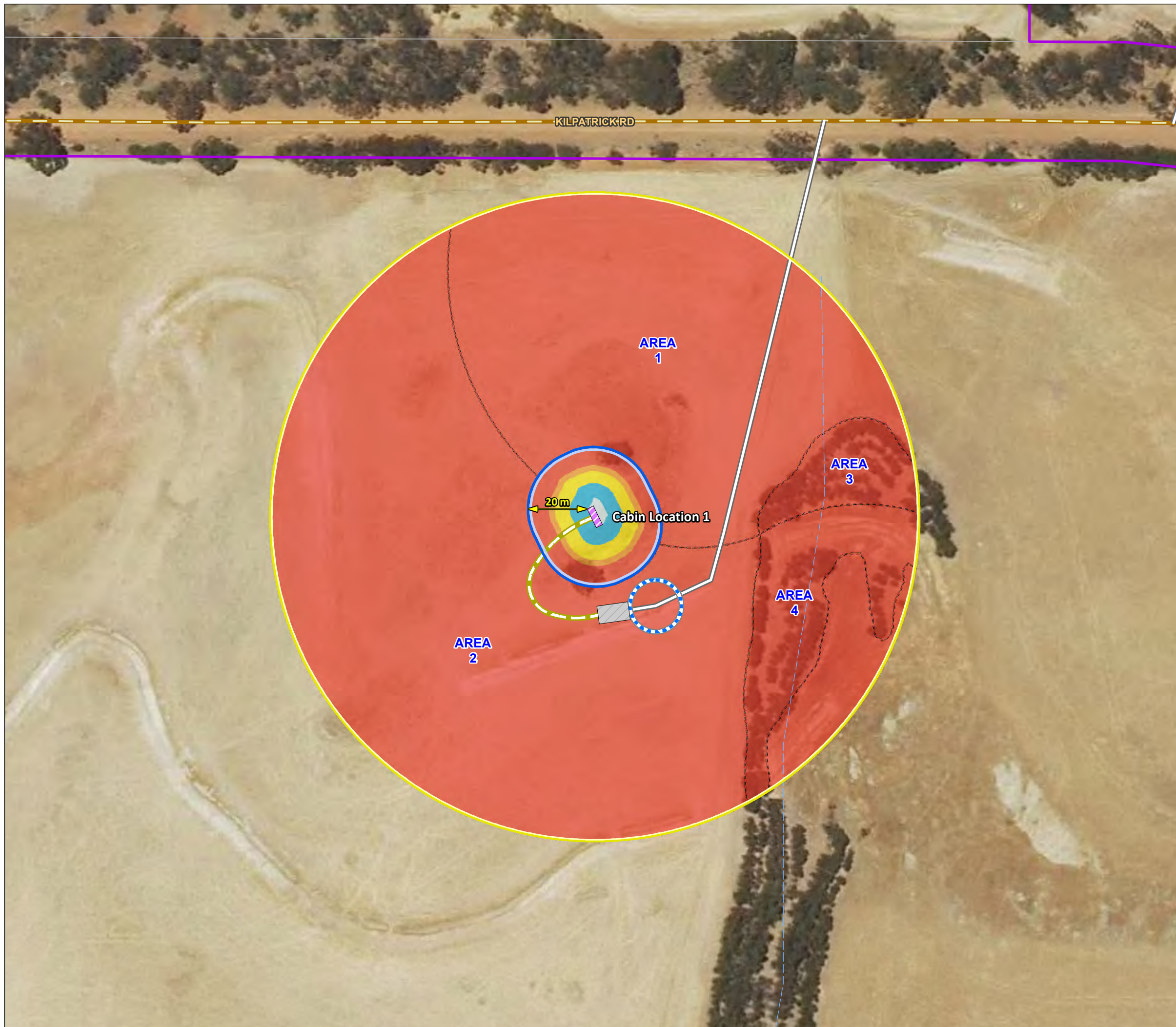


Figure 3.2.2

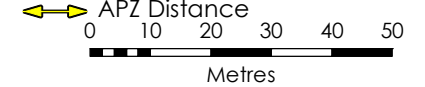
### BAL Contour Map

#### CABIN LOCATION 2

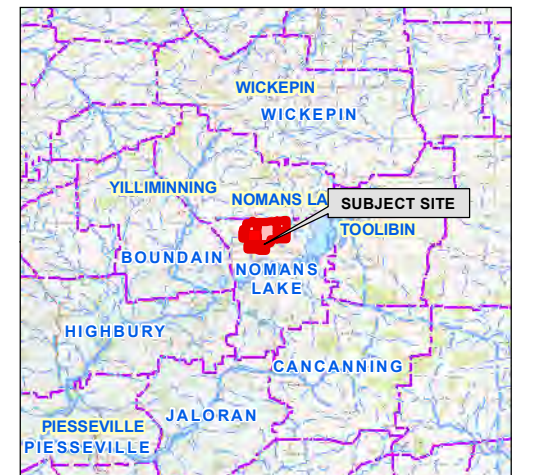
Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

----- LEGEND -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 100m from Subject Site
- Classified Vegetation Boundary
- Indicative Bushfire Attack Levels**
- BAL FZ
- BAL 40
- BAL 29
- BAL 19
- BAL 12.5
- APZ Distance



----- LOCALITY -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016



Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

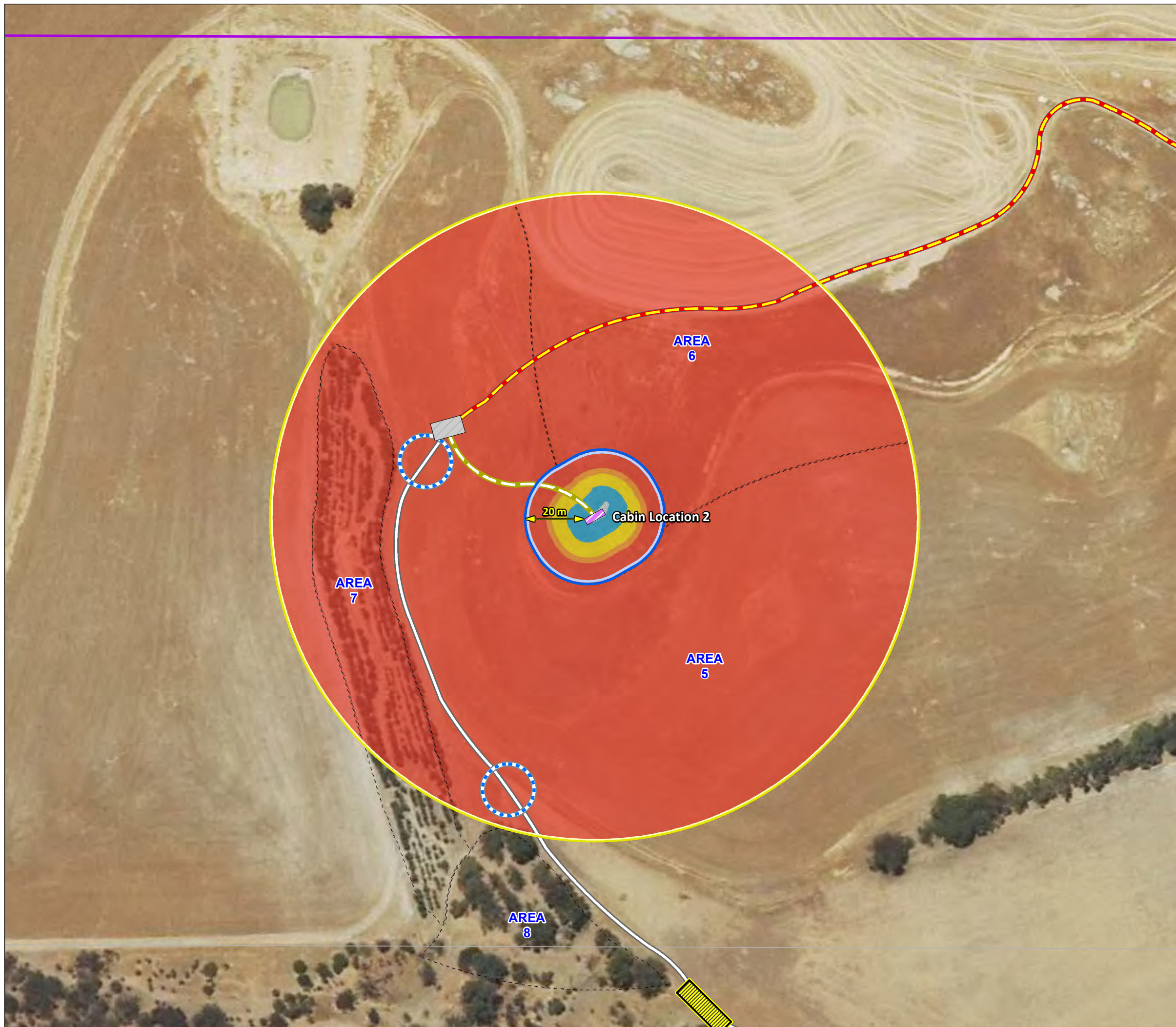
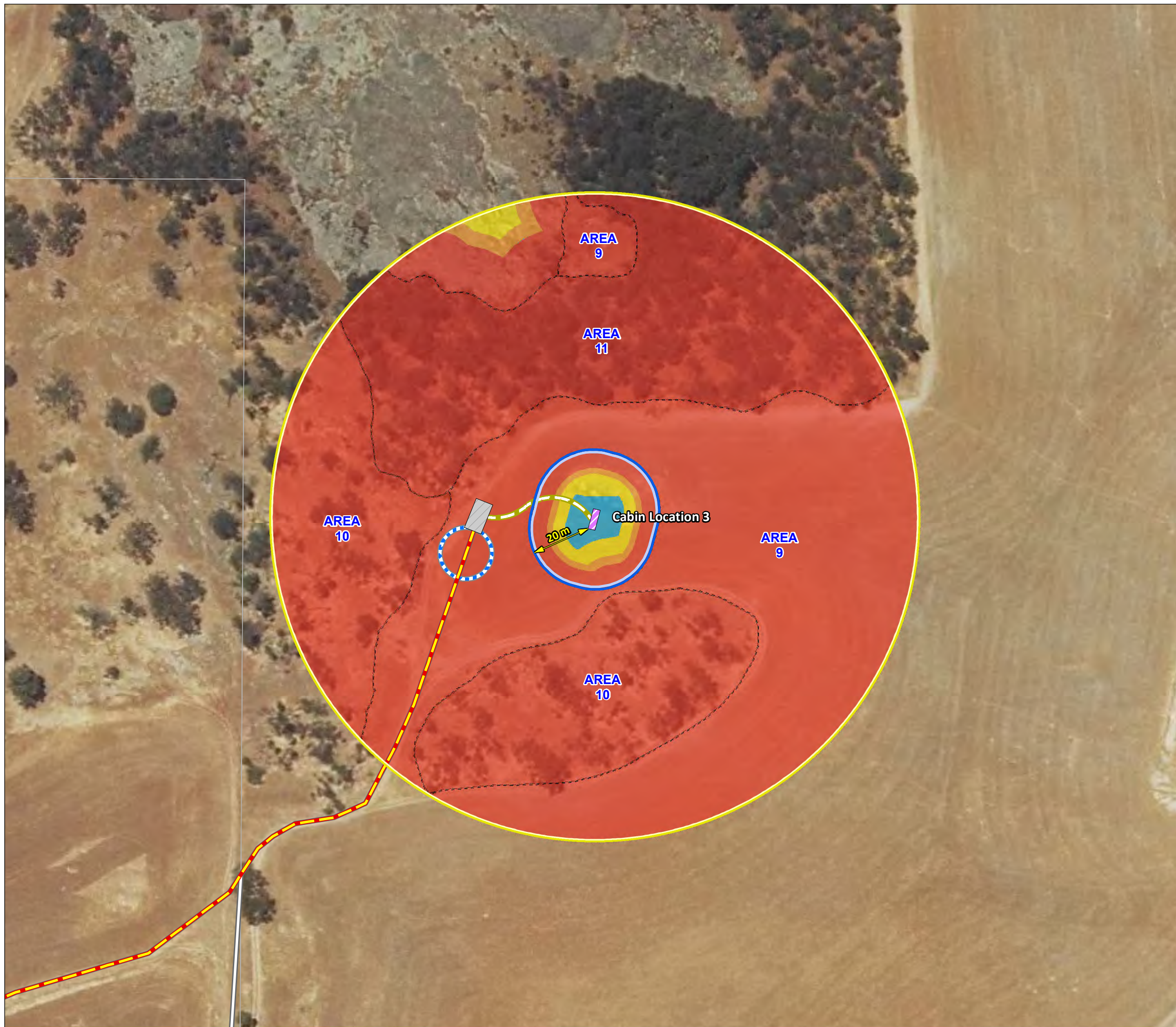


Figure 3.2.3

### BAL Contour Map

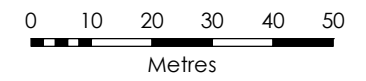
#### CABIN LOCATION 3

Lot 5324 on Plan 118430, Area : 652,865 sq m  
443 Kilpatrick Road,  
NOMANS LAKE 6312  
SHIRE OF NARROGIN

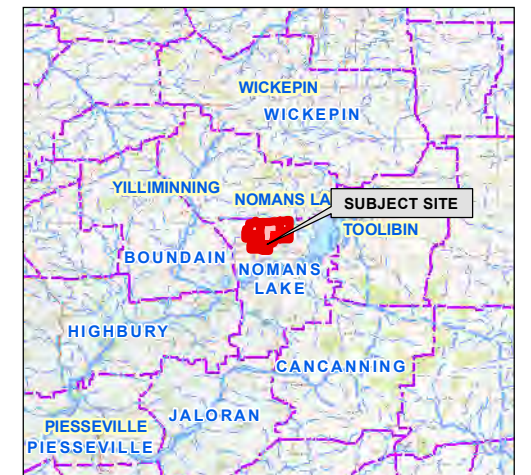


----- LEGEND -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Vegetation Assessment Area**
- 100m from Subject Site
- Classified Vegetation Boundary
- Indicative Bushfire Attack Levels**
- BAL FZ
- BAL 40
- BAL 29
- BAL 19
- BAL 12.5
- APZ Distance



----- LOCALITY -----



Aerial Imagery : Landgate/SLIP  
Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
Projection: Universal Transverse Mercator Units: Metre  
Map compiled by: Ian Ross 4/05/2021  
Map updated by: Ian 4/05/2021

Figure 3.2.4

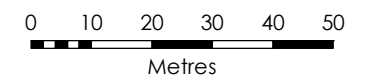
### BAL Contour Map

#### CABIN LOCATION 4

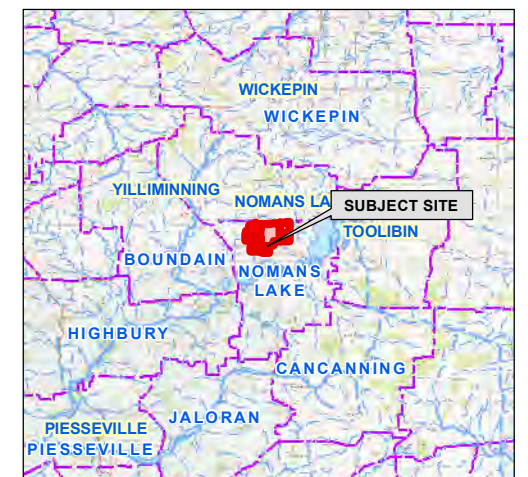
Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

----- **LEGEND** -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Asset Protection**
- Indicative Proposed APZ
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 100m from Subject Site
- Classified Vegetation Boundary
- Indicative Bushfire Attack Levels**
- BAL FZ
- BAL 40
- BAL 29
- BAL 19
- BAL 12.5
- BAL LOW
- APZ Distance



----- **LOCALITY** -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016



Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

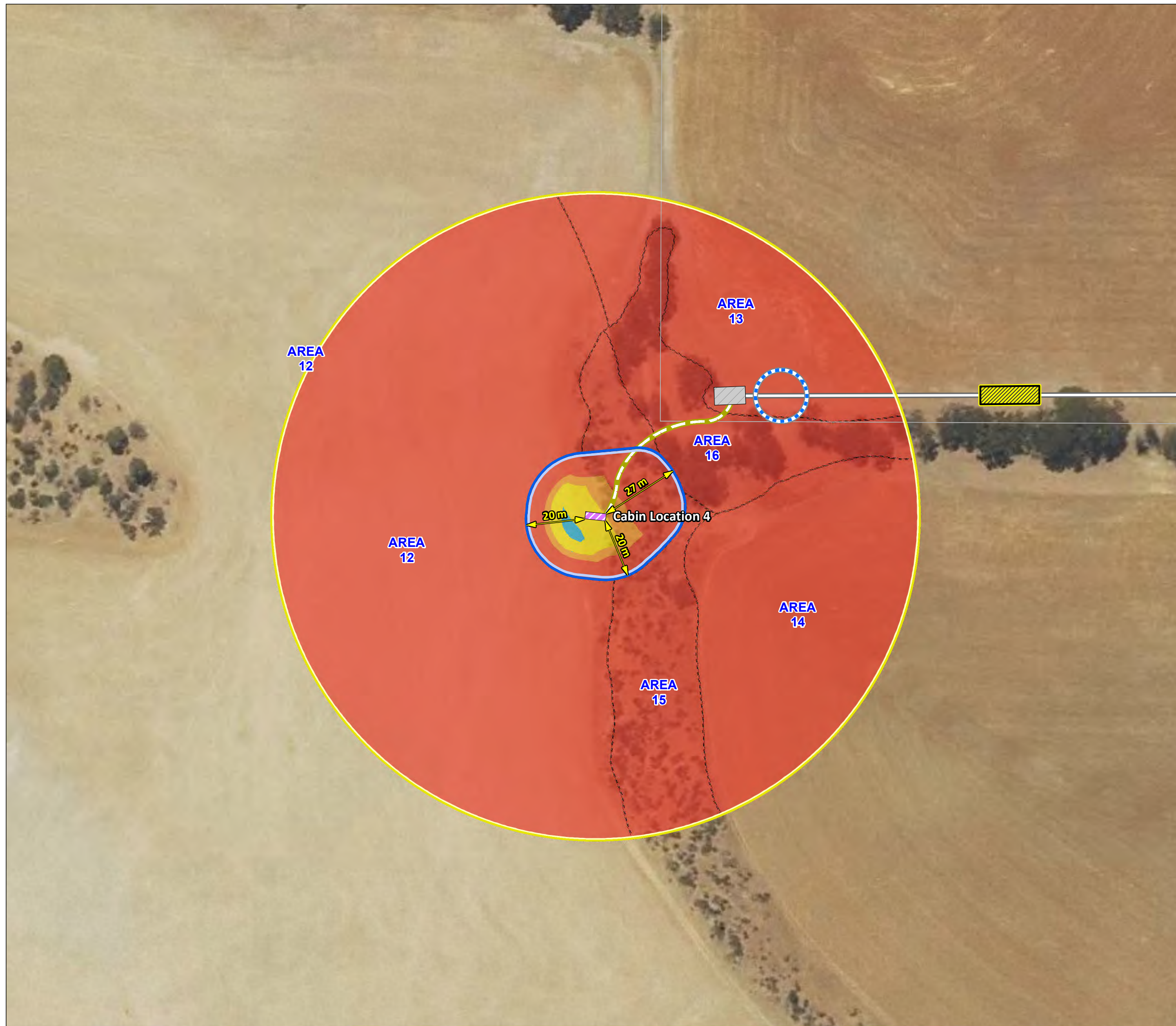


Figure 3.2.5

### BAL Contour Map

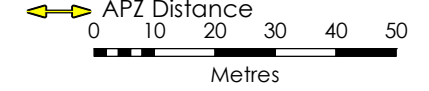
#### CABIN LOCATION 5

Lot 5324 on Plan 118430, Area : 652,865 sq m  
 443 Kilpatrick Road,  
 NOMANS LAKE 6312  
**SHIRE OF NARROGIN**

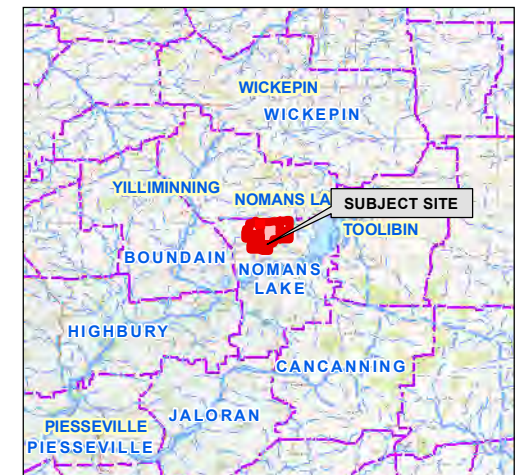


----- LEGEND -----

- Subject Site
- Other Lots
- Proposed Building**
- Proposed Cabin
- Carpark
- Asset Protection**
- Indicative Proposed APZ
- Access / Egress**
- Emergency Access
- Driveway
- Turnaround (20m Wide)
- Walktrack
- Passing Bay (20m x 6m)
- Vegetation Assessment Area**
- 100m from Subject Site
- Classified Vegetation Boundary
- Indicative Bushfire Attack Levels**
- BAL FZ
- BAL 40
- BAL 29
- BAL 19
- BAL 12.5
- APZ Distance



----- LOCALITY -----



Aerial Imagery : Landgate/SLIP  
 Image Date : Dec 2016

Coordinate System: GDA 1994 MGA Zone 50  
 Projection: Universal Transverse Mercator Units: Metre  
 Map compiled by: Ian Ross 4/05/2021  
 Map updated by: Ian 4/05/2021

### 3.2.2 Bushfire Attack Level Results - Derived from The BAL Contour Map

Table 3.3: Indicative BAL(s) for proposed Tiny Cabins.

INDICATIVE BAL(S) FOR PROPOSED TINY CABINS					
<p>The determined BAL for the subject building works and/or use (or the Indicative BAL if the conditions are to be met and it is applied), establishes the bushfire construction requirements that will be applied to the proposed building works and/or use.</p> <p>Consequently, it is important that the required minimum standards and dimensions of the APZ are maintained into the future to ensure the proposed building works or use remains subject to the BAL to which the building is constructed (so that it will continue to better withstand the potential bushfire impact). The minimum dimensions (vegetation separation distances) are stated below. These may differ from the distances that currently exist (i.e. existing distances may exceed the minimum required).</p> <p>The minimum distances may also differ from those established by the <b>Firebreak and Fuel Hazard Reduction Notice</b> issued by the local government. The required dimensions of the APZ's are depicted on the BAL Contour Maps Figures 3.2.1 to 3.2.5 included in this report.</p>					
MINIMUM VEGETATION SEPARATION DISTANCES REQUIRED TO ENSURE THE BUILDING WORKS AND/OR USE REMAIN SUBJECT TO THE ASSESSED BAL (DETERMINED OR INDICATIVE)					
Proposed Building (Tiny Cabins)	Vegetation Area	Vegetation Classification	Applied (degree range)	Assessed Bushfire Attack Level	Minimum Required Vegetation Separation Distance (metres)
Cabins	1	Class G Grassland	Upslope or flat 0	The Indicative BAL  <b>BAL-29</b>	<b>8</b>
	2	Class G Grassland	Downslope >0-5		<b>9</b>
	3	Class D Scrub	Downslope >0-5		<b>15</b>
	4	Class D Scrub	Upslope or flat 0		<b>13</b>
	5	Class D Scrub	Downslope >0-5		<b>15</b>
	6	Class G Grassland	Upslope or flat 0		<b>8</b>
	7	Class D Scrub	Upslope or flat 0		<b>13</b>
	8	Class A Forest	Upslope or flat 0		<b>21</b>
	9	Class G Grassland	Upslope or flat 0		<b>8</b>
	10	Class D Scrub	Upslope or flat 0		<b>13</b>
	11	Class A Forest	Upslope or flat 0		<b>21</b>
	12	Class G Grassland	Upslope or flat 0		<b>8</b>
	13	Class G Grassland	Upslope or flat 0		<b>8</b>
	14	Class G Grassland	Downslope >0-5		<b>9</b>
	15	Class C Shrubland	Downslope >5-10		<b>11</b>
	16	Class A Forest	Downslope >0-5		<b>27</b>
	17	Class G Grassland	Upslope or flat 0		<b>8</b>
	18	Class G Grassland	Downslope >0-5		<b>9</b>
	19	Class B Woodland	Downslope >0-5		<b>17</b>



## 4 IDENTIFICATION OF BUSHFIRE HAZARD ISSUES

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Western Australia experiences an extended period of dry weather in the summer period between November and April. Bushfire fuels built up in eucalypt woodland and forest combined with wind and dry, hot conditions, which support bushfires are normal and common during summer months. These conditions must be assumed to always exist during this period.

The key bushfire hazard issues for the Tiny Cabin development site are summarized as follows:

**Vegetation:** The subject site is generally undulating cropping and pasture land. Mixed vegetation types are evident throughout the extensive area of farmland with pockets of forest, woodland and scrub remnant vegetation and retained vegetation, including along water course areas, with predominantly manageable cropping/pasture vegetation around the Tiny Cabins. Native vegetation and the landscape in the development area is conducive to bushfire.

**Asset Protection Zones:** Asset Protection Zones (APZs) can and will be established within the development area around the Tiny Cabins to reduce the bushfire impact and radiant heat on those structures and provide a defensible area where bushfire conditions are favorable to suppression activities.

**Access & Egress:** The proposed development sites for the Tiny Cabins are located greater than 50m from the public road, Kilpatrick Road to the south and Yilliminning Road to the north. The internal private driveway to the proposed carpark areas of each Tiny Cabin will comply with the technical requirements of the Guidelines for Planning in Bushfire prone Areas, including the provision of turn-around areas.

**Water:** The intention is to actively defend property and infrastructure where conditions are tenable to do so and provision of a minimum 50,000 litres static water supply dedicated for firefighting purposes will be maintained on site, in addition to any requirements for potable water requirements for the Tiny Cabins. Water can also be drafted from the large dams that have permanent water all year round, a natural hard surface maintained access for vehicles to access the dams within 2.5m of the dam edge for drafting purposes. The identified water supplies are not utilised for potable domestic water supply to the dwellings on the property.

**Implementation mechanisms to support the BMP:** The proposed development is considered a Vulnerable Land Use and a Bushfire Emergency Plan is required, to improve the preparedness of short-term accommodation occupants by identifying steps to be followed before, during and after a bushfire event. The BEP will be provided as a separate document to the BMP, after subsequent consideration of the scale and merit of the proposed development by the Shire of Narrogin.

## 5 ASSESSMENT AGAINST THE ACCEPTABLE SOLUTIONS (POLICY MEASURES) ESTABLISHED BY THE 'TOURISM LAND USE' POSITION STATEMENT

For a proposal (future application) that is a 'Tourism Land Use' to be considered compliant with SPP 3.7, it must satisfy the requirements established by the *Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019*. The position statement establishes 'tourism land use specific' policy objectives and measures and establishes a set of elements and corresponding acceptable solutions (policy measures) against which a tourism proposal is to be assessed (replacing the bushfire protection criteria established by the Guidelines). Compliance can be achieved by either:

- Meeting all applicable acceptable solutions corresponding to each element (i.e. the minimum bushfire protection measures that are deemed to satisfy planning requirements); or
- Where an acceptable solution cannot be met, conduct a risk based assessment and if necessary, apply additional and/or contingency bushfire protection measures to reduce the risk to an acceptable level (as relevant to the land use and its scale and location).

### 5.1 Local Government Variations to Apply

Local governments may add to or modify the acceptable solutions of the Bushfire Protection Criteria (BPC) and/or apply technical requirements that vary from those specified in the Guidelines for Planning in Bushfire Prone Areas (WAPC). In such instances, this land use will be assessed against these variations and/or any specific local government technical requirements for emergency access and water. Refer to Appendices 2 and 3 for relevant technical requirements.

Will local or regional variations (endorsed by WAPC / DFES) to the applicable acceptable solutions established by the <i>Guidelines</i> or the <i>Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019</i> , apply to this Proposal?	N/A
---	-----

For some tourism land uses a variation to the acceptable solutions may be applicable and/or specific LG technical requirements for emergency access and water may be applied. The Bushfire Protection Criteria assessment applying these variations will be included in the appendices if the LG require them to be in the BMP rather than just being referred to.

The Armstrong Farms property currently requires adhering to the Shire of Narrogin annual Firebreak and Fuel Hazard Reduction Notice requirements as minimum bushfire protection criteria.

## 5.2 Summary of Assessment Against the Acceptable Solutions for Tourism Land Use

SUMMARISED OUTCOME OF THE ASSESSMENT AGAINST THE ACCEPTABLE SOLUTIONS (POLICY MEASURES) OF THE TOURISM LAND USE POSITION STATEMENT			
Element  (Table 1: Tourism Land Uses - 'Tourism Position Statement')	Basis of Achieving the Intent of the Bushfire Protection Measures Established in Table 1 of the Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019) and Compliance with SPP 3.7		
	All Applicable Acceptable Solutions (Policy Measures) Are or Can be Fully Met	The Site is Supported by a Risk-Based Assessment (in a form that reflects the nature and scale of the landuse)  and The Application of Additional Bushfire Protection Measures as Necessary	
		Bushfire Risk Assessment and Treatment Plan (refer to separate document)	Basic Risk Assessment (refer to Addendum 1)
1. Siting and Design	✓		
2. Vehicular Access	✓		
3. Provision of Water	✓		
<p>Note: The Site has been assessed:</p> <ol style="list-style-type: none"> <li>Against the requirements established by Table 1 of the <i>Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)</i></li> <li>Against the requirements established in Appendix 4 of the <i>Guidelines for Planning in Bushfire Prone Areas, WAPC 2017 v1.3 (Guidelines)</i> but excluding the Bushfire Protection Criteria unless referenced by the above 'Position Statement'. The Guidelines are found at <a href="https://www.planning.wa.gov.au/8194.aspx">https://www.planning.wa.gov.au/8194.aspx</a>; and</li> <li>Applying the interpretation guidance provided in <i>Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019)</i> – to the extent guidance regarding Element 2 may be applied to a development application.</li> </ol>			

## 5.3 Assessment Detail

Element 1 (Tourism Land Use): Siting and Design of Development				
<b>Tourism Type: Caravan Park – Includes Camping Ground</b>				
<b>Intent:</b> To provide bushfire protection for tourism uses relevant to the characteristics of the occupants and/or surrounding community to preserve life and reduce the impact of bushfire on property and infrastructure.				
<b>Compliance:</b> How the proposed development achieves the intent of Element 1:		By fully meeting all applicable acceptable solutions established by Table 1 of Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)		
<b>ASSESSMENT (COMPLIANCE) STATEMENTS</b>				
For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the <i>Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)</i> .				
<b>Acceptable Solution (Policy Measure): 1.1:</b> Siting and design to reduce levels of radiant heat, smoke and ember attack. Consideration should be given to:				
<ul style="list-style-type: none"> <li>The provision of an APZ to achieve 29kW/m<sup>2</sup> around the campground facilities, which may include the office, manager's residence, camp kitchen and shower/laundry.</li> <li>Clustering of Campsites and securing an APZ around the entire development or providing an APZ to separate the site from the potential adjoining hazard.</li> <li>Where there is no bushfire construction standard (i.e. tents and caravans and some eco tents) and the loss of these structures is identified in a risk assessment as a 'tolerable' risk, then no APZ is required and subject to a risk assessment, these structures may be located in areas of BAL-40 or BAL-FZ.</li> </ul>				
For additional details refer to Section 5.4 'Additional Bushfire Protection Measures and Section 6 'Responsibilities for Implementation and Maintenance', of this BMP. The construction technical requirements established by the Guidelines and/or the local government can and will be complied with. These requirements are set out in Appendix 2.				
<b>THE ASSESSMENT</b>				
The future cabins on the Armstrong Farms property for the proposed development can be surrounded by an APZ that will ensure the potential radiant heat impact of a bushfire does not exceed 29 kW/m <sup>2</sup> (BAL-29). The required APZ specifications of width, location and management can be achieved.				
<b>APZ Width:</b> The required APZ dimensions to ensure buildings are subject to a maximum BAL of BAL-29 (measured from any external wall or supporting post or column to the edge of the classified vegetation), has been determined in Section 3.2 of this BMP and are:				
MINIMUM VEGETATION SEPARATION DISTANCES REQUIRED TO ENSURE THE BUILDING WORKS AND/OR USE REMAIN SUBJECT TO THE ASSESSED BAL (DETERMINED OR INDICATIVE)				
Proposed Building (Tiny Cabins)	Vegetation Classification	Applied (degree range)	Assessed Bushfire Attack Level	Minimum Required Vegetation Separation Distance (metres)
All Cabins	Class G Grassland	Upslope or flat 0	The Indicative BAL	<b>8</b>
	Class G Grassland	Downslope >0-5	<b>BAL-29</b>	<b>9</b>

## Element 1 (Tourism Land Use): Siting and Design of Development

All Cabins	Class D Scrub	Upslope or flat 0	The Indicative BAL <b>BAL-29</b>	<b>13</b>
	Class D Scrub	Downslope >0-5		<b>15</b>
	Class C Shrubland	Downslope >5-10		<b>11</b>
	Class B Woodland	Downslope >0-5		<b>17</b>
	Class A Forest	Upslope or flat 0		<b>21</b>
	Class A Forest	Downslope >0-5		<b>27</b>

**Comments:** A minimum 20 m APZ will be implemented for each cabin enabling a BAL-29 rating for the Cabin.

The land on which the APZ's will exist is entirely within the existing lot (i.e. under management control of the owner).

**APZ Location:** Asset protection zones of the widths stated above can be contained solely within the boundaries of the lot (refer to Figures 3.2.1 to 3.2.5 for illustrative maps). Onsite vegetation will be required to be modified/removed, the authority for which will need to be received from the local government, if applicable.

**APZ Management:** All vegetation that will require modification/removal and future management is onsite and therefore under the control of the landowner.

Retained vegetation will be managed in accordance with the technical requirements established by the Schedule 1: 'Standards for Asset Protection Zones (Guidelines)'. The APZ specifications are also detailed in Appendix 1.

### THE APZ – REQUIRED DIMENSIONS TO SATISFY FUTURE BUILDING (AND ONGOING MANAGEMENT)

It is important for the landowner to be aware that the APZ dimensions that will be required to be physically established and maintained on each lot surrounding relevant future buildings, may be different to those stated above for the BAL-29 APZ - which is the minimum dimension a planning proposal needs to show can be established to comply with SPP 3.7.

The actual APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or
- The APZ dimensions established by the local government's Firebreak Notice.

If the dimensions of the APZ that are to be established are known at this time, they will be stated below.

## Element 1 (Tourism Land Use): Siting and Design of Development

For the proposed development, the cabins are constructed to BAL-29 standards. The APZ corresponding to a BAL-29 rating will be developed around each cabin, to lessen the impact on the cabin where bushfire conditions are conducive to extinguishment operations and resources are available. The determined minimum dimensions of the APZ to achieve a BAL-29 based on proximity to the differing vegetation types on site are indicated in the following table:

The APZ Dimensions to be Established and Maintained Determined BAL for the Proposed Development/Use is BAL-29	
Applicable to Following Building(s): Tiny Cabins – All Cabins	Asset Protection Zone Minimum 20 metres or greater where the corresponding BAL to Forest vegetation type requires increased separation Minimum 27m.

The responsibilities created (in Section 6) to establish/maintain an APZ states this requirement and notes the potential requirements of the firebreak notice.

**Acceptable Solution (Policy Measure): 1.2:** Where a building is to function as an on-site shelter, there must be sufficient separation distance from the predominant bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 10kW/m<sup>2</sup> (with an assumed flame temperature of 1200K); or where an open space area is to function as an on-site shelter, there must be sufficient separation distance from the predominant bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 2kW/m<sup>2</sup> (with an assumed flame temperature of 1200K).

For this development, no purpose built on-site shelter is provided.

The site facilitates evacuation of occupants should the area be impacted by bushfire and conditions require evacuation to a place/destination of lower threat.

**Acceptable Solution (Policy Measure): 1.3:** Buildings identified as suitable on-site shelter shall be designed and constructed in accordance with National Construction Code and the ABCB Community Shelter Handbook.

For this development, no purpose built on-site shelter is provided.

The site facilitates evacuation of occupants should the area be impacted by bushfire and conditions require evacuation to a place/destination of lower threat.

## Element 2 (Tourism Land Use): Vehicular Access

### Tourism Type: Caravan Park – Includes Camping Ground

**Intent:** To provide bushfire protection for tourism uses relevant to the characteristics of the occupants and/or surrounding community to preserve life and reduce the impact of bushfire on property and infrastructure.

**Compliance:** How the proposed development achieves the intent of Element 2:

By fully meeting all applicable acceptable solutions established by Table 1 of Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)

#### ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the *Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)*.

**Acceptable Solution: 2.1:** Caravan parks/camping grounds located in residential built-out areas should provide one access route which connects to the public road network and provides safe access and egress.

N/A

**Acceptable Solution: 2.2:** Caravan parks/camping grounds located outside of residential built-out areas -where vehicular access in two different directions to two different destinations cannot be provided, the BMP should identify the risks and propose bushfire management measures to reduce this risk, which may include on-site shelter and or closure.

Kilpatrick Road and Yilliminning Road provide two-way access to two differing locations via sealed and unsealed sections of public roads that are available to the public and emergency services at all times. These roads services large rural properties outside of higher density residential areas.

**Acceptable Solution: 2.3:** All roads should be through roads. Dead end roads are not recommended but if unavoidable, or they are existing, they should be no more than 200 metres.

N/A

**Acceptable Solution: 2.4:** Access routes should achieve the requirements of Table 6 in the *Guidelines for Planning in Bushfire Prone Areas*.

The internal private driveways to the proposed carpark areas for each Tiny Cabin sites will comply with the technical requirements of the Guidelines, including passing bays at required intervals and provision for turn-around area suitable for large fire appliances. Internal access will incorporate signposting along the driveway and at each carpark site detailing the site configuration and egress to the public road. The carpark will be large enough to accommodate the private vehicles plus provide a turnaround area for fire appliances.

For additional details refer to Section 5.4 'Additional Bushfire Protection Measures and Section 6 'Responsibilities for Implementation and Maintenance', of this BMP.

The construction technical requirements established by the Guidelines and/or the local government can and will be complied with. These requirements are set out in Appendix 2.

## Element 3 (Tourism Land Use): Provision of Water

### Tourism Type: Caravan Park – Includes Camping Ground

**Intent:** To provide bushfire protection for tourism uses relevant to the characteristics of the occupants and/or surrounding community to preserve life and reduce the impact of bushfire on property and infrastructure.

**Compliance:** How the proposed development achieves the intent of Element 3:

By fully meeting all applicable acceptable solutions established by Table 1 of Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)

#### ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the *Position Statement: Tourism land uses in bushfire prone areas (WAPC October 2019)*.

**Acceptable Solution: 3.1:** The development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and/or the local government; or Acceptable Solution 3.2 or 3.3.

N/A

**Acceptable Solution: 3.2:** Where the intention is to actively defend property and infrastructure, provision of a minimum 10,000 litre static water supply for firefighting purposes per building/structure, in addition to any requirements for potable water; or Acceptable Solution 3.3.

A dedicated water supply for fire-fighting operations for the cabins is implemented. Water supplies are available on site that can be accessed and utilised for fire-fighting within the Armstrong Farms site. Should local fire brigades require additional water, dams are also accessible.

Potable water requirements as specified by the Shire of Narrogin will be implemented for the cabin occupants use.

**Acceptable Solution: 3.3:** Where the intention is to actively defend property and infrastructure, provision of a minimum 50,000 litre static water supply for firefighting purposes per 25 buildings/structures, to the satisfaction of the local government.

A minimum 50,000 litres of water is dedicated for fire-fighting purposes in the immediate area, utilising an existing static water tanks, which are located at the Armstrong Farms storage shed/workshop. This tank is not utilised for potable domestic water supply to the dwellings. The location of the tanks can achieve a BAL-29 Asset Protection Zone area around the tanks (Refer Section 6 for water tank APZ distances).

The cabin locations are within a two kilometre radius of the tank site, and enables a 2.4 appliance to achieve a 20 minute turn-around time at legal road speeds.

**Acceptable Solution: 3.4:** Dedicated water supplies shall be non-combustible (or suitably shielded) and located such that fire services can readily gain access to appropriate fittings and connect fire fighting vehicles to dedicated water supplies in a safe manner.

An existing static water tank located at the existing shed, will incorporate fire services connection couplings to comply with the technical requirements of the Guidelines for Planning in Bushfire prone Areas. This tank can be accessed by fire appliances via the entrance driveway to the main buildings (No.443) off Kilpatrick Road. The tank is surrounded by a cleared area and access road that provides an asset protection zone equivalent to BAL-29 or lower.

The technical requirements established by the Guidelines and/or the local government can and will be complied with. These requirements are set out in Appendix 3.



## 5.4 Additional Bushfire Protection Measures

The following bushfire protection measures are to be implemented and maintained. They are additional to those established by the relevant acceptable solutions applied to the land use.

The relevant acceptable solutions are those against which this site has been assessed in Section 5.3 of this Bushfire Management Plan.

### 5.4.1 Additional Measures to Improve Bushfire Performance

The purpose of risk mitigation treatments is to reduce the likelihood and consequence of bushfire on Armstrong Farms – Tiny Cabin site assets, the community and environment through a process of suitable risk treatment strategies and implementation of suitable treatments to modify the characteristics of the bushfire fuel hazard.

There are a number of possible risk treatment strategies available. When selecting a treatment strategy, or combination of treatment strategies, it is important to keep in mind the wider context of the bushfire risk planning area and consider the level of risk and the type of asset being treated. Not all treatment strategies will be achievable in all circumstances.

Treatments for annual implementation and maintenance programs will include:

- Firebreak and access track maintenance.
- Driveway upgrades and the installation of signage, passing bays and turn-around areas at the Tiny Cabin sites.
- Dedicated water supply for fire-fighting operations.
- Asset protection zones for the Tiny Cabins and construction of cabins to BAL-29 standards.

SUMMARY OF ADDITIONAL BUSHFIRE PROTECTION MEASURES (TREATMENTS) TO BE APPLIED		
Treatment Category	Brief Description	Intent the Treatment Has Been Developed to Help Achieve
Siting and Design	Locating Tiny Cabins on the property where an APZ to achieve 29kW/m <sup>2</sup> around each Cabin is achieved.	Avoid areas of BAL-40 or BAL-FZ to lessen the bushfire impact on the cabins and occupants.
Vehicular Access	Upgrading/construction of driveways to the Cabins to achieve the requirements of Table 6 in the <i>Guidelines for Planning in Bushfire Prone Areas</i> .	Vehicular Access – To provide a safe operational environment for emergency services and while occupants are accessing or egressing the site.
Provision of Water	Dedicated 50,000ltrs of water supply for on-site and appropriate access for fire-appliances.	To provide an adequate supply of water for fire-fighting operations to reflect the intent to actively respond during a bushfire event, by the property manager and emergency services.

## Firebreak Requirements

Firebreaks are essential within large bush holdings to assist with management and control of bushfire incidents, prevention and environmental activities. Firebreaks are to be maintained in accordance with the annual Shire of Narrogin Firebreak and Fuel Hazard Reduction Notice. The Firebreak Notice is to be reviewed annually to apply any changes in the Notice to the Armstrong Farms property as applicable.

Armstrong Farms firebreaks require maintenance, vegetation pruned back annually prior to the fire season and monitored regularly to ensure ongoing adequacy, especially during the summer months. Particular attention should be given to the main entry/exit driveways to the public roads.

The minimal requirements for firebreaks are:

**Firebreak Width** — to be a minimum of 2.5 metres wide.

**Firebreak Vertical Axis** — a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak to a minimum height of five (4.5) metres from the ground.

**Trafficable** — to be able to travel from one point to another in a four wheel drive fire appliance on a clear surface, unhindered without any obstruction that may endanger resources. A firebreak is not to terminate in a dead end without provision for egress to a safe place or a cleared turn around area of 17.5 metre radius.

## Private Driveway Requirements

The minimal requirements for the driveway access and egress for the Armstrong Farms is to be upgraded and/or maintained to the standards as detailed in Appendix 2 – Technical requirements for vehicular access.

The access to the Tiny Cabins will be suitable for 2WD vehicles and incorporate turn-around areas at the parking bay for each Cabin.

## On-site Fire Suppression

A reticulated water supply is not available to the subject site. The Armstrong Farms has existing water tanks with a minimum storage capacity of 50,000 litres that can be utilised for fire-fighting operations, adjacent to the main equipment shed. Access to the tank is available for emergency services and turn-around for fire appliance around the tank. The tank couplings are to comply with Shire of Narrogin Fire Service requirements and drafting may be carried out from dams on the property as secondary water supplies. The tank is not utilised for domestic potable water for the dwellings.

- Emergency water supplies shall be regularly maintained.

Armstrong Farms has plant and equipment suitable for local bushfire fighting site operations, including 'slip on' fire pump/tank. Management are trained in the use of plant and equipment and bushfire fighting.

### 5.4.2 Additional Measures Established by the Bushfire Emergency Plan

SPP 3.7 establishes the requirement for a Bushfire Emergency Plan to be developed and used as a bushfire protection measure for 'vulnerable' land uses. The **Armstrong Farms, Hidden Cabins Bushfire Emergency Plan** can be produced as a separate operational document, after subsequent consideration of the scale and merit of the proposed development by the Shire of Narrogin.

It establishes the required actions corresponding to a set of relevant procedures that are to be followed in preparation for a bushfire emergency event and in response to and recovery from, a bushfire emergency event. The responsibility for the facility/premises owner/manager to ensure the requirements of Bushfire Emergency Plan are actioned every year, is established in Section 6 of this Bushfire Management Plan.

## 6 RESPONSIBILITIES FOR IMPLEMENTATION AND MANAGEMENT OF THE BUSHFIRE PROTECTION MEASURES

Table 6.1: BMP Implementation responsibilities

Landowner/Occupier - Ongoing								
No.	Ongoing Management Actions							
1	<p>Maintain the Asset Protection Zone (APZ) surrounding all relevant buildings to the dimension as determined by either:</p> <ul style="list-style-type: none"> <li>The dimensions corresponding to the indicative BAL of the buildings (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); and</li> <li>The dimensions corresponding to the local government's Firebreak Notice (if this is greater than the BAL asset protection zone).</li> </ul> <p>Maintain the APZ to the standards established by the Guidelines (refer to Appendix 1) or as varied by the relevant local government through their Firebreak Notice (refer to the following responsibility).</p>							
2	<p>Comply with the Shire of Narrogin Firebreak Notice issued under s33 of the Bush Fires Act 1954 and any additional bushfire mitigation requirements.</p> <p>This may include specifications for asset protection zones that differ from the Guideline's APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with. Refer to Appendix 1.</p>							
3	<p>Maintain driveways, vehicular access routes, passing bays and turn-around areas within the lot to the required surface condition and clearances as stated in the BMP.</p>							
4	<p>Maintain the emergency water supply tanks and the associated fittings in good working condition and vehicular access. Maintaining the emergency water supply at required capacities. Maintain an asset protection zone around the tanks to the corresponding BAL-29 distances.</p> <table border="1" data-bbox="331 1346 1318 1458"> <tbody> <tr> <td>Class D Scrub</td> <td>Upslope or flat 0</td> <td rowspan="2">BAL-29</td> <td>13</td> </tr> <tr> <td>Class A Forest</td> <td>Upslope or flat 0</td> <td>21</td> </tr> </tbody> </table>	Class D Scrub	Upslope or flat 0	BAL-29	13	Class A Forest	Upslope or flat 0	21
Class D Scrub	Upslope or flat 0	BAL-29	13					
Class A Forest	Upslope or flat 0		21					
5	<p>Program the maintaining of pasture areas to minimal fuel loadings to reduce fire spread.</p>							
6	<p>Ensure that any builders (of future structures on the lot) are aware of the existence of this Bushfire Management Plan and the responsibilities it contains regarding the application of construction standards corresponding to a determined BAL.</p>							
7	<p>Ensure all future buildings the landowner has responsibility for, are designed and constructed in full compliance with:</p> <ol style="list-style-type: none"> <li>the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code of Australia (BCA); and</li> <li>with any identified additional requirements established by this BMP or the relevant local government.</li> </ol>							
8	<p>To implement and maintain, the additional bushfire protection measures contained in Section 5.4 of this Bushfire Management Plan, in addition to the measures that are established by the acceptable solutions.</p>							
10	<p>Instal signage to driveways and access routes, identifying location and route to safer locations &amp; assembly areas on site.</p>							

## APPENDIX 1: TECHNICAL REQUIREMENTS FOR ONSITE VEGETATION MANAGEMENT

### A1.1 Requirements Established by the Guidelines – Standards for Asset Protection Zones

(Source: Guidelines for Planning in Bushfire Prone Areas - WAPC 2017 v1.3 Appendix 4, Element 2, Schedule 1 and Explanatory Note E2.1)

#### DEFINING THE ASSET PROTECTION ZONE (APZ)

**Description:** An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level (by reducing fuel loads). The width of the required APZ varies with slope and vegetation and varies corresponding to the BAL rating determined for a building (lower BAL = greater dimensioned APZ).

For planning applications, the minimum sized acceptable APZ is that which is of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m<sup>2</sup> (BAL-29). It will be site specific.

For subdivision planning, design elements and excluded/low threat vegetation adjacent to the lot(s) can be utilised to achieve the required vegetation separation distances and therefore reduce the required dimensions of the APZ within the lot(s).

**Defendable Space:** The APZ includes a defendable space which is an area adjoining the asset within which firefighting operations can be undertaken to defend the structure. Vegetation within the defendable space should be kept at an absolute minimum and the area should be free from combustible items and obstructions. The width of the defendable space is dependent on the space, which is available on the property, but as a minimum should be 3 metres.

**Establishment:** The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.

The APZ may include public roads, waterways, footpaths, buildings, rocky outcrops, golf courses, maintained parkland as well as cultivated gardens in an urban context, but does not include grassland or vegetation on a neighbouring rural lot, farmland, wetland reserves and unmanaged public reserves.

*[Note: Regardless of whether an Asset Protection Zone exists in accordance with the acceptable solutions and is appropriately maintained, fire fighters are not obliged to protect an asset if they think the separation distance between the dwelling and vegetation that can be involved in a bushfire, is unsafe.]*

#### Schedule 1: Standards for APZ

**Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.

**Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.

**Fine Fuel Load:** combustible dead vegetation matter less than 6 mm in thickness reduced to and maintained at an average of two tonnes per hectare (example below).

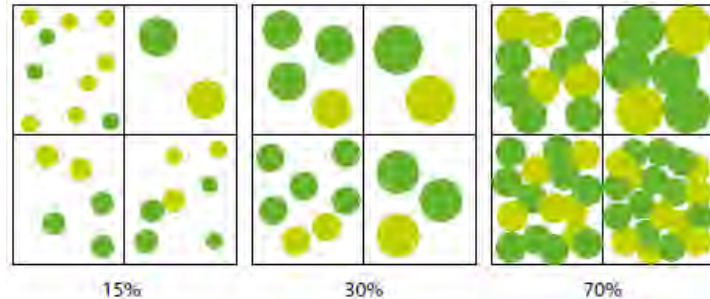


Example: Fine fuel load of 2 t/ha

(Image source: Shire of Augusta Margaret River's Firebreak and Fuel Reduction Hazard Notice)

**Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy. Diagram below represents tree canopy cover at maturity.

*Tree canopy cover – ranging from 15 to 70 per cent at maturity*



(Source: Guidelines for Planning in Bushfire Prone Areas 2017, Appendix 4)

**Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m<sup>2</sup> in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.

**Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 mm in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.

**Grass:** should be managed to maintain a height of 100 mm or less.

The following example diagrams illustrate how the required dimensions of the APZ will be determined by the type and location of the vegetation.



## A1.2 Requirements Established by the Local Government – the Firebreak Notice

The relevant local government's current Firebreak Notice is available on their website, at their offices and is distributed as ratepayer's information. It must be complied with.

These requirements are established by the relevant local government's Firebreak Notice created under s33 of the Bushfires Act 1954 and issued annually (potentially with revisions). The Firebreak Notice may include additional components directed at managing fuel loads, accessibility and general property management with respect to limiting potential bushfire impact.

If Asset Protection Zone (APZ) specifications are defined in the Firebreak Notice, these may differ from the Standards established by the Guidelines, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with.

The APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL(s)); or
- The APZ dimensions established by the local government's Firebreak Notice.

## A1.3 Requirements Recommended by DFES – Property Protection Checklists

Further guidance regarding ongoing/lasting property protection (from potential bushfire impact) is presented in the publication 'DFES – Fire Chat – Your Bushfire Protection Toolkit'. It is available from the Department of Fire and Emergency Services (DFES) website.

## A1.4 Requirements Established by AS 3959:2018 – 'Minimal Fuel Condition'

This information is provided for reference purposes. This knowledge will assist the landowner to comply with Management Requirement No. 3 set out in the Guidance Panel at the start of this Appendix. It identifies what is required for an area of land to be excluded from classification as a potential bushfire threat.

*"Australian Standard - AS 3959:2018 Section 2.2.3.2: Exclusions - Low threat vegetation and non-vegetated areas:*

*The Bushfire Attack Level shall be classified BAL-LOW where the vegetation is one or a combination of the following:*

- a) Vegetation of any type that is more than 100m from the site.*
- b) Single areas of vegetation less than 1ha in area and not within 100m of other areas of vegetation being classified vegetation.*
- c) Multiple area of vegetation less than 0.25ha in area and not within 20m of the site or each other or other areas of vegetation being classified vegetation.*
- d) Strips of vegetation less than 20m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20m of the site or each other, or other areas of vegetation being classified vegetation.*
- e) Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- f) Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a **minimal fuel condition**, (means insufficient fuel available to significantly increase the severity of a bushfire attack – for example, recognisable as short cropped grass to a nominal height of 100mm), mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks (single row of trees)."*

## APPENDIX 2: TECHNICAL REQUIREMENTS FOR VEHICULAR ACCESS

Each local government may have their own standard technical requirements for emergency vehicular access, and they may vary from those stated in the Guidelines.

When required, these are stated in Section 5.1 of this bushfire management plan.

### Requirements Established by the Guidelines – The Acceptable Solutions

(Source: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4)

#### VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 1

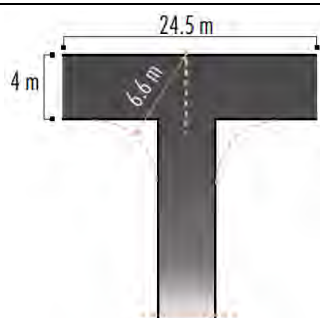
##### Acceptable Solution 3.5: Private Driveways

The following requirements are to be achieved:

- The design requirements set out in Part 2 of this appendix; and

Where the house site is more than 50 metres from a public road:

- Passing bays every 200 metres with a minimum length of 20 metres and a minimum width of two metres (ie combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas every 500 metres and within 50 metres of a house, designed to accommodate type 3.4 fire appliances to turn around safely (ie kerb to kerb 17.5 metres);
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes; and
- All weather surface (i.e. compacted gravel, limestone or sealed).



##### Acceptable Solution 3.8: Firebreak Width

Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three meters or to the level as prescribed in the local firebreak notice issued by the local government.

## VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 2

Technical Component	Vehicular Access Types				
	Public Roads	Cul-de-sacs	Private Driveways	Emergency Access Ways	Fire Service Access Routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	4.5	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum cross-fall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5

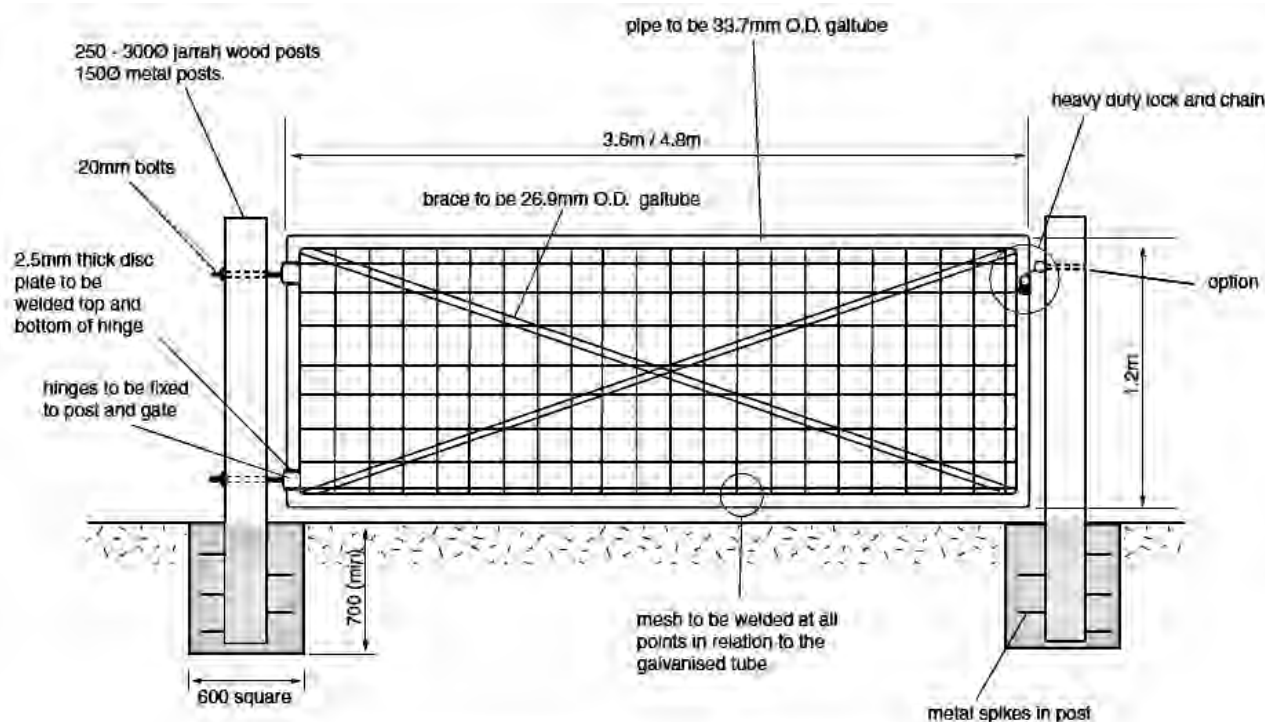
\* A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metres of paving and one metre of constructed road shoulders. In special circumstances, where 8 lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of ninety metres may be provided subject to the approval of both the local government and DFES.

## VEHICULAR ACCESS TECHNICAL REQUIREMENTS – GATES AND SIGNS EXAMPLES

### Gates

Design and construction to be approved by relevant local government.

- Minimum width 3.6m
- Emergency access way gates must not be locked.
- Fire service access route gates may be locked but only with a common key that is available to local fire service personnel.
- Bollards will be to the relevant local government specifications



**Note: Mesh to be metric mesh 46G5 and galvanised finish complete with fittings.**



## Signs

*Design and construction to be approved by the relevant local government/meet industry standards.*

- Minimum height above ground of 0.9m.
- Lettering height to be 100mm.
- To display the words (as appropriate) "Emergency Assembly Area" or "Evacuation Route" (or as appropriate)
- Size 600mm x 400mm.
- Sign colour green, base (white) area is reflective background.
- Rounded corners, radius 20mm.
- White key-line 3mm wide, 3mm from outside edge.
- Suggested mounting hole 6mm diameter.
- Alternative Directional Signage, turn-around point, steep descent & passing bay, should meet required standards.



## APPENDIX 3: TECHNICAL REQUIREMENTS FOR FIREFIGHTING WATER

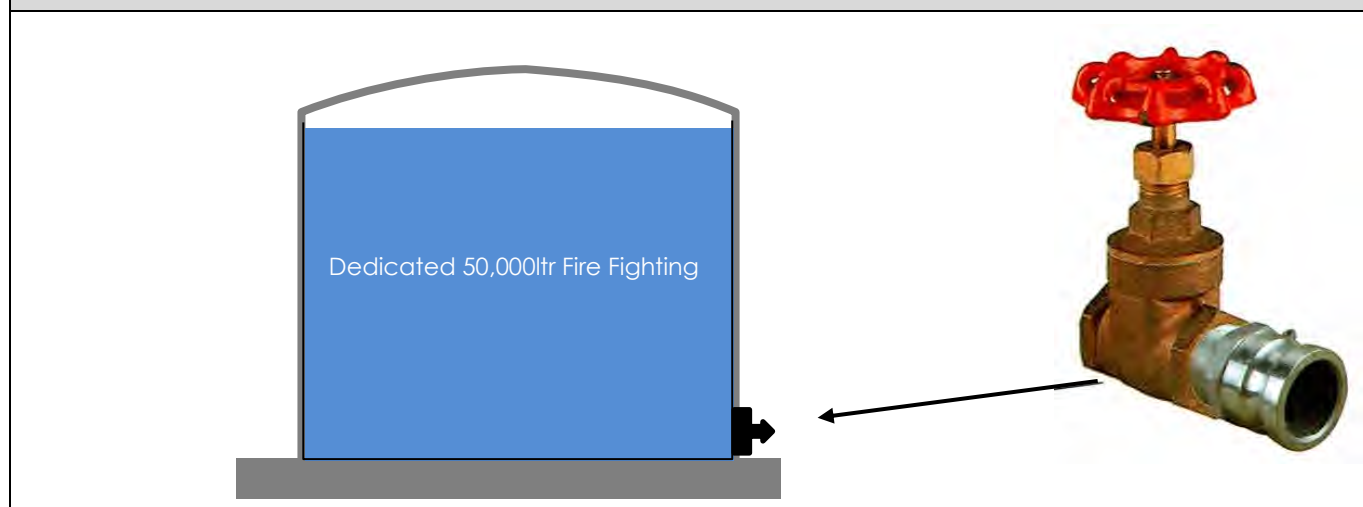
### Non-Reticulated Areas

Each local government may have their own standard technical requirements for firefighting water supplies, and they may vary from those stated in the Guidelines.

Table A4.2: Non-reticulated areas – water supply technical requirements.

TECHNICAL REQUIREMENTS FOR STATIC WATER SUPPLY (EXAMPLE ONLY – CHECK WITH LOCAL GOVERNMENT)	
Application:	Where the intention is to actively defend property and infrastructure. To provide an adequate supply of water for firefighting purposes to reflect the intended response to a bushfire event, by emergency services and/or the owner/occupier.
Volume:	Provision of a minimum 50,000 litre static water supply (can be a combined capacity from multiple tanks) for firefighting purposes, to the satisfaction of the local government. (In addition to the capacity required to accommodate the sprinkler deluge system). The storage tank should not facilitate sharing the water for domestic potable use due to the potential of contamination from firefighting foam (incorporate a non-return valve).
Tank Construction:	Above ground tanks constructed using concrete or metal.
Pipe Construction:	Galvanised or copper (PVC if buried at least 300mm below ground).
Vehicle Access:	Hardstand and turnaround area suitable for a 3.4 appliance (i.e. kerb to kerb 17.5metres) is provided at the tank.
Couplings:	Tanks are to be fitted with a full flow gate valve (not ball valve) and a 50mm or 100mm cam-lock coupling of metal/alloy construction (example below).
Signage:	Multiple buildings and/or firefighting water supplies may require directional signage to guide firefighters to the emergency water supplies.
Responsibility:	A procedure must be in place to ensure that water tanks are maintained at or above designated capacity always.

[Sources: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4, Element 4 with example construction / coupling requirements from various sources including FESA (DFES) Operational Circular 07/2011 and Planning for Bushfire Protection Guidelines WAPC 2010]





# Planning Outcomes WA

town planning, urban design, landscaping + appeals

Our Ref: 443Kilpatrick-DA1

5 August 2021

Development & Regulatory Department  
 Shire of Narrogin  
 PO Box 1145  
 NARROGIN WA 6312  
 Via E-Mail: [enquiries@narrogin.wa.gov.au](mailto:enquiries@narrogin.wa.gov.au)

Attn: David Johnston

Dear Sir,

## **VARIOUS LOTS, KILPATRICK ROAD, NOMANS LAKE – DEVELOPMENT APPLICATION PROPOSED CARAVAN PARK (5 x TINY CABINS) & SIGNAGE**

Thank you for your e-mail regarding the above matter dated 2 August 2021. We have liaised with our client and can offer the following in response to your queries.

### **1. Dogs Off-Leash**

Being an operational farm, dogs are strictly prohibited on the land and the cabins are advertised as such. The landowner has the right to evict without notice any guest not abiding by these rules.

### **2. Motorbikes & Noisy Off-Road Vehicles**

Guests are advised to strictly stick to the supplied route and to the parking area designated for their cabin (as per the site plan provided in the application).

The access route to each cabin is provided to the guests prior to their arrival on site, and the path is clearly marked out onsite by signs posted alongside it. Cabins are 2WD accessible and the route does not require off-road capabilities.

If motor vehicles were to wander off the designated path, the Site is fenced with limited gate points, and the landowner has the right to evict without notice any guest not abiding by these rules.

The client's target audience are affluent mature individuals/couples who are looking to get away from urban life. Our cabins are advertised as places where our guests can 'slow down and relieve the stresses of modern life'. The demographics looking for an extreme off-road experience would not find our offer to meet their requirements.

#### 4. Trespassers

48 hours prior to their booking, guests are provided with a map that outlines the access to their specific cabin, as well as the boundaries of the Site. Each cabin is equipped with a similar map of the area showing the property boundaries and any restricted areas.

Guests are advised not to wander outside of the fenced property.

#### 5. Wording of Approval

As previously discussed, in our experience planning approvals always have an expiry condition that is worded with '...substantially commenced within 2 years...', which leads us to believe that this is regulated at a State level.

Our client (the tenant) can benefit from this wording (which does not relate to property speculation), without the need for future applications to extend approvals or reapply. Specifically, the manufacture of all of the units may not be achievable within the next 2 years due to COVID19-impacts upon the supply chain and increased demand for intrastate tourism.

Accordingly, we request the wording of the approval be suitably modified, or an alternative motion be presented to the council.

If you have any queries, or wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely



Matt Stuart

**Principal Urban Planning Consultant**

**BA (URP) Hons | Grad Cert (UD) | MLGPA**

0408 000 477 | matt@townplanningadvice.com.au

## SCHEDULE OF SUBMISSIONS

ATTACHMENT 6

Submissions	Comment	Officer Comment	Recommendation
<b>1. Public</b>	<p>Thank you for your recent letter in regards to the application for planning consent for tourism accommodation on Kilpatrick Road locations.</p> <p>Whilst we are supportive of the proposal in the main, we do have a few concerns and suggestions in order to make the proposal neighbourhood safe and friendly.</p> <ol style="list-style-type: none"> <li>1. Dogs must be kept on a leash at all times if outdoors, we have sheep (Often lambing ewes) in adjacent paddocks.</li>   <li>2. No Motorbikes or noisy off-road vehicles to be ridden on the property.</li> </ol>	<p>Thank you. Your support is noted.</p> <p>The application has proposed that guests will not be permitted to bring animals on site except for assistance dogs.</p> <p>The applicant has stated that Guests will be advised to stay on the dedicated internal roads. These have a speed limit of 8km/h and do not require off-road capable vehicles for access. The aforementioned internal roads are fenced. Additionally, the applicant's target audience is mature individuals/couples who are seeking a 'slow down' experience. An 'off-road' experience is not catered to. It is the Officer's opinion that a limit on the type of vehicle (etc. a ban on Motorbikes) may be unfair for guests who main own one of these vehicles instead of a car.</p>	<p>This part of the application in its current form is supported by the Officer and will be included in the officer's recommendation to ensure that guests are only permitted to bring assistance animals on site.</p> <p>Given the distance of the 'Tiny Home's from property boundaries and noting that other noisy machinery such as tractors are used on farmland, the use of motorbikes and off-road vehicles by guests is unlikely to increase noise or dust. Furthermore, adequate fencing will prevent guests from trespassing onto neighbouring farms.</p>

Submissions	Comment	Officer Comment	Recommendation
	<ol style="list-style-type: none"> <li>3. A detailed map to be provided for each tourist visiting the accommodation facility to avoid any wandering (trespassing) onto neighbouring private property.</li> </ol>	<p>The applicant has attempted to address this issue by advising they will provide guests with a map of the property, 48 hours prior to their booking.</p>	<p>Adequate fencing of the property will prevent guests from trespassing. A condition will be recommended for boundary fencing to be installed and maintained.</p>

### 10.1.3 RECONSIDERATION OF PROPOSED VESTING OF PRIVATE ROAD – LOT 951 AND LOT 1111 GRAHAM ROAD, NARROGIN

<b>File Reference</b>	A215200 & 28.7.2
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
<b>Applicant</b>	Cory Mckenzie
<b>Previous Item Numbers</b>	Item 10.1.139, 27 October 2015 Item 10.1.012, 8 March 2017 Res.0317.016 August 2017 Res. 0817.33.
<b>Date</b>	9 August 2021
<b>Author</b>	Azhar Awang – Executive Manager Development & Regulatory Services
<b>Authorising Officer</b>	Dale Stewart – Chief Executive Officer
<b>Attachments</b>	1. Locational Plan 2. Copy of letter from property owner

#### Summary

Council is requested to reconsider the effect of its resolution to propose the vesting of Lots 951 and 1111 Graham Road as a dedicated public road reserve as an extension to the existing Graham Road, and for it to remain as private property as a result of the land being purchased by the new property owner.

#### Background

The proposal for the vesting of Lots 951 and 1111 Graham Road was previously considered by Council at its Ordinary Meeting held 8 March 2017. Council at that meeting, resolved as follows:

*“That Council:*

*Support the road dedication of the portion of Graham Road (Lots 951 & 1111) on the attached plan subject to the following conditions:*

- 1. Indemnify the Minister against any claims for compensation associated with the process of dedicating the subject land as a public road.*
- 2. Authorise the preparation of a diagram of survey and a deposited plan and meet all associated costs.*
- 3. Forward all documentation relating to the proposed vesting to the Minister for Department of Lands for processing under Section 56 of the Land Administration Act 1997.*
- 4. Write to all affected land owners of the Council’s outcome.*
- 5. Undertake further stormwater and drainage design as part of the road dedication for this portion of Graham Road.*

6. *Provide advice to the applicant that the Shire of Narrogin is not liable for any compensation in regards to the road dedication.*
7. *Allocate funds in the 2016/2017 budget review for the associated survey works to the amount of \$8,000.*
8. *Consider funds in the 2017/2018 Annual Budget for the upgrade and construction of the portion of Graham Road.”*

Although the previous owner requested Lots 951 and 1111 Graham Road to be dedicated as a road reserve, the transfer of title of the subject properties to the Shire of Narrogin as a dedicated road reserve was not pursued by the property owner for unknown reasons.

In July 2020, the Shire was advised of the purchase of the property by Mr Cory Mckenzie.

The Shire, on recognising the change of ownership, wrote a letter to the new property owner advising of the current agreements with the previous owner and seek clarifications as to how the new property owner wished to progress the proposal for the road dedication.

In February 2021, after a number of follow up letters by the Shire regarding the outstanding road dedication, the new property owner wrote to the Shire confirming that he wished to continue to retain Lots 951 and 1111 Graham Road, under private ownership and does not wish to relinquish the property as a dedicated road reserve. The owner also acknowledged his obligations to maintain and allow access for other nearby and adjoining properties as per previous arrangements.

There is currently an easement over Lots 951 and 1111 as a Right of Carriageway to provide adjoining property owners carriage onto this property, to access their property.

### **Consultation**

Consultation has been undertaken previously for the proposal to dedicate Lots 951 and 1111 Graham Road, as a road reserve, through written notifications to surrounding property owners and relevant State agencies.

### **Statutory Environment**

This was previously dealt with under the following sections of the Land Administration Act 1997:

- Section 56 of the Land Administration Act 1997 – Dedication of Roads.
- Section 55 (2) of Land Administration Act 1997, the Shire of Narrogin has the care, control and management of a road, with the exception of major roads or highways proclaimed under Part 4 of the Main Roads Act 1930 and the Public Works Act 1902.

### **Policy Implications**

Nil

### **Financial Implications**

Should Council wish to pursue the proposed road dedication of Lots 951 and 1111 Graham Road, the following costs will need to be attributed:

- Cost of preparing the survey works and survey diagram including conveyancing works - approximately \$8,000.

- Compulsory acquisition – Cost of purchasing the land at market value from the private property owner. Valuation will be required.
- Ongoing maintenance cost for the road if dedicated as a public road.

### Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	1.	Economic Objective (Support growth and progress, locally and regionally)
Outcome:	1.3	An effective well maintained transport network
Strategy:	1.3.1	Maintain and improve road network in line with resource capacity

### Comment/Conclusion

#### Local Planning Scheme

Lots 951 and 1111 Graham Road are currently under private ownership and are developed as a private road that facilitated access to a number of private properties, directly abutting these lots. Lots 951 and 1111, are approximately 20m wide, with a total combined area of 1.9268 hectares.

The area north of Graham Road is currently zoned 'Rural' under the former Town of Narrogin Town Planning Scheme No.2 and, under the former Shire of Narrogin Town Planning Scheme No. 2, the area south of Graham Road is zoned 'Farming' to the south west portion and zoned 'Special Rural' to the south.

#### Local Planning Strategy

The Shire of Narrogin Local Planning Scheme identifies the area as 'Rural Living' to the north and south of Graham Road with a designation of DA6 as possible long term rural residential subject to further detailed planning.

This is something that needs to be considered in future as to possible road dedication to allow access for the future creation of Rural Residential lots in this area. Rural Residential lots provide the ability for the land to be subdivided into smaller lots, ranging between 1 to 4 hectares.

#### Road Dedication

The proposed road dedication will allow the extension of Graham Road extension at the intersection of Mokine Road, in a westerly direction through to the disused railway line, which runs parallel to Granite Road.

Dedication of a road can be undertaken in a number of ways. The first is through a road dedication in accordance with section 56 of the Land Administration Act 1997, where there is consent from the private land owners to give up his land for the purpose of a road.

The second form of road dedication is through Compulsory Land Acquisition under part 9 of the Land Administration Act 1997. This is not the preferred option as there are financial constraints in terms of purchasing the land outright from the property owners at market value for the purpose of a dedicated road. This will require a detail investigation before this option can be pursued.



As there is currently a right of carriageway agreement between the property owners of Lots 951 and 1111 Graham Road and the adjoining properties regarding access to and from their properties, there is no urgent need to create a road reserve. However, in future there will need to be further consideration as to how legal access can be provided for the creation of additional rural residential lots.

### Voting Requirements

Simple Majority

#### **OFFICERS' RECOMMENDATION**

That, with respect to the proposed road dedication of the portion of the private road, extending westwards from Mokine Road, known as portion of Graham Road (lots 951 and 1111), Council:

1. Note the applicant's request to retain the above properties under their private ownership.
2. Discontinue efforts to seek conversion of this portion of carriageway as a public road.
3. Note that the applicant, as the new property owner, has a legal requirement to continue to provide access to and from related properties, via Lots 951 and 1111 Graham Road, as a right of access.
4. Advise the applicant of their continuing responsibility for the ongoing access and serviceability of this carriageway as a right of access for related properties.



Attention: Azhar Awang  
Executive Manager  
Development and Regulatory Services

4/2/2020

Shire of Narrogin RECEIVED	
Directed to	AZHAR
- 5 FEB 2021	
Ref No	ICR 2122946
Property File	A 215200
Subject File	
Ref	

Dear Azhar

I am writing to confirm that I would like to continue to retain Lots 951 and 1111  
Graham Road Narrogin . REF 215200

I understand my obligations to maintain it and allow access for other nearby  
properties.

Yours Sincerely



Cory McKenzie

## 10.1.4 REVIEW OF SHIRE OF NARROGIN LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS AND LOCAL RECOVERY MANAGEMENT PLAN

File Reference	9.8.4
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Item 10.1.064, 17 June 2016 Res. 0616.081 Item 10.1.142, 22 November 2016 Res.1116.176
Date	13 August 2021
Author	Azhar Awang – Executive Manager Development and Regulatory Services
Authorising Officer	Dale Stewart – Chief Executive Officer
<b>Attachments</b> 1. Local Emergency Management Arrangements 2. Local Recovery Management Plan	

### Summary

Council is requested to consider the five year review of the Shire of Narrogin Local Emergency Management Arrangements (LEMA) and the Local Recovery Management Plan (LRMP).

### Background

The Local Emergency Management Arrangements was previously adopted by the Council at its Ordinary Meeting held 22 November 2016. Council at that meeting resolved as follows:

*“That Council:*

1. *Endorse the attached Local Emergency Management Arrangements document under the new entity.*
2. *Authorise the Chief Executive Officer to sign the endorsed Local Emergency Management Arrangements document.”*

The LEMA and the LRMP have been reviewed by the Local Emergency Management Committee at its meeting held 3 August 2021, and has provided the amendments, which have been incorporated in the attached documents for Council’s endorsement.

### Consultation

- Local Emergency Management Committee
- Department of Fire and Emergency Services – District Emergency Management Advisor

### Statutory Environment

Sections of the Acts, Regulations and/or Local Laws that apply to this item include:

- Emergency Management Act 2005

Section 41. Emergency management arrangements in local government district

- (1) A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.
- (2) The local emergency management arrangements are to set out —
  - (a) the local government's policies for emergency management; and
  - (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district; and
  - (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b); and
  - (d) a description of emergencies that are likely to occur in the local government district; and
  - (e) strategies and priorities for emergency management in the local government district; and
  - (f) other matters about emergency management in the local government district prescribed by the regulations; and
  - (g) other matters about emergency management in the local government district the local government considers appropriate.
- (3) Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.
- (4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.
- (5) A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.

Section 42. Reviewing and renewing local emergency management arrangements

- (1) A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.
- (2) Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.

Section 43. Local emergency management arrangements to be available for inspection

- (1) A local government is to keep a copy of its local emergency management arrangements at the offices of the local government.
- (2) The arrangements are to be available for inspection, free of charge, by members of the public during office hours.
- (3) The arrangements may be made available in written or electronic form.

### Policy Implications

Nil

### Financial Implications

Nil

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	2.	Social Objective (To provide community facilities and promote social interaction)
Outcome:	2.2	Build a healthier and safer community

## Comment/Conclusion

The purpose of the Local Emergency Management Arrangements (LEMA) is to structure how the Shire coordinates and operates an emergency incident during the response and recovery phase of an emergency. The arrangements are designed to ensure the appropriate strategies are in place to minimize the adverse impact to the community, and to restore normality as quickly as possible following an emergency event.

Section 42 of the Emergency Management Act 2005 states as follows:

*“42. Reviewing and renewing local emergency management arrangements*

- (1) *A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.*
- (2) *Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.”*

The LEMA is required to be reviewed in accordance with the State EM Policy section 2.5 and amended or replaced whenever the local government considers it appropriate (s.42 of the EM Act). However, according to the State EM Preparedness Procedure 8, the LEMA, including recovery plans are to be reviewed and amended in the following situations:

- after an event or incident requiring the activation of an Incident Support Group or an incident requiring significant recovery coordination; and
- an entire review is undertaken every five (5) years, as risks might vary due to climate, environment and population changes.

The main changes are primarily administrative to ensure that the documentations are consistent with sections 41(2)(4), 43(1) and 43(2) of the Emergency Act 2005 and the recommended guidelines as outlined in the State Emergency Management Framework (legislation, policy, plans, procedures and guidelines).

Section 41(4) of the Emergency Management Act 2005, requires that the Local Emergency Management Arrangements are to include a recovery plan and the nomination of a local recovery coordinator. The Local Recovery Management Plan is included in this report.

The existing Local Recovery Management Plan currently has the Chief Executive Officer (CEO) listed as the Recovery Coordinator. As the Executive Manager Development and Regulatory Services (EMDRS) has taken on this role, in discussion with the CEO, it was recommended that the Council appoint the EMDRS as the Local Recovery Coordinator and amend the Local Recovery Management Plan to be reflected accordingly.

## Voting Requirements

Simple Majority

### **OFFICERS' RECOMMENDATION**

That, with respect to the review of the Shire of Narrogin Local Emergency Management Arrangements and the Local Recovery Management Plan, Council:

1. Adopt the attached documents with modifications in accordance with section 41 of the Emergency Management Act 2005.
2. Nominate the Executive Manager Development and Regulatory Services as the Local Recovery Coordinator.
3. Forward the endorsed copy of the Shire of Narrogin Local Emergency Management Arrangements and the Local Recovery Management Plan to the State Emergency Management Committee.



# Local Emergency Management Arrangements

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## SHIRE OF NARROGIN



**SHIRE OF NARROGIN LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS**

These arrangements have been produced and issued under the authority of S. 41(1) of the *Emergency Management Act 2005*, endorsed by the Shire of Narrogin, Local Emergency Management Committee (LEMC) and has been tabled with the District Emergency Management Committee (DEMC) and the State Emergency Management Committee.

.....  
Chairperson  
Shire of Narrogin LEMC

.....  
Date

.....  
Endorsed by Council  
CEO, Shire of Narrogin

.....  
Date

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## DISTRIBUTION

<b>Distribution List</b>	
<b>Organisation</b>	<b>No Copies</b>
Shire of Narrogin (Chair)	2
OIC Western Australian Police Force, Narrogin (Deputy Chair	2
Great Southern SEMC Executive Officer	2
Narrogin State Emergency Service (S.E.S.) Unit	2
Narrogin Volunteer Fire and Rescue Service	2
Narrogin Sub-Branch, St John Ambulance	2
Department for Communities - Narrogin	2
Dept of Primary Industries and Regional Development (Agriculture & Food), Narrogin	2
Narrogin Health Services	2
YMCA Narrogin Recreation Centre	1
Disability Service Commission, Narrogin	1
Salvation Army Narrogin	1
Department Fire Emergency Services, Narrogin	2
Dept of Biodiversity, Conservation & Attractions, Narrogin	2
Australian Red Cross	1
Main Roads WA Wheatbelt Region	2
Narrogin District Education Department and Schools	6
Water Corporation	2
Western Power Corporation	2
Karinya Cottage Homes	1
Narrogin Community Care	2

## AMENDMENT RECORD

No.	Date	Amendment Details	By
1	16 February 2006	Review & Rewrite -DRAFT	Risk Analysis Sub Committee
2	27 March 2006	Review & Rewrite -DRAFT	Risk Analysis Sub Committee
3	28 June 2006	Draft Copy 16-06-2006 adopted by LEMC	Narrogin LEMC
4	17 April 2008	Review, Update and Rewrite DRAFT	Narrogin LEMC sub-committee
5	February 2011	Review & Rewrite Arrangements -DRAFT	Narrogin LEMC sub-committee
6	February 2011	Review & Rewrite Risk Management Project -DRAFT	Risk Analysis Sub Committee
7	November 2015	Review and Rewrite Arrangements DRAFT	Narrogin LEMC sub-committee
8	20 May 2016	Town Council Endorsement	Town of Narrogin
9	18 June 2016	Shire Council Endorsement	Shire of Narrogin
10	27 Sept 2016	Shire Council Endorsement (Amalgamated)	Shire of Narrogin
11	2 January 2020	Review and amend Arrangements	Shire of Narrogin EM Officer
12	May/June 2021	Review and update details	Shire of Narrogin

## GLOSSARY OF TERMS

For additional information in regards to the Glossary of Terms, refer to the State Emergency Management Glossary 2016.

**AUSTRALASIAN INTERSERVICE INCIDENT MANAGEMENT SYSTEM (AIIMS)** – A nationally adopted structure to formalize a coordinated approach to emergency incident management.

**AIIMS STRUCTURE** – The combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure with responsibility for the management of allocated resources to effectively accomplish stated objectives relating to an incident (AIIMS).

**BFB – Bush Fire Brigade** – established by a local government under the *Bush Fires Act 1954*.

**COMBAT** - take steps to eliminate or reduce the effects of a hazard on the community.

**COMBAT AGENCY** – A combat agency prescribed under subsection (1) of the Emergency Management Act 2005 is to be a public authority or other person who or which, because of the agency's functions under any written law or specialized knowledge, expertise and resources, is responsible for performing an emergency management activity prescribed by the regulations in relation to that agency. ~~Controlling Agency in response to an emergency will undertake the specific emergency management activities or support functions for which they are prescribed.~~

**COMMUNITY EMERGENCY RISK MANAGEMENT** – See **RISK MANAGEMENT**.

**COMPREHENSIVE APPROACH** – The development of emergency and disaster arrangements to embrace the aspects of prevention, preparedness, response, and recovery (PPRR). PRRR are aspects of emergency management, not sequential phases. *Syn.* 'disaster cycle', 'disaster phases' and 'PPRR'.

**COMMAND** – The direction of members and resources of an organisation in the performance of the organisation's role and tasks. Authority to command is established in legislation or by agreement with an organisation. Command relates to organisations and operates vertically within an organisation. ~~See also COMMAND and COORDINATION.~~

**CONTROL** – The overall direction of emergency management activities in an emergency situation. Authority for control is established in legislation or in an emergency plan, and carries with it the responsibility for tasking and coordinating other organisations in accordance with the needs of the situation. Control relates to situations and operates horizontally across organisations. ~~See also COMMAND and COORDINATION.~~

**CONTROLLING AGENCY** – an agency nominated to control the response activities to a specified type of emergency. The Controlling Agency appoints an Incident Controller and may appoint an Operational Area Manager for strategic management of a Level 3 emergency.

**COORDINATION** – The bringing together of organisations and elements to ensure an effective response, primarily concerned with the systematic acquisition and application of resources (organisation, manpower and equipment) in accordance with the requirements imposed by the threat or impact of an emergency. Coordination relates primarily to resources, and operates, vertically, within an organisation, as a function of the authority to command, and horizontally, across organisations, as a function of the authority to control. ~~See also CONTROL and COMMAND.~~

**DFES** – Department of Fire & Emergency Services of WA.

**DISTRICT** – means the municipality of the Shire of Narrogin.

**EMERGENCY** – An event, actual or imminent, which endangers or threatens to endanger life, property or the environment, and which requires a significant and coordinated response.

**EMERGENCY MANAGEMENT** – The management of the adverse effects of an emergency including:

- (a) Prevention – the mitigation or prevention of the probability of the occurrence of and the potential adverse effects of an emergency;
- (b) Preparedness – preparation for response to an emergency;
- (c) Response – the combating of the effects of an emergency, provision of emergency assistance for casualties, reduction of further damage and help to speed recovery; and
- (d) Recovery – the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing.

~~**EMERGENCY MANAGEMENT AGENCY** – A hazard management agency (HMA), a combat agency or a support organisation.~~

**EMERGENCY RISK MANAGEMENT** – A systematic process that produces a range of measures which contribute to the well-being of communities and the environment.

## **HAZARD**

- (a) a cyclone, earthquake, flood, storm, tsunami or other natural event;
- (b) a fire;
- (c) a road, rail or air crash;
- (d) a plague or an epidemic;
- (e) a terrorist act as defined in ~~section 100.1 of The Criminal Code section 100.1 set out in the Schedule to~~ the Criminal Code Act 1995 ~~of the Commonwealth~~;
- (f) any other event, situation or condition that is capable of causing or resulting in —
  - (i) loss of life, prejudice to the safety, or harm to the health, of persons or animals; or
  - (ii) destruction of, or damage to, property or any part of the environment, and is

prescribed by the regulations; (*Section 15 of the Emergency Management Regulations (2006)*).

**HAZARD MANAGEMENT AGENCY (HMA)** – A public authority or other person, prescribed by regulations because of that agency’s functions under any written law or because of its specialized knowledge, expertise and resources, to be responsible for the emergency management or an aspect of emergency management of a hazard for a part or the whole of the State. HMAs will nearly always be responsible for lead response to an emergency in relation to the type of hazard for which they are prescribed.

**INCIDENT** – An event, accidentally or deliberately caused, which requires a response from one or more of the statutory emergency response agencies or a sudden event which, but for mitigating circumstances, could have resulted in an accident; An emergency event or series of events which requires a response from one or more of the statutory response agencies. ~~See also ACCIDENT, EMERGENCY and DISASTER.~~

**INCIDENT AREA (IA)** – The area defined by the Incident Controller for which they have responsibility for the overall management and control of an incident.

**INCIDENT CONTROLLER** – The person appointed by the Hazard Management Agency for the overall management of an incident within a designated incident area.

~~INCIDENT MANAGER – See INCIDENT CONTROLLER~~

**INCIDENT MANAGEMENT TEAM (IMT)** – A group of incident management personnel comprising the incident controller, and the personnel he or she appoints to be responsible for the functions of operations, planning and logistics. The team headed by the incident manager which is responsible for the overall control of the incident.

**INCIDENT SUPPORT GROUP (ISG)** – A group of agency/organisation liaison officers convened and chaired by the Incident Controller to provide agency specific expert advice and support in relation to operational response to the incident.

**LG** – Local Government meaning the Shire of Narrogin.

**LIFELINES** – The public facilities and systems that provide basic life support services such as water, energy, sanitation, communications and transportation. Systems or networks that provide services on which the well-being of the community depends.

**LOCAL EMERGENCY COORDINATOR (LEC)** - That person designated by the Commissioner of Police to be the Local Emergency Coordinator with responsibility for ensuring that the roles and functions of the respective Local Emergency Management Committee are performed, and assisting the Hazard Management Agency in the provision of a coordinated multi-agency response during *Incidents and Operations*.

**LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)** – Based on either local government



boundaries or emergency management sub-districts. Chaired by the Shire President (or a delegated person) with the Local Emergency Coordinator, whose jurisdiction covers the local government area concerned, as the Deputy Chair. Executive support should be provided by the local government.

**MUNICIPALITY** – Means the district of the Shire of Narrogin.

**OPERATIONS** – The direction, supervision and implementation of tactics in accordance with the Incident Action Plan. ~~See also EMERGENCY OPERATION.~~

**OPERATIONAL AREA (OA)** – The area defined by the Operational Area Manager for which they have overall responsibility for the strategic management of an emergency. This area may include one or more Incident Areas.

**PREVENTION** – Regulatory and physical measures to ensure that emergencies are prevented, or their effects mitigated. Measures to eliminate or reduce the incidence or severity of emergencies. ~~See also COMPREHENSIVE APPROACH.~~

**PREPAREDNESS** – Arrangements to ensure that, should an emergency occur, all those resources and services which are needed to cope with the effects can be efficiently mobilised and deployed. Measures to ensure that, should an emergency occur, communities, resources and services are capable of coping with the effects. ~~See also COMPREHENSIVE APPROACH.~~

**RESPONSE** – Actions taken in anticipation of, during, and immediately after an emergency to ensure that its effects are minimised and that people affected are given immediate relief and support. Measures taken in anticipation of, during and immediately after an emergency to ensure its effects are minimised. ~~See also COMPREHENSIVE APPROACH.~~

**RECOVERY** – The coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well-being.

**RISK** – A concept used to describe the likelihood of harmful consequences arising from the interaction of hazards, communities and the environment.

- The chance of something happening that will have an impact upon objectives. It is measured in terms of consequences and likelihood.
- A measure of harm, taking into account the consequences of an event and its likelihood. For example, it may be expressed as the likelihood of death to an exposed individual over a given period.
- Expected losses (of lives, persons injured, property damaged, and economic activity disrupted) due to a particular hazard for a given area and reference period. Based on mathematical calculations, risk is the product of hazard and vulnerability.

**RISK MANAGEMENT** – The systematic application of management policies, procedures and practices to the tasks of identifying, analysing, evaluating, treating and monitoring risk.

**RISK REGISTER** – A register of the risks within the local government, identified through the Community Emergency Risk Management process.

**RISK STATEMENT** – A statement identifying the hazard, element at risk and source of risk.

**SES** –State Emergency Service.

**SUPPORT ORGANISATION** – A public authority or other person who or which, because of the agency's functions under any written law or specialized knowledge, expertise and resources is responsible for providing support functions in relation to that agency.

**TELECOMMUNICATIONS** – The transmission of information by electrical or electromagnetic means including, but not restricted to, fixed telephones, mobile phones, satellite phones, e-mail and radio.

**TREATMENT OPTIONS** – A range of options identified through the emergency risk management process, to select appropriate strategies' which minimize the potential harm to the community.

**VFRS** –Volunteer Fire & Rescue Service.

**VULNERABILITY** – The degree of susceptibility and resilience of the community and environment to hazards. \*The degree of loss to a given element at risk or set of such elements resulting from the occurrence of a phenomenon of a given magnitude and expressed on a scale of 0 (no damage) to 1 (total loss).

**WELFARE CENTRE** – Location where temporary accommodation is ~~actually~~ available for emergency affected persons containing the usual amenities necessary for living and other welfare services as appropriate.

## ACRONYMS LIST

<b>BFS</b>	Bush Fire Service
<b>CEO</b>	Chief Executive Officer
<b>Communities</b>	Department for Communities
<b><del>P&amp;W</del>BCA</b>	Department of Biodiversity, Conservation & Attractions
<b>DEMCC</b>	District Emergency Management Committee
<b>ECC</b>	Emergency Coordination Centre
<b>DFES</b>	Department of Fire and Emergency Services
<b>FRS</b>	Fire and Rescue Service
<b>HMA</b>	Hazard Management Agency
<b>ISG</b>	Incident Support Group
<b>LEC</b>	Local Emergency Coordinator
<b>LEMA</b>	Local Emergency Management Arrangements
<b>LEMC</b>	Local Emergency Management Committee
<b>LRC</b>	Local Recovery Coordinator
<b>LRCC</b>	Local Recovery Coordinating Committee
<b>SEC</b>	State Emergency Coordinator
<b>SEMC</b>	State Emergency Management Committee
<b>SES</b>	State Emergency Service
<b>SEWS</b>	Standard Emergency Warning Signal
<b>SOP</b>	Standard Operating Procedures

## PART 1 – INTRODUCTION

### 1.1 Authority

These arrangements have been prepared in accordance with s. 41(1) of the *Emergency Management Act 2005* and endorsed by the Narrogin Local Emergency Management Committee and approved by the Shire of Narrogin.

#### 1.1.2 Community Consultation

These Arrangements have been developed in consultation with the Narrogin LEMC as representatives of the respective communities and agencies. Each organization was asked to comment and review to ensure their department was correctly identified. ~~The community was consulted when researching the Risk Analysis 2011.~~

The community is encouraged to provide feedback when viewing the Arrangements via email to the Shire of Narrogin [via enquiries@narrogin.wa.gov.au](mailto:enquiries@narrogin.wa.gov.au)

### 1.2 Document Availability

A copy of this document is available [on the Shire of Narrogin website www.narrogin.wa.gov.au/for inspection at each local government office during normal office hours](http://www.narrogin.wa.gov.au/for-inspection-at-each-local-government-office-during-normal-office-hours). ~~A copy is available on the Councils website.~~

### 1.3 Area Covered (Context)

This plan covers the Local Government District for the Shire of Narrogin.

~~The geographic area covered by these arrangements is:~~

The Shire of Narrogin is located 192 km southeast of Perth in the Upper Great Southern Region of Western Australia, and is bordered by the southern Wheatbelt to the north and the South West region to the west.

- Narrogin is 174 kms from the regional town of Bunbury with Cuballing 13.9 kms from Narrogin.
- The ~~demography~~ topography of the area is a high tree scape, rolling hills and large farming/ agriculture industries.

Other features / infrastructure are:

- Arterial and main roads - Great Southern Highway, Albany Highway, Williams/ Narrogin Road.
- Rail - There is a rail line dividing the town for the use of grain cartage and occasionally a special events passenger train.
- Large Farming industry and infrastructure.
- Narrogin has a creek running through the town at Gnarojin wetlands, lakes ~~or~~ and bushland
- Regional/National Parks and Reserves: Scattered throughout the Shire. Highly valued reserves include but not limited to Foxes Lair, Dryandra Woodland, Highbury townsite reserves, Gnarojin Park and Yilliminning Rock.
- Major industries are a Hay plant, piggery, ~~WA Fire Appliances~~, Beef producer, Abattoir, CBH, Construction industries, Regional centre for doctors, veterinarian, dentists, Police station, Court house, Main roads depot, Western Power Operational Depot, Water Corporation Operational Depot, Telstra, Regional Health Services

~~Regional Hospital and~~ High school and three Primary Schools.

- Regional Offices for the Department Biodiversity, Conservation and Attractions (DBCA), the Department of Primary Industries and Regional Development (DPIRD) and the Department of Fire and Emergency Services (DFES).

#### 1.4 Aim

The aim of the Shire of Narrogin Local Emergency Management Arrangements is to set out local emergency management arrangements within the respective Local Authority. This document is to assist in the coordination of major emergencies and is not intended to provide procedures or directions to HMA's.

#### 1.5 Purpose

The purpose of these emergency management arrangements is to set out:

- a) the local government's policies for emergency management;
- b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
- c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
- d) a description of emergencies that are likely to occur in the local government district;
- e) strategies and priorities for emergency management in the local government district;
- f) other matters about emergency management in the local government district prescribed by the regulations; and
- g) other matters about emergency management in the local government district the local government considers appropriate- (s. 41(2) of the *Emergency Management Act 2005*).

#### 1.6 Scope

These arrangements are to ensure there are suitable plans in place to deal with the identified emergencies should they arise. It is not the intent of this document to detail the procedures for HMA's in dealing with an emergency. These should be detailed in the HMA's individual plan. Furthermore these arrangements:

- a) ~~This document applies~~ apply to the local government district for the Shire of Narrogin;
- b) ~~This document covers~~ areas where the Shire of Narrogin (Local Government) provides support to HMA's in the event of an incident;
- c) ~~This document details~~ the Shire of Narrogin's (LG) capacity to provide resources in support of an emergency, while still maintaining business continuity; and
- d) Shire of Narrogin (LG) responsibility in relation to recovery management.

These arrangements are to serve as a guide to be used at the local level. Incidents may arise that require action or assistance from district, state or federal level.

#### 1.7 Related Documents & Arrangements

Local Recovery Management Plan and Local Emergency Evacuation Plan.

### 1.7.1 Local Emergency Management Policies

The Shire of Narrogin (LG) has established a joint Local Emergency Management Committee. This has been ~~done because established as~~ the respective local government area's are subjected to the same level and types of risk and many of the services provided to manage these risks are shared amongst the local government area.

The Shire of Narrogin has the following Local Emergency Management Policies in place:

- Bush Fire Brigades – Establishment,
- Bush Fire Brigades – Management
- Firebreaks and Fuel Hazard Reduction – Inspection & Prosecution
- Harvest & Movement of Vehicles Bans
- FCO Duties
- Fire Fighting – Emergency plant hire
- Fire Control Order.

### 1.7.2 Existing Plans & Arrangements

Relevant plans and arrangements that exist for the area are listed for reference purposes below.

#### Local Plans

Document	Owner	Location
Risk Register	Shire of Narrogin	Shire of Narrogin
Risk Treatment Schedule	Shire of Narrogin	Shire of Narrogin
Local Recovery Plan	Shire of Narrogin	All member LG's
Local Emergency Welfare Plan	Communities	All member LG's
Road Closure Contingency Plans	Main Roads WA Wheatbelt Region	Main Roads and LG's
Bushfire Risk Management Plan	Shire of Narrogin	Shire of Narrogin

#### Relevant State Hazard Plans

Document	Owner	Location
<a href="#">State Hazard Plan - Fire</a>	DFES	SEMC Website
<a href="#">State Hazard Plan - Flood</a>	DFES	SEMC Website
<a href="#">State Hazard Plan - Land Search &amp; Rescue</a>	WA Police Force	SEMC Website
<a href="#">State Hazard Plan - Westplan Road Transport Crash Emergency</a> <a href="#">Road Crash</a> <a href="#">Air Crash</a> <a href="#">Rail Crash Arc Infrastructure</a> <a href="#">Rail Crash PTA</a>	WA Police Force <a href="#">WA Police Force</a> <a href="#">Arc Infrastructure Pty Ltd</a> <a href="#">Public Transport Authority</a>	SEMC Website
<a href="#">Westplan Earthquake</a>	DFES	SEMC Website
<a href="#">State Hazard Plan - Energy Supply Disruption</a>	Coordinator of Energy	SEMC Website
<a href="#">State Hazard Plan - Heatwave</a>	State Health Coordinator	SEMC Website



There is a strong Cultural Diversity within the Communities including – Indigenous, Religious, large to small scale Farmers, business owners, also different nationalities within the Communities.

There is a large requirement for Aged care and Nursing homes with Karinya, Residency by Dillons, Narrogin Health Services, ~~–~~ and Narrogin Cottage Homes ~~with~~ these facilities ~~being~~ are part of the Emergency Management Plans.



### 1.11 Resources

The Hazard Management Agency (HMA) for an incident is responsible for the determination of resources required to combat the hazards for which they have responsibility. The Shire of Narrogin can provide a list of resources that may be made available upon request- refer to resources register (kept as a separate document available from the Shire of Narrogin). This document shall be reviewed and updated annually.

Resources are registered and identified in the asset register located in – Resources and Asset Register. Staff and resources are available for response to emergency situations in accordance with section 38 and section 42 of the *Emergency Management Act 2005*.

### 1.12 Finance arrangements

[State Emergency Management Plan \(SEMP 5.4\)](#) outlines the responsibilities for funding during multi-agency emergencies. While recognizing the provisions of [SEMP 5.4](#), the Shire of Narrogin is committed to expending such necessary funds within its current budgetary constraints as required to ensure the safety of its residents and visitors. The Chief Executive Officer should be approached immediately in an emergency event requiring resourcing by the Shire of Narrogin to ensure the desired level of support is achieved. ~~Then continuing with Recovery Procedure 2 – More information is available from State EM Recovery Procedure 2 or DFES website.~~

### 1.13 Roles & Responsibilities

Section 41(2)(b) of the *Emergency Management Act 2005* states that local emergency arrangements must set out the roles and responsibilities of public authorities and other person involved in emergency management in the local government district. Descriptions of these roles and responsibilities are as follows:

#### LEMC Executive Officers

Provide executive support to the LEMC by:

- a) Ensuring the provision of secretariat support including:
  - Meeting agenda,
  - Minutes and action lists,
  - Correspondence, and
  - Maintain committee membership contact register;
- b) Coordinate the development and submission of committee documents in accordance with legislative and policy requirements including:
  - Annual Report,
  - Annual Business Plan, and
  - Maintenance of Local Emergency Management Arrangement;
- c) Facilitate the provision of relevant emergency management advice to the Chair and committee as required; and
- d) Participate as a member of sub committees and working groups as required.

## **Local Emergency Coordinator**

The local emergency coordinator for a local government district has the following functions [s. 37(4) of the Act]:

- a) to provide advice and support to the LEMC for the district in the development and maintenance of emergency management arrangements for the district;
- b) to assist hazard management agencies in the provision of a coordinated response during an emergency in the district; and
- c) to carry out other emergency management activities in accordance with the directions of the State Emergency Coordinator.

## **Chairperson Local Emergency Management Committee**

The Chairman of the LEMC is appointed by the local government [s. 38 of the Act]. The CEO can delegate roles as required.

## **Local Emergency Management Committee**

The Shire of Narrogin has established a Local Emergency Management Committee (LEMC) under section 38(1) of the *Emergency Management Act 2005* to oversee, plan and test the local emergency management arrangements.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC is not an operational committee but rather the organisation established by the local government to ensure that local emergency management arrangements are written and placed into effect for its district.

The LEMC membership must include at least one local government representative and the identified Local Emergency Coordinator (LEC). Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.

The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

### The functions of LEMC are [s. 39 of the Act]:

- a) To advise and assist the local government in establishing local emergency managements for the district;
- b) to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by SEMC or prescribed by regulations.

### Other Functions of the LEMC

Various State Emergency Management Plans (WESTPLANS) and State Emergency Management Policies (SEMP) place responsibilities on LEMC's. The below identified functions relate to areas not covered in other areas of these arrangements.

- a) The LEMC should provide advice and assistance to communities that can be isolated due to hazards such as flood or storm to develop a local plan to manage the ordering, receiving and distributing of essential supplies.

The functions of LEMC are [s. 39 of the Act]:

- a) to advise and assist the local government in establishing local emergency managements for the district;
- b) to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by SEMC or prescribed by regulations.

### **Local Government**

It is a function of a local government to—

- a) to ensure that effective local emergency management arrangements are prepared and maintained for its district;
- b) to manage recovery following an emergency affecting the community in its district; and
- c) to perform other functions given to the local government under this Act.

Where other funding arrangements have not been arranged prior with the relevant HMA, the Shire of Narrogin accepts the responsibility for the management and funding of municipal resources and co-ordination of community support to counter the effects of an emergency during both the response to and recovery from emergencies.

The Local Emergency Management Arrangements are to be consistent with the State Emergency Management Policy and State Emergency Management Plan and are to include a Recovery Plan and the nomination of the Local Recovery Coordinator.

### **Local Recovery Coordinator**

To ensure the development and maintenance of effective recovery management arrangements for the local government. In conjunction with the local recovery committee to implement a post incident recovery action plan and manage the recovery phase of the incident.

### **LG Welfare Liaison Officer**

The local government facility may be utilised by Department of Communities (CPFS) during an evacuation. CPFS can provide advice, information and resources regarding the operation of the facility.

### **LG Liaison Officer (to the ISG/IMT)**

During a major emergency the liaison officer attends ISG meetings to represent the local government, provides local knowledge input and provides details contained in the LEMA

### **Hazard Management Agency (HMA) Role**

A hazard management agency is 'to be a public authority or other person who or which, because of that agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed.' [Emergency Management Act 2005 2005 s4]

The HMA's are prescribed in the *Emergency Management Regulations 2006*.

Their function is to:

- Undertake responsibilities where prescribed for these aspects [*EM Regulations*]
- Appointment of Hazard Management Officers [*s55 Act*]
- Declare / Revoke Emergency Situation [*s 50 & 53 Act*]
- Coordinate the development of the Westplan for that hazard [SEMP 2.2]
- Ensure effective transition to recovery by Local Government.

### **Controlling Agency Role**

A Controlling Agency is an agency nominated to control the response activities to a specified type of emergency.

The function of a Controlling Agency is to:

- undertake all responsibilities as prescribed in Agency specific legislation for Prevention and Preparedness.
- control all aspects of the response to an incident.
- During Recovery the Controlling Agency will ensure effective transition to Recovery by Local Government.

### **Combat Agency Role**

A combat agency as prescribed under subsection (1) of the *Emergency Management Act 2005* is to be a public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for performing an emergency management activity prescribed by the regulations in relation to that agency.

### **Support Organisation**

A Public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources is responsible for providing support functions in relation to that agency.

### **Public Authorities**

A public Authority is established under section 3 of the *Emergency Management Act 2005*. Under s35 the SEMC may specify (s35(6)) both an area of the State and a public authority to exercise the functions of local government detailed under section 36 of the Act To date, the Rottneest Island Authority is the only agency that has been classed as a 'public authority'.

## PART 2 – PLANNING (LEMC ADMINISTRATION)

This section outlines the minimum administration and planning requirements of the LEMC under the *Emergency Management Act 2005* and State Emergency Management Policies.

### 2.1 LEMC Membership

<b>Composition resolved by Council</b>		
Nomination of	No.	
Council members, including ex-officio	1	Committee Chairperson
Employees, including ex-officio	0	
Other persons – Community at large	0	
- WA Police, OIC Narrogin	1	ex-officio – LEM Coordinator
- DFES, Narrogin Regional Officer	1	
- Narrogin Health Services	1	
- Narrogin Volunteer Bush Fire Brigades	1	Chief Bushfire Control Officer
- Narrogin VFRS Unit	1	
- Narrogin SES Unit	1	
- Water Corporation	1	
- Western Power, Narrogin	1	
- Dept of Communities	1	
- Dept of Primary Industries and Regional Development (Agriculture & Food)	1	
- Dept of Biodiversity, Conservation & Attractions	1	
- Narrogin St John Ambulance Sub-centre	1	
- Department of Education	1	
<b>Total Membership</b>	<b>14</b>	
<b>Quorum</b>	<b>7</b>	No additional criteria

A comprehensive list of LEMC Membership and contact details can be found at Contacts Tab.

## 2.2 Meeting Schedule

The LEMC meets four times a year, in accordance with State Emergency Management Procedure. Meetings are held as follows:

Date & Time	Location
<del>Bi-monthly third Wednesday of the month</del> <u>Quarterly in March, June, September and December</u>	Shire Office 89 Earl Street Narrogin

## 2.3 LEMC Constitution & Procedures

~~Is to be developed by the Shire of Narrogin~~

## 2.4.3 Annual Reports and Annual Business Plan

The Executive Officer will complete the Annual Report in accordance with Policy. The LEMC will develop an Annual Business Plan as directed by SEMC.

## 2.5.4 Emergency Risk Management

The Narrogin LEMC and the community have undertaken a risk assessment of the Shire of Narrogin utilising emergency risk management models based on the ISO 31000 Australian/New Zealand Standard for Risk Management. The subsequent output of this process has resulted in a Risk Statement Register and a Risk Treatment Schedule, which are attached.

The Narrogin LEMC and the community will conduct a review of the risk analysis for the communities every 5 years in accordance with the Risk Policy Procedure.

The details of the emergency risk management process as contained in the 'Emergency Risk Management Report' which is a sub- plan to these Arrangements.

## PART 3 – RESPONSE

### 3.1 Risks – Emergencies Likely to Occur

The following is a table of emergencies that are likely to occur within the Local Government area;

**Table 3.1**

	<u>Hazard</u>	<u>Hazard management Agency</u>	<u>Organisation</u>
<u>1</u>	<u>Air Crash</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>
<u>2</u>	<u>Animal or plant: pests or disease</u>	<u>Agriculture Director General</u>	<u>Department of Primary Industries and Regional Development</u>
<u>3</u>	<u>Injury or threat to life of persons trapped by the collapse of a structure or landform (collapse)</u>	<u>Fire and Emergency Services Commissioner</u>	<u>Department of Fire and Emergency Services (DFES)</u>
<u>4</u>	<u>Cyclone</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES</u>
<u>5</u>	<u>Earthquake</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES</u>
<u>6</u>	<u>Loss of or interruption to the supply of electricity that is capable of causing or resulting in loss of life, prejudice to the safety, or harm to the health, of a person (electricity supply disruption)</u>	<u>Coordinator of Energy</u>	<u>Energy Policy WA (Note: Infrastructure Operators are considered the Controlling Agencies for physical restoration of supply.)</u>
<u>7</u>	<u>Fire</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES within gazetted fire districts or where DFES brigade or unit established;</u> <u>Department of Biosecurity, Conservation and Attractions (DBCA) on land it manages outside gazetted fire districts; and</u> <u>Local government in local government districts outside of gazetted fire districts and DBCA land.</u>
<u>8</u>	<u>Flood</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES</u>
<u>10</u>	<u>Actual or impending spillage, release or escape of a biological substance that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment.</u>	<u>Chief Executive Officer, Department of Health</u>	<u>Department of Health</u>

<u>11/12/13</u>	<u>Actual or impending spillage, release or escape of a (a) chemical, (b) radiological or (c) other substance (HAZMAT) that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES</u>
<u>14</u>	<u>Heatwave</u>	<u>Chief Executive Officer, Department of Health</u>	<u>Department of Health</u>
<u>15</u>	<u>Hostile Act</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>
<u>16</u>	<u>Human Epidemic</u>	<u>Chief Executive Officer, Department of Health</u>	<u>Department of Health</u>
<u>17</u>	<u>Land Search – for persons lost or in distress, that requires a significant coordination of search operations</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>
<u>18</u>	<u>Loss of or interruption to the supply of liquid fuel as defined in the Liquid Fuel Emergency Act 1984 (Cth) section 3(1), that is capable of causing or resulting in loss of life, prejudice to the safety, or harm to the health, of a person (liquid fuel supply disruption)</u>	<u>Coordinator of Energy</u>	<u>Energy Policy WA (Note: Infrastructure Operators are considered the Controlling Agencies for physical restoration of supply.)</u>
<u>23</u>	<u>Rail Crash</u>	<u>PTA Network - Public Transport Authority (PTA)</u>	<u>• PTA; or • WA Police Force or DFES, by agreement, following the declaration of an emergency situation or state of emergency or circumstance where the demands of the situation are deemed to exceed the capacity or capability of the PTA.</u>
		<u>Arc Infrastructure Pty Ltd</u>	<u>• Arc Infrastructure Pty Ltd; or • WA Police Force or DFES, by agreement, following the declaration of an emergency situation or state of emergency or circumstance where the demands of the situation are deemed to exceed the capacity or capability of Arc Infrastructure.</u>
<u>24</u>	<u>Road Crash</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>
<u>25</u>	<u>Space Re-entry Debris</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>
<u>26</u>	<u>Storm</u>	<u>Fire and Emergency Services Commissioner</u>	<u>DFES</u>
<u>27</u>	<u>Terrorist Act</u>	<u>Commissioner of Police</u>	<u>WA Police Force</u>

These arrangements are based on the premise that the HMA responsible for the above risks will develop, test and



review appropriate emergency management plans for their hazard.

## **3.2 Coordination of Emergency Operations**

It is recognised that the HMA's and Combat agencies may require the Shire of Narrogin's resources and assistance in emergency management. The Shire of Narrogin is committed to providing assistance/support if required.

### **3.2.1 Incident Support Group (ISG)**

The ISG is convened by the HMA or the Local Emergency Coordinator in consultation with the HMA to assist in the overall coordination of services and information during a major incident. Coordination is achieved through clear identification of priorities by agencies sharing information and resources.

### **3.2.2 Role**

The role of the ISG is to provide support to the incident management team. The ISG is a group of people represented by the different agencies who may have involvement in the incident.

### **3.2.3 Triggers for the activation of an ISG**

The activation of an ISG should be considered when the following occur:

- a) For a level 2 incident;
- b) Requirement for possible or actual evacuation;
- c) A need to coordinate warning/information to community during a multi agency event;
- d) Where there is a perceived need relative to an impending hazard impact. (Flood, fire, storm surge);
- e) Multi agency response where there is a need for collaborative Decision making and the coordination of resources/information; and
- f) Where there is a need for regional support beyond that of a single agency.

### **3.2.4 Membership of an ISG**

The Incident Support Group is made up of agencies /representatives that provide support to the Hazard Management Agency. As a general rule, the recovery coordinator should be a member of the ISG from the onset, to ensure consistency of information flow and transition into recovery.

The representation on this group may change regularly depending upon the nature of the incident, agencies involved and the consequences caused by the emergency.

Agencies supplying staff for the ISG must ensure that the representative(s) have the authority to commit resources and/or direct tasks.

### **3.2.5 Frequency of Meetings**

Frequency of meetings will be determined by the Incident Controller and will generally depend on the nature and complexity of the incident. As a minimum, there should be at least one meeting per or incident. Coordination is achieved through clear identification of priorities by agencies sharing information and resources.

### **3.2.6 Emergency Coordination Centre Information**

The Emergency Coordination Centre (ECC) is where the Incident Support Group meets during an emergency and provides a focal point for a coordinated approach. The following table identifies suitable ECCs within the District.

The following table provides the contact details for opening each site:

**DFES REGIONAL OFFICE NARROGIN**

~~10 Williams Road~~ 7 Wald Street, NARROGIN

Ph: ~~9881 38936832~~ 3110 Fax: ~~9881 3894~~

	Name	Phone	Phone
<b>1st Contact</b>	RDC (Regional Duty Coordinator)	1800 865 103	
<b>2nd Contact</b>	Superintendent	08 68 323 110 B/H	0429 922 062

**Dept of Biodiversity, Conservation & Attractions**

9 Wald Street, NARROGIN

Ph: 9881 9200 Fax: 9881 1645

	Name	Phone	Phone
<b>1st Contact</b>	Chris Stewart	9881 9200 (diverts to duty officer on weekend and Public holidays)	0417 966 863
<b>2nd Contact</b>	Greg Durell	9881 9200	0427 478 953

**Narrogin Police Station**

82-84 Earl Street, NARROGIN

Ph: ~~9882 2559852~~ 1300 Fax: ~~9881 3104~~

	Name	Phone	Phone
<b>1st Contact</b>	OIC	<del>9882 2559852</del> <u>1300</u>	0438 849 855

**Shire of Narrogin Office**

89 Earl Street

Narrogin

Ph: 9890 0900 Fax: 9881 3092

	Name	Phone	Phone
--	------	-------	-------

<b>1st Contact</b>	CEO Dale Stewart	9890 0900	0437 698 912
<b>2nd Contact</b>	Shire President	9890 0900	0428 832 095

### 3.2.7 Media Management and Public Information.

Communities threatened or impacted by emergencies have an urgent and vital need for information and direction. Such communities require adequate, timely information and instructions in order to be aware of the emergency and to take appropriate actions to safeguard life and property. The provision of this information is the responsibility of the HMA.

It is likely that individual agencies will want to issue media releases for their areas of responsibility (eg Water Corporation on water issues, Western Power on power issues, etc) however the release times, issues identified and content shall be coordinated through the ISG to avoid conflicting messages being given to the public.

### 3.3 Public Warning Systems

During times of an emergency one of the most critical components of managing an incident is getting information out to the public in a timely and efficient manner. This section highlights local communication strategies.

#### Local Systems

The Shire has an SMS system in place to alert of harvest bans or vehicle movement bans. This is available by contacting the Shire Office (9890 0900) or after hours the Shire President. It is an on line system accessible to Shire Staff. This will be utilized if require to get an urgent message out to residents.

#### DFES Public Info Line

DFES is responsible for incidents occurring in the Region in which DFES is the HMA. The local government manage bushfires however may utilize DFES Media & Public Affairs, including the hotline to inform people of current incident. Contact may be made through the DFES Regional Duty Coordinator **(RDC) 1800 865 103** or DFES Communication Centre **1800 198 140**. The Hotline number for people to ring for information is 1300 657 209.

#### Radio

ABC Radio will broadcast community alerts as a priority. ABC transmits on 558AM & 630AM.

ABC Statewide Perth— Ph 13 99 94

~~Fax 08 9220 2911~~

ABC ~~South Coast~~ Great Southern - Albany—

Ph 9842 4011 ~~Fax 08 9842 4099~~

ABC South West - Bunbury: Ph 9792 2711

## Other Radio

Radio West/HotFM broadcasts on 918AM and 100.5FM respectively.

<del>Triple M - Radio West</del> Albany—	Ph 9842 2783	<del>Fax 08 9841 8565</del>
<del>Radio West Triple M Great Southern</del> - Narrogin—	Ph 9811 9881 4000	<del>Fax 08 9881 3166</del>
<del>Triple M Great Southern - Radio West</del> Katanning	Ph 9821 2972	<del>Fax 08 9821 4055</del>
<del>Triple M Southwest - Radio West</del> Bunbury—	Ph 9791 2359	<del>9726 5555 Fax 08 9792 2799</del>

## Television

GWN (Bunbury)	Ph 9721 4466	<del>08 9792 2932 (fax)</del>
WIN (Bunbury)	Ph 9721 9900	<del>08 9842 9067 (fax)</del>
WIN (Perth)	Ph 6216 5216	<del>08 9449 9900 (fax)</del>

## 3.4 Evacuation

Evacuation is a risk management strategy which may need to be implemented, particularly in regards to cyclones, flooding and bush fires. The decision to evacuate will be based on an assessment of the nature and extent of the hazard, the anticipated speed of onset, the number and category of people to be evacuated, evacuation priorities and the availability of resources. These considerations should focus on providing all the needs of those being evacuated to ensure their safety and on-going welfare.

**The HMA will make the decision on evacuation and ensure that community members have appropriate information to make an informed decision as to whether to stay or go during an emergency.**

Under section 67 of the *Emergency Management Act 2005* a hazard management officer or authorised officer during an emergency situation or state of emergency may do all or any of the following:

- a) Direct or by direction prohibit the movement of persons, animals and vehicles within, into, out of or around an emergency area or any part of the emergency area;
- b) Direct the evacuation and removal of persons or animals from the emergency area or any part of the emergency area;
- c) Close any road, access route or area of water in or leading to the emergency area.

### 3.4.1 Evacuation Planning Principles

The decision to evacuate will only be made by a Hazard Management Agency or an authorised officer when the members of the community at risk do not have the capability to make an informed decision or when it is evident that loss of life or injury is imminent.

State Emergency ~~Plan 4.6 'Evacuation Arrangements'~~ Policy section 5.7 and the WA Community Evacuation Planning Guideline <sup>1</sup>—should be consulted when planning an evacuation.

### 3.4.2 Management

The responsibility for managing evacuation rests with the HMA. The HMA is responsible for planning, communicating and effecting the evacuation and ensuring the welfare of the evacuees is maintained. The HMA is also responsible for ensuring the safe return of evacuees. These aspects also incorporate the financial costs associated with the evacuation unless prior arrangements have been made. In most cases the WA Police may be the 'combat agency' for carrying out the evacuation and they may use the assistance of other agencies such as the SES.

**Whenever evacuation is being considered the Department for Communities must be consulted during the planning stages.** This is because Communities have responsibility under State Arrangements to maintain the welfare of evacuees under ~~Westplan State Support Plan~~ Welfare.

### 3.4.3 Special Needs Groups

The following table identifies sections of the Shire of Narrogin's community which may need assistance or special consideration during an evacuation:

Organisation	Number of People	Address	Phone
Karinya	35 residential care people with Special Needs & 67 people in independent units with various levels of special needs	50 Felspar St Narrogin	08 9881 1677
Narrogin Home Care	357	30 Clayton Rd Narrogin (see Manager for list of clients)	08 9881 4455
Department of Communities - Housing tenants	235 dwellings including Public Housing and GROH	Various	08 9881 9400
Hospital Patients	Various	Williams Road, Narrogin	08 9881 0333
Residency by Dillions (Aged Care)	50 residents and 56 Staff on site	52 Williams Road, Narrogin	08 9881 2244
Disability clients	15	Various (see Team leader DSC)	08 9881 4985
Narrogin High School / Residential college	685 Students and 90 Staff During the day 113 Students and 15 Staff at Residential College A/H	Crn Homer & Gray st Narrogin	08 9881 9300
Narrogin Primary School	315 Staff and 50 Students	Crn Williams & Johnson Streets, Narrogin	08 9881 1200
East Narrogin Primary School	253 Students and 40 Staff	33 Homer St, Narrogin	08 9882 1600
St Matthew's School	170 students and 22 staff	9 Glyde Street Narrogin	08 9853 9500
Agriculture College	200	216 Cooramining Rd, Narrogin	08 9881 9700

### 3.4.4 Evacuation Routes

Should a major emergency occur the following highways/roads could be blocked and alternative arrangements will have to be implemented to allow the community and emergency vehicle access:

- Great Southern Highway (Narrogin Link Road/)
- Williams Kondinin Highway (Williams-Narrogin Road/Highway)
- Kipling Street/ Narrogin- Kondinin Road
- Herald Street/Yilliminning Road
- Narrakine Road/Wandering Narrogin Road.

These routes will become the priority for repair.

### 3.4.5 Critical Infrastructure

Asset	Location
Thomas Hogg Oval	Bannister Street Narrogin
Bowling Club	Earl Street Narrogin
Railway Dam	Mokine Road Narrogin
Agriculture College	Cooraminning Road Narrogin
Foxes Lair	Crn Williams & Narrakine Road Narrogin
Hospital	Williams Road Narrogin
Recreational Centre	Clayton Road Narrogin
Residential College	Gray Street Narrogin
Narrogin Fire Station	Gordon Street Narrogin
St Johns Sub Centre	Falcon Street Narrogin
Narrogin Senior High School	Gray Street Narrogin
East Narrogin Primary School	33 Homer Street Narrogin
Narrogin Primary School	22 Williams road Narrogin
St Matthews Primary School	9 Glyde Street Narrogin
Senior Citizens	Earl Street Narrogin
Bridges	See attached lists
Rail lines	Pioneer Drive Narrogin
Cemetery	Williams Road Narrogin
Waste disposal sites	White Road Narrogin
Main Roads	See attached lists
Water storage	Williams Road Narrogin
Electrical infrastructure	Booth street Sub station Narrogin
Karinya/ Aged Care	Felspar Street Narrogin
Narrogin Town Hall	Federal Street Narrogin
Residential College	Gray Street Narrogin
Parks and Wildlife Radio	Williams Road Narrogin
Highbury Hall	Great Southern Highway Highbury
Nomans Lake Hall	Nomans Lake
Narrogin Airport	Clayton Road Narrogin
Military Airport (Lock Rd)	Lock Road Narrogin

Waste water treatment	Palmer street Narrogin
Highbury Tavern	Great Southern Highway Highbury
Narrogin Abattoir	Boxall Road Narrogin
Communication tower	Wandering / Narrogin Road
Old Radio West Site	Narrogin Valley Road Narrogin
Fleay Road Communication	Fleay Road Narrogin
Narrogin Hay Plant	200 Wanerie Road Narrogin
Bulk grain storage	Pioneer Drive Narrogin
CY O'Connor Building	Fortune Street Narrogin
Palm Haven House	Crn Hansard and Havelock Streets Narrogin
3 Heritage Listed Houses	Hale Street Narrogin
Narrogin Abattoir	Boxall Road Narrogin
Narrogin Piggery	Wanerie Road Dumberning

### 3.4.6 Animal Evacuation

During times of evacuation peoples pets are an important part of the family, however they can-not usually be housed in the Welfare Centre. In these cases the Council Pound facilities may be made available for short term accommodation.

See Local Emergency Animal Welfare Plan.

### 3.4.7 Demographics

Refer to ~~tab~~ [‘Demographics’ Appendix 5](#)

### 3.4.8 Evacuation / Welfare Centres

WELFARE CENTRES IN THE SHIRE OF NARROGIN					
Name	Address	Contact	Capacity Status	Longitude	Notes
				Latitude	
<b>Primary</b>	Clayton Rd Narrogin	Shire 9890 0900 CEO 0437 698 912 Rec Centre 9881 2651	1,000/350 Long term Has air con	117.170756- 32.929688	
Narrogin Regional Leisure Complex & John Higgins community Complex					
<b>Primary</b>	Cnr Homer & Grey St Narrogin	School 9881 9300	600/200 Short term	117.190883- 32.936081	
Narrogin Senior High School					
<b>Secondary</b>	Federal St, Narrogin	Shire 9890 0900 CEO 0437 698 912	150 / 50 Short term		
Narrogin Town Hall					

For a detailed list of evacuation / welfare centres see the **‘Local ~~Welfare~~ Emergency Evacuation Management Support Plan’** for the Shire of Narrogin’.

### 3.5 Welfare

The Department for Communities (Communities) has created a **‘Local Emergency Welfare Plan for the Narrogin District.**

This plan provides all of the details relating to welfare and welfare / evacuation centres. This Document should be read in conjunction with this plan.

#### 3.5.1 Local Welfare Coordinator

The Local Welfare Coordinator is the Team Leader Communities Narrogin

Team Leader

Communities, Narrogin

11-13 Park Street Narrogin

Ph: 08 9881 0123

After Hours: Crisis Care: 1800 199 008

#### 3.5.2 Local Welfare Liaison Officer

This role will provide assistance to the Local Welfare Centre, including the management of emergency evacuation centres such as building opening, closing, security and maintenance. In cases where Communities have not arrived this person may need to coordinate the welfare response until the arrival of Communities.

The Welfare Liaison Officers are:

Local Government	1 <sup>st</sup> Contact & Phone	2 <sup>nd</sup> Contact & Phone
Shire of Narrogin	Chief Executive Officer Dale Stewart Ph: 9890 0900 Mob: 0437 698 912	Shire President Leigh Ballard Mob: 0428 832 095

It is important to identify the initial arrangements for welfare to occur, particularly in remote areas, where it may take some time for Communities to arrive.

#### 3.5.3 District Emergency Services Officer (DESO)

The DESO for the Shire of Narrogin is contained in Contacts Register. The role of the DESO is to create, exercise & review the Local Emergency Welfare Plan.

#### 3.5.4 State & National Registration & Enquiry

Under the State Emergency management arrangements Communities has the delegated responsibility for registration and reunification. In a large event where people are evacuated, displaced or separated the National Registration and Inquiry System is activated to assist in locating impacted people, reuniting families and answering inquiries from family and friends. Communities has reciprocal arrangements with the Australian Red Cross to assist with both the registration and inquiry processes.

There is Red Cross Team active in the community. They must be activated by the Department of Communities.



## PART 4 – RECOVERY

Refer to the Shire of Narrogin Local Recovery Management Plan

## PART 5 – EMERGENCY CONTACTS REGISTER

See Contacts Register

**Note:** The contact register is excluded from the public copies of these arrangements.

## PART 6 – EXERCISING & REVIEWING

### 6.1 The Aim of Exercising

Testing and exercising are essential to ensure that the emergency management arrangements are workable and effective for the LEMC. The testing and exercising is also important to ensure that individuals and organisations remain appropriately aware of what is required of them during an emergency response situation.

The exercising of a HMA's response to an incident is a HMA responsibility however it could be incorporated into the LEMC exercise.

Exercising the emergency management arrangements will allow the LEMC to:

- Test the effectiveness of the local arrangements
- Bring together members of emergency management agencies and give them knowledge of, and confidence in, their roles and responsibilities
- Help educate the community about local arrangements and programs
- Allow participating agencies an opportunity to test their operational procedures and skills in simulated emergency conditions
- Test the ability of separate agencies to work together on common tasks, and to assess effectiveness of co-ordination between them.

### 6.2 Frequency of Exercises

State EM Policy section 4.8, State EM Plan 4.7 and State EM Preparedness Procedure 19 outline the State's arrangements for EM exercising, including the requirement for local governments to exercise on an annual basis. Additionally, LEMAs must be validated through exercise or activation within 12 months of any significant amendments made through a comprehensive or targeted review (State EM Policy section 1.5.10). The SEMC Policy No 2.5 – Emergency Management in Local Government (s45-47), and Policy 3.1 'Exercise Management' (s14) requires the LEMC to exercise their arrangements on an annual basis.

### 6.3 Types of Exercises

Some examples of exercise types include:

- Desktop/Discussion
- A phone tree recall exercise

- Opening and closing procedures for evacuation centres or any facilities that might be operating in an emergency
- Operating procedures of an Emergency Coordination Centre
- Locating and activating resources on the Emergency Resources Register.

#### 6.4 Reporting of Exercises

Each local government reports their exercise schedule to the relevant DEMC prior to the start of the calendar year for inclusion in the DEMC report to the SEMC State Exercise Coordination Team (SECT).

Once local government exercises have been completed, post-exercise reports should be forwarded to the DEMC to be included in reporting to the SECT as soon as practicable.

~~Each LEMC should report their exercise schedule to the relevant DEMC by the 1st May each year. The DEMC compiles the reports and send the dates to the Emergency Services Sub-committee to be included in the SEMC Annual Report (ref TP-1 'Annex B').~~

~~Once the exercises have been completed they should be reported to the DEMC via the template found at 'appendix C' of State EM Procedure TP-1 'Exercise Management'. (SEMP 3.1 s.23)~~

#### 6.5 Review of Local Emergency Management Arrangements

The Local Emergency Management Arrangements (LEMA) shall be reviewed in accordance with State EM Policy No 2.5 and amended or replaced whenever the local government considers it appropriate (*S.42 of the Emergency Management Act 2005*).

However, according to State EM Preparedness Procedure 8, the LEMA (including recovery plans) are to be reviewed and amended in the following situations:

- After an event or incident requiring the activation of an Incident Support Group or an incident requiring significant recovery coordination; and
- an entire review is undertaken every five (5) years, as risks might vary due to climate, environment and population changes.

Consider quarterly reviews of the contact list. (Refer to Appendix 2- Contacts). Consider also reviewing arrangements after exercises.

#### 6.6 Review of Local Emergency Management Committee Positions

The Shire of Narrogin in consultation with the parent organisation of members shall determine the term and composition of LEMC positions. (SEMP 2.5 s20). Note SEMP 2.5 s15-18 inclusive provides a list of recommended members.

#### 6.7 Review of Resources Register

The Executive Officer shall have the resources register checked and updated on an annual basis, ~~but~~ ongoing amendments ~~may~~ occur at any each LEMC meeting.

#### 6.8 Annual Reporting

The annual report of the LEMC is to be completed and submitted to the DEMC within 2 weeks of the end of

the financial year for which the annual report is prepared. The LEMC is required to submit a signed hard copy of the annual report to the Executive Officer of the DEMC.

The information provided by the LEMC annual report is collated into the SEMC Annual Report which is tabled in Parliament.

The SEMC issue the annual report template.

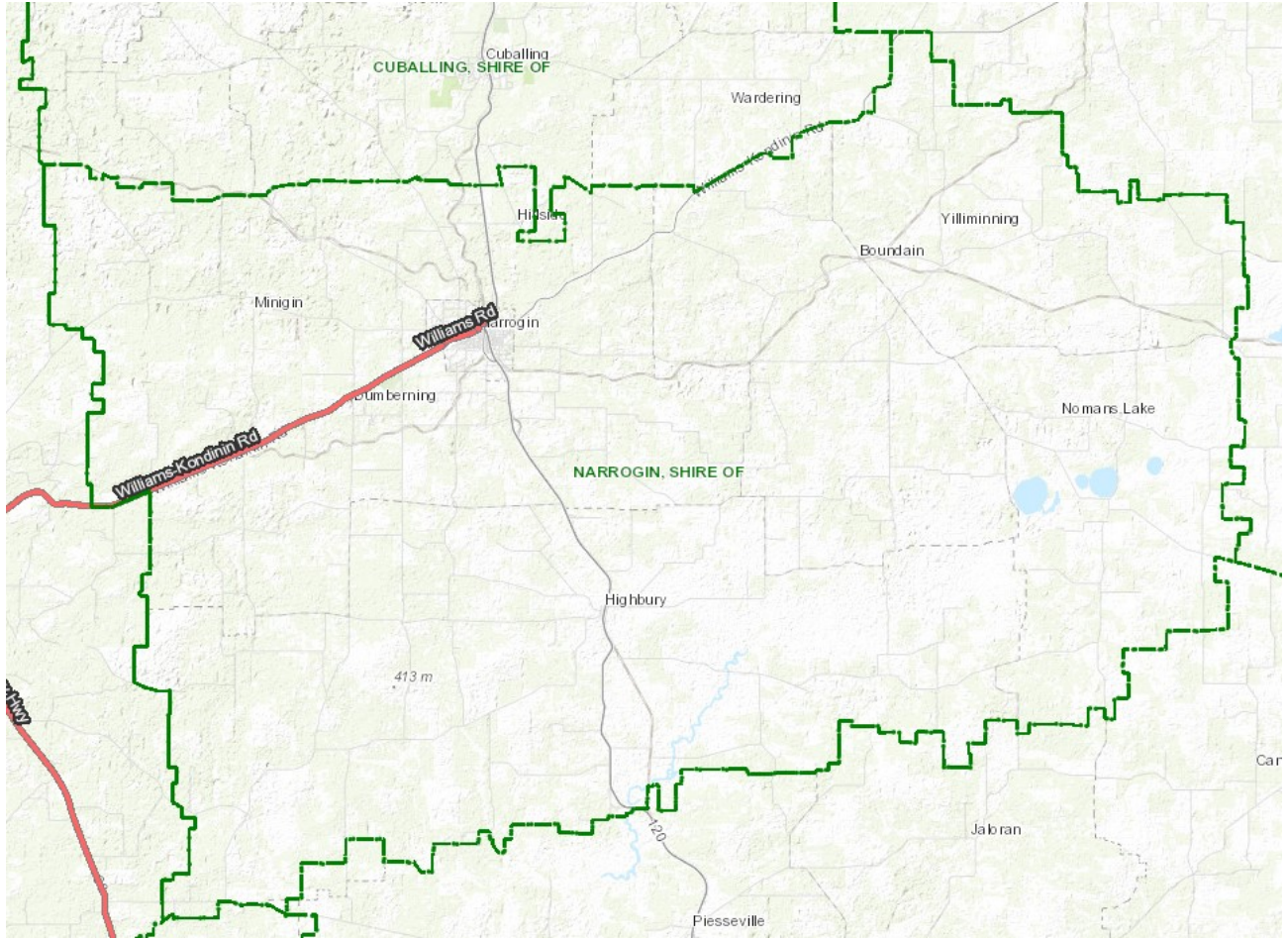
## **APPENDIX 1: Risk Register Schedule**

Refer to the Emergency Risk Management Report which is a sub- plan to these Arrangements.

## **APPENDIX 2: Resources**

See Resource Register (Separate document as it is regularly updated and confidential)

**APPENDIX 3: Map of the District**



#### APPENDIX 4: Special Needs Groups

Organisation	Number of People	Address	Phone
Karinya	35 residential care people with Special Needs & 67 People in independent units with various levels of special needs	50 Felspar St Narrogin	08 9881 1677
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Narrogin Primary School	365 Staff and Students	Crn Williams & Johnson Streets, Narrogin	08 9881 1200
East Narrogin Primary School	253 Students and 40 Staff	Homer St, Narrogin	08 9882 1600
St Matthew's School	170 Students 22 Staff	9 Glyde Street Narrogin	08 9853 9500
Agriculture College	200	216 Cooramining Rd, Narrogin	08 9881 9700

## APPENDIX 5: Demographics

CATEGORIES	
Source: Australian Bureau of Statistics 2016 data <a href="http://www.abs.gov.au">www.abs.gov.au</a>	
0-4 years old	324
5-9 years	380
10-14 years	364
15-19 years	395
20-24 years	263
25-29 years	276
30-34 years	285
35-39 years	262
40-44 years	292
45-49 years	335
50-54 years	323
55-59 years	386
60-64 years	338
65-69 years	299
70-74 years	219
75- 79 years	163
80- 84 years	126
85 years and over	132
<b>Total Population</b>	<b>5,162</b>
Aboriginal and Torres Strait Islander people	351 (6.8%)

CATEGORIES	
<b>Religious Affiliation</b>	
No Religion	1492
Anglican	898
Catholic	1013
Uniting Church	300
Not stated	623





# Local Recovery -Management Plan

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## SHIRE OF NARROGIN

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## Introduction

Following the impact of a hazard on a community within the Shire of Narrogin, there may be a need to assist the community to recover from the effects of the emergency. This recovery is a coordinated process of supporting the affected community in:

- a) reconstruction of the physical infrastructure and
- b) restoration of emotional, social, economic and physical wellbeing.

Its purpose is to assist the community attain a proper level of functioning as soon as possible. Recovery activities will normally commence in conjunction with immediate response activities but may continue for an extended period after response activities have concluded.

## Aim

The aim of this plan is to detail the Recovery Management Arrangements for the Shire of Narrogin.

## Objectives

The objectives of the plan are to:

- prescribe the organisation, concepts, responsibilities and procedures for the effective management of recovery operations following the impact of an emergency.
- establish a basis for coordination between agencies that may become involved in the recovery effort.
- provide a framework for recovery operation. and
- provide guidelines for the operation of the recovery management arrangements.

## Authority and Planning Responsibility

This plan is part of the Shire of Narrogin's Local Emergency Management Arrangements, the authority for which is vested in the Emergency Management Act 2005. The preparation, maintenance and testing of the Recovery Plan is the responsibility of the Local Recovery Coordinator.

## Recovery Management Principles and Concepts

The arrangements in this plan comply with the recovery principles and concepts detailed in the State Emergency Management Plan and in the Australian Institute for Disaster Resilience Handbook 2 '~~Community Recovery~~' 'Community Recovery'. Both of these documents are available from the Recovery Coordinator.

As the recovery process involves individuals and communities, the following shall form the basis of recovery decision making and have been incorporated into the recovery management arrangements of this plan:

- The community has a right to be involved in the decision making and management of all aspects of the recovery process.
- The community has a 'right to know', as information is an essential part of the recovery process.

- Every person has a right to effective assistance until long-term recovery is achieved.
- Both the affected person and the community have a responsibility to account for financial and material resources used.
- The community has a right to know the criteria for the determination of financial support and grants. and
- The community has a right to expect the maintenance of family cohesion.

## Organisation and Responsibilities

The recovery management organisation for the Shire of Narrogin is based on the following:

- Local Recovery Coordinator.
- Local Recovery Coordinating Group-. and
- Other participating organisations and community groups.

## Appointment

The Local Recovery Coordinator is:

Local Government	Recovery Coordinator	Contact	A/hrs
Shire of Narrogin	Chief Executive Officer	08 9890 0900	0407 522 297

## RESPONSIBILITIES OF PARTICIPATING ORGANISATIONS

### Shire of Narrogin

The Shire of Narrogin, will undertake the following:

- Ensure that a Local Recovery Plan for its district is prepared, maintained and tested [EM Act s.41(4)].
- Appoint a Local Recovery Coordinator(s) [EM Act s.41(4)].
- Chair the LRCG.
- Provide secretariat and administrative support to the LRCG, as required.
- Provide other representatives to the LRCG or its subcommittees, as appropriate to the emergency (e.g. Building Surveyor, Environmental Health Officer, Community and Community Services).
- Ensure the restoration/reconstruction of services/facilities normally provided by the Shire of Narrogin.
- Be responsible for ensuring a co-ordinated recovery.

### Local Recovery Coordinator

#### Role

The Local Recovery Coordinator is responsible for the development and implementation of recovery management arrangements for the Shire of Narrogin, in conjunction with the Local Recovery Coordinating Group.

#### Functions

- Ensure the Local Recovery Plan is established.
- Liaise with the Controlling Agency, including attending the Incident Support Group and Operations Area Support Group meetings where appropriate.
- Assess the community recovery requirements for each event, in conjunction with the HMA, Local Emergency Coordinator (LEC) and other responsible agencies.
- Provide advice to the Shire President and Chief Executive Officer (CEO) on the requirement to convene the Local Recovery Coordinating Group (LRCG) and provide advice to the LRCG if convened.
- Ensure the functions of the Executive Officer are undertaken for the Local Recovery Coordinating Group.
- Assess requirements for the restoration of services and facilities with the assistance of the responsible agencies where appropriate.
- Determine the resources required for the recovery process in consultation with the Local Recovery Coordinating Group.
- Coordinate local level recovery activities for a particular event, in accordance with plans, strategies and policies determined by the LRCG.
- Monitor the progress of recovery and provide periodic reports to the Local Recovery Coordinating Group and State Recovery Coordinator.
- Liaise with the State Recovery Coordinator on issues where State level support is required or where there are problems with services from government agencies locally.
- Facilitate the acquisition and appropriate application of the resources necessary to ensure an effective recovery.
- Ensure the recovery activities are consistent with the principles of community engagement.
- Arrange for the conduct of a debriefing of all participating agencies and organisations as soon as possible after cessation of the arrangements.
- Arrange for an evaluation of the effectiveness of the recovery activities in relation to the recovery plan, within 12 months of the emergency.

## **Local Recovery Coordinating Group (LRCG)**

### ***Composition***

The Local Recovery Coordinating Group comprises a core membership plus additional personnel depending on the type and magnitude of the event and the community affected. The composition includes as follows:

- Chair - Elected member of Local Government;
- Council Chief Executive Officer;
- Local Recovery Coordinator;
- Shire Engineer/ Manager of Works;
- Local Emergency Coordinator;

- Local Welfare Coordinator;
- Department of Communities;
- Relevant Hazard Management Agency representative;
- Lifeline Agencies Representatives (where appropriate);
- plus other members drawn from government and non-government organisations, including community groups with a role to play in the recovery process.

### **Role**

The role of the Local Recovery Coordinating Group is to coordinate and support local management of the recovery processes within the community.

### **Functions**

- Establishing subcommittees as required.
- Assessing requirements, based on the impact assessment, for recovery activities relating to the social, built, economic and natural wellbeing of the community with the assistance of the responsible agencies where appropriate.
- Developing an operational plan for the coordination of the recovery process for the event that:
  - takes account of the local government long term planning and goals;
  - includes an assessment of the recovery needs and determines which recovery functions are still required;
  - develops a timetable and identifies responsibilities for completing the major activities;
  - considers the needs of youth, the aged, the disabled, and culturally and linguistically diverse (CALD) people;
  - allows full community participation and access; and
  - allows for the monitoring of the progress of recovery.
- Overseeing the delivery of projects that support the social, built, economic and natural environments of recovery to ensure that they are community-owned and targeted to best support the recovery of impacted communities.
- Facilitating the provision of services, public information, information exchange and resource acquisition.
- Providing advice to the State and Local Government/s to ensure that recovery programs and services meet the needs of the community.
- Negotiating the most effective use of available resources including the support of State and Commonwealth agencies.
- Monitoring the progress of recovery, and receiving periodic reports from recovery agencies.
- Ensuring a coordinated multi agency approach to community recovery.
- Providing a central point of communication and coordination for the actions of the wide range of recovery-related services and projects being progressed outside of the direct control of the Committee.
- Making appropriate recommendations, based on lessons learnt, to the LEMC to improve the community's recovery preparedness.

## Hazard Management Agency / Controlling Agency

- Provide a representative to the Local Recovery Coordinating Group;
- Advise the Local Recovery Coordinator when an event threatens or has impacted the community;
- Initiate the recovery process;
- Participate in the development of the recovery plan; and
- Advise the Recovery Coordinator when withdrawing from the recovery process.

## Department ~~for~~ of Communities

- Provide a representative to the LRCG.
- Coordinate emergency welfare services as part of the recovery process, including emergency accommodation, catering, clothing and personal effects, personal services, registration and reunification, financial assistance. ~~(State EM Plan Section 5.4).~~<sup>[SA1]</sup>
- Manage the provision of the Personal Hardship and Distress measures under the ~~WA-Natural Disaster Relief Recovery Funding Arrangements Western Australia (DRFAWA)~~, including counselling, emergency assistance and temporary accommodation ~~(State EM Plan Section 6.10 and WANDRA)~~<sup>[SA2]</sup>

## Lifeline Agencies

- Provide a representative to the Local Recovery Coordinating Group;
- Undertake repairs and restoration of services; and
- Assist the recovery effort with resources and expertise available from within the service.

## MANAGEMENT ARRANGEMENTS

### Local Recovery Coordination Centre

Recovery operations shall be managed by the Local Recovery Coordinator from the Local Recovery Coordination Centre. The location of the Recovery Coordination Centre will be the administration office of the Shire of Narrogin.

### Commencement of Recovery

The Controlling Agency with responsibility for response to an emergency will initiate recovery activity during the response to that emergency. To facilitate recovery it will:

- Liaise with the Local Recovery Coordinator and include them in the incident management arrangements including the Incident Support Group and Operations Area Support Group.
- Undertake an initial impact assessment for the emergency and provide that assessment to the Local Recovery Coordinator and the State Recovery Coordinator.
- Coordinate completion of the Impact Assessment, prior to the cessation of the response, in accordance with the approved procedure, and in consultation with the Incident Support Group, the Shire of Narrogin and the State Recovery Coordinator.
- Provide risk management advice to the affected community (in consultation with

the HMA).

A copy of the Impact Assessment is available from the SEMC website [here](#).

## Activation

- In order to facilitate the effective coordination of the recovery process, it is essential that an assessment of the recovery and restoration requirements be conducted as soon as possible after the impact of an event. This will be undertaken by the Controlling Agency in liaison with the Local Recovery Coordinator and appropriate organisations.
- Based upon the assessment of the recovery and restoration requirements Controlling Agency will advise the Chairman of the Local Recovery Coordinator as to whether the recovery plan should be activated and the Local Recovery Coordinating Group convened.
- Where the decision is taken not to activate the plan or convene the Local Recovery Coordinating Group because statutory agencies are coping with the situation, the Local Recovery Coordinator will monitor the situation and keep the Local Recovery Coordinating Group advised accordingly.

## Method of Operations

Recovery arrangements will normally be instigated by the Controlling Agency, in the first instance, with statutory organisations providing recovery services that are part of their everyday responsibilities. The Local Recovery Coordinator will monitor these activities and keep the Local Recovery Coordinating Group advised accordingly.

In major events, recovery management may be passed to the Shire of Narrogin, via the Local Recovery Coordinator. It is envisaged that the recovery effort will be managed through regular coordinating meetings of the Local Recovery Coordinating Group, **twice a day initially**, to ensure development, implementation and monitoring of the tactical recovery plan.

Annex 6 detail sub-committee role statements.

## RECOVERY ACTIVITIES AND STRATEGIES

To assist the Local Recovery Coordinator and the Local Recovery Coordinating Group a listing of recovery activities that may be undertaken together with suggested strategies is:as follows:

### Activities

- One Stop Shop<sub>1</sub>
- Short Term Accommodation<sub>1</sub>
- Counselling<sub>1</sub>
- Establish and managing emergency financial relief schemes<sub>1</sub>
- Surveying and assessing the damage to public and private property<sub>1</sub>
- Repairing and/or replacing public utilities, services and assets<sub>1</sub>
- Assisting with the repair or replacement of private property<sub>1</sub>
- Initiating programs to stimulate community morale and economic growth<sub>1</sub>



- Managing environmental rehabilitation programs;
- Coordinating recovery and research agencies;
- Revision of Land Use/ Planning schemes.

## Strategies

### Community Involvement Strategies

- Maximise the use of local resources, groups and individuals;
- Promote prior community awareness and education;
- Involve people in their own and their community recovery;
- Maintain continuous liaison between emergency teams, volunteer groups and community organisations;
- Create opportunities for local decision making;
- Ensure self-determination in restoration planning;
- Maintain a co-operative relationship between volunteers and imported specialists;
- Use local suppliers;
- Empower the community as quickly as possible.

### Recovery Information Strategies

- Provide regular updates on –
  - current state & extent of the disaster;
  - actual and proposed official response;
  - desired community response;
  - advice to isolated families.
- Ensure everybody has an understanding of the situation and the opportunity for personal counselling.
- Provide for advocacy by agencies and organisations.
- Information may be made available to the public using a combination of the methods such as:
  - One Stop Shop;
  - Door Knocks;
  - Out Reach Programs;
  - Information Sheets and or/ Community Newsletters.

### Recovery Assistance Strategies

- Provide for special needs of aged, ethnic, children etc.
- Make food, shelter, clothing, health and emergency finance available immediately.
- Deliver services in a simple & caring manner with minimal disruption to existing processes.
- Ensure welfare centre cater for privacy and individual care.
- Ensure emergency workers receive ongoing support, debriefing, relief and rest.
- Maximise financial aid and minimise material aid.

### Accountability Strategies

- Ensure the affected community is involved in the allocation and distribution of material and financial resources.
- Assist the community in ensuring there is accountability in the use of resources.

### Strategies for Grants, Loans and Gifts

- Ensure there is community involvement in determining criteria.
- Communicate entitlement criteria for financial support & grants immediately.
- Alterations to criteria must be communicated clearly to the community.
- Consider non-English speaking groups in designing information for grants.
- Maintain confidentiality.

### Strategies to Maintain Family Cohesion

- Keep families together during evacuation and resettlement.
- Ensure all policies and processes support the family's ability to recover.

## STAND DOWN/DEBRIEFS/POST OPERATION REPORTS

The Recovery Management structure will gradually be stood-down as the recovery process progresses.

The Recovery Coordinator will arrange for a debrief of recovery agencies and the provision of a post operation report to the Hazard Management Agency to form part of the overall report for the event. Minutes and information about the debrief/ reports are to be provided to the community as information sheets for comments and ease of communication.

## FINANCIAL ARRANGEMENTS

### Disaster Recovery Funding Western Australia Natural Disaster Relief and Recovery Arrangements Western Australia (WANDRRADRFWA)

To assist the recovery of communities whose social, financial and economic well-being has been severely affected by a *natural disaster*, the State Government has established the WANDRRADRFWA, providing a range of *eligible measures* designed to help those within disaster affected communities.

Assistance is NOT provided as compensation for damage/losses sustained, or as a disincentive to self help by way of commercial insurance and/or other appropriate strategies of *disaster mitigation*. Insurable assets such as houses and vehicles will not be eligible under the DRFAWAWANDRRA.

### Declaration of Eligible Natural Disasters

Before any DRFAWAWANDRRA relief or recovery measures can be accessed, a disaster must be declared a "*natural disaster*", in accordance with the criteria specified under the DRFAWAWANDRRA.

~~The WANDRRA criteria for the declaration of an eligible disaster are as follows:~~

~~Must be an eligible event and~~

~~The anticipated cost to the State of eligible measures must exceed the small-disaster criterion, being the amount of \$240,000. (Further information concerning the terms 'eligible event' and 'eligible measures' follow.)~~

### Eligible Events

To be an eligible event, these criteria must be met:

- A coordinated, multi-agency response is required
- The cost of emergency assistance to individuals and communities, and/or damage to essential public assets, is estimated to exceed \$240,000 (costs for the event as a whole - not costs for each local government impacted)
- It must be a terrorist event or one of 10 natural disasters, including: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado.

DFES coordinates all communication with the Commonwealth and will confirm whether an event is deemed eligible.

Once an event is declared eligible, the Commonwealth issues a unique Australian Government Reference Number (AGRN) to be noted on all claims and supporting documentation.

### **Assistance measures available**

The different funding options available under the DRFAWA are referred to as assistance measures. These are broken down into four main categories:

Category A – Emergency assistance for individuals. Category A measures are generally administered by the Department of Communities and local governments.

Category B – Emergency assistance for the repair of essential public assets and to support primary producers and small businesses to recover from a disaster event. Not all of the assistance measures offered by the Commonwealth are provided by Western Australian Government. There is, however, an additional assistance measure relating to fencing for primary producers that the WA Government does provide.

Category C – A community recovery package that is intended to support a holistic approach to the recovery of regions, communities or sectors severely affected by an eligible disaster.

Category D – Covers ‘exceptional circumstances’, in the opinion of the Commonwealth, to alleviate distress or damage.

The WANDRRA **ONLY** apply for those events resulting from any one, or a combination of, the following natural hazards: *Bushfire, Cyclone, Earthquake, Flood, Landslide, Meteorite Strike, Storm, Storm Surge, Tornado or Tsunami.*’

### **Eligible Measures**

The WANDRRA comprises a range of *eligible measures* that have been approved by the State Government. An *eligible measure* means an act of relief or recovery that is carried out to alleviate damage or distress arising as a direct result of a *natural disaster*, and of a type described below as a Category A, B, C or D measure.

#### **Category A measure**

Is a form of emergency assistance that is given to *individuals* to alleviate their personal hardship or distress arising as a direct result of a *natural disaster*.

#### **Category B measure**

Is for the restoration or replacement of certain essential public assets damaged as a direct result of a natural disaster; Specified subsidies or grants to alleviate the financial burden of costs incurred by certain businesses, primary producers, voluntary non-profit bodies and individuals as a direct result of a natural disaster, or counter disaster operations for the protection of the general public.

### **Category C measure**

Is a community recovery package designed to support a holistic approach to the recovery of regions, communities or sectors severely affected by a *natural disaster*.

### **Category D measure**

Is an act of relief or recovery carried out to alleviate distress or damage in circumstances that are 'exceptional'.

### **Administration and Management of the WANDRRA**

The Office of Emergency Management (OEM) is responsible for the overall administration of the WANDRRA. OEM is assisted by a number of State Government agencies that manage specific components of the WANDRRA (e.g., Personal Hardship or Distress measures by the Department of Communities). OEM is also the contact point for the Australian Government in respect of the NDRRA.

## **APPEALS AND DONATIONS**

### **Public Appeals – Lord Mayor’s Distress Relief Fund (LMDRF)**

State EM Plan section 6.10 and State EM Recovery Procedure 1 outline the arrangements for initiating and managing appeals and donations; including that all donations of cash resulting from a public appeal should be directed to the LMDRF.

Calls for public donations to assist with any emergency recognised by any government or statutory body within Western Australia or Australia in general should be initiated by the Board of the LMDRF. Such calls may be either on the initiative of the Board itself or by the Board in consultation with any Government or statutory body.

The commencement of an appeal fund does not override the statutory obligations, on the part of various government agencies, to provide welfare, relief and reconstruction assistance to those affected by emergencies.

### **Non-Government Organisations (NGOs)**

In some circumstances, NGOs can provide assistance by way of emergency relief funds, shelter, accommodation or household supplies. Where possible, all offers of, or requests for, assistance should be coordinated through the Local Recovery Coordination Groups to avoid duplication of effort and confusion.

Appeals for donations of physical items such as food and furniture should be discouraged unless specifically requested through the Local Recovery Coordination Group. Where possible, donations of goods and services should be discouraged as they are difficult to manage. Donations of cash are more practicable to manage and provide the opportunity to utilize local services which in turn assists with the recovery of local business.

Donations of Cash: The Local Recovery Coordinating Group will encourage the use of the Lord Mayor’s Distress Relief Fund for people wanting to make cash donations, although if deemed necessary will open a separate account specifically for cash donations. (Ref State EM Procedure Management of Public Fundraising and Donations).

Donations of Service and Labour: Any donations of services or labour to assist with the recovery from an emergency should be administered by the affected Local Government or if established the Local Recovery Coordinating Group.

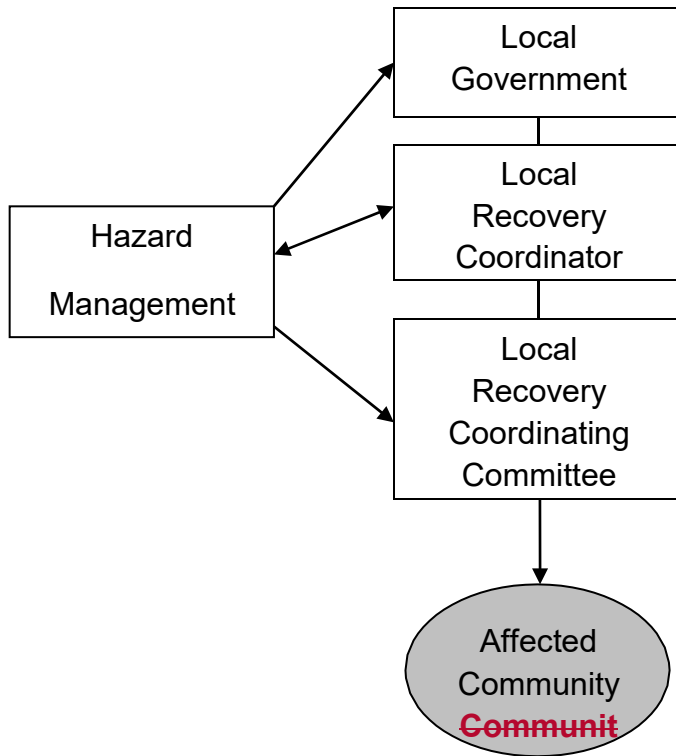
Donations of Goods: The donations of goods to assist victims to recover from an emergency may be arranged by non-government organisations. The distribution of the donated goods shall be undertaken by the organisations concerned. Non-government organisations such as

~~GIVIT are able to assist in these areas.~~

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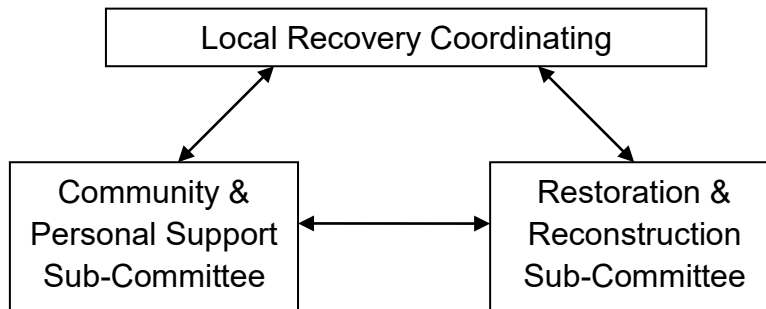
# ANNEX 1: Local Recovery Organisation

## Initial Recovery Management Structure



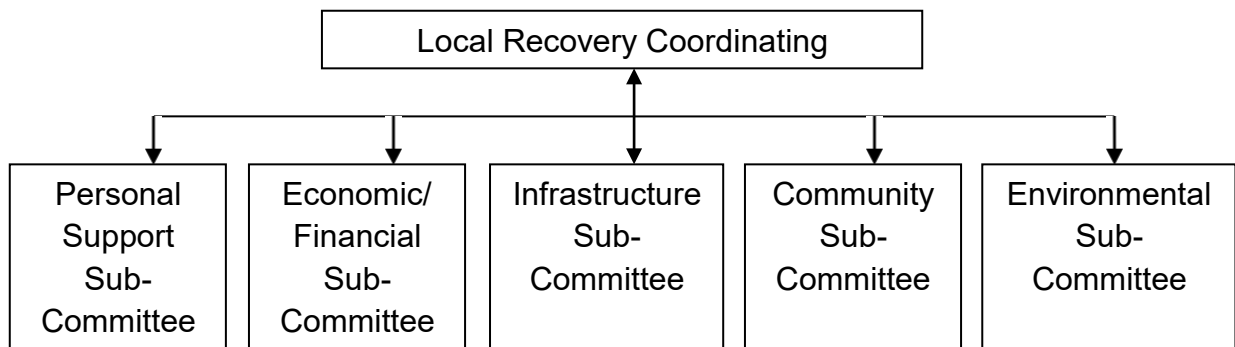
## Recovery Committee Structures

(depending upon community impact and complexity of event)



OR

OR



## **ANNEX 2 Contacts**

(Recovery Specific) – SEE CONTACT LIST

## ANNEX 3: Local Recovery Coordinator / ~~coordinating group~~ Action Checklist

(Please note this listing is a guide only and is not exhaustive)

(Timeframes are approximate only)

<b>Task Description</b>	
<b><u>Prior to Emergency</u></b>	
<u>Promote community awareness and engagement in recovery planning including involvement in development of Local Recovery Plan.</u>	
<u>Prepare, maintain and test Local Recovery Plan in conjunction with local government for endorsement by the Council.</u>	
<u>Ensure the completed Local Recovery Plan clarifies any recovery and operational agreements made between local governments (i.e. Memorandums of Understanding, loan staff, equipment sharing); roles and responsibilities; and records of all recovery expenditure.</u>	
<u>Identify at risk groups such as youth, the aged, people with disabilities, Aboriginal people, culturally and linguistically diverse people, and isolated and transient people.</u>	
<u>Consider potential membership of the Local Recovery Coordination Group (LRCG) prior to an event occurring based on the social, built, economic and natural environments, or as required.</u>	
<b><u>Within 48 hours</u></b>	
<u>Contact and alert key local contacts.</u>	
<u>Liaise with Controlling Agency and participate (or nominate a suitable local government representative i.e. Local Recovery Coordinator, executive staff or CEO) in the incident management arrangements, including the Incident Support Group and Operations Area Support Group where appropriate.</u>	
<u>Where more than one local government is affected, a coordinated approach should be facilitated by the Local Recovery Coordinators and supported by the State Recovery Coordinator, as required.</u>	
<u>Ensure an understanding of known or emerging impacts from the Impact Statement provided by the Controlling Agency.</u>	
<u>Consult the Department of Primary Industries and Regional Development on specific arrangements to manage the welfare of wildlife, livestock and companion animals.</u>	
<u>Ensure Controlling Agency starts recovery activities during the response to that emergency.</u>	
<u>Provide advice to the Mayor/Shire President and CEO on the requirement to convene the LRCG and provide advice to the LRCG if convened.</u>	
<u>During an event, consider membership of the LRCG that is event specific, based on the social, built, economic and natural environments, or as required.</u>	
<u>Consider support required such as resources to maintain records, including a record/log of events, actions and decisions.</u>	
<u>Ensure the local government provides LRCG with an Executive Officer and administrative support, such as meeting agenda, minutes, financial and administrative record keeping (contact DFES State Recovery for advice or for possible State Recovery Cadre support).</u>	
<u>Facilitate community meetings/briefings to provide relevant recovery information include, as applicable, Controlling Agency, State government agencies and other recovery agencies.</u>	
<u>Brief media on the recovery program throughout the recovery process, ensuring accurate and consistent messaging (use the local government's media arrangements, or seek advice or support from DFES State Recovery).</u>	



Develop and implement an event specific Communication Plan, including public information, appointment of a spokesperson and the local government's internal communication processes.	
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<b>Task Description</b>	<b>Complete</b>
<b>Within 48 hours*</b>	
<del>Local Recovery Coordinator to contact and alert key local contacts</del>	
<del>Local Recovery Coordinator to liaise with the Controlling Agency and participate in the incident management arrangements, including the Incident Support Group and Operations Area Support Group where appropriate</del>	
<del>Local Recovery Coordinator to receive initial impact assessment from the Controlling Agency</del>	
<del>Local Recovery Coordinator to determine the need for the Local Recovery Coordinating Group to be convened and its members briefed, in conjunction with the local government</del>	
<del>Local Recovery Coordinator and the local government to participate in the determination of state involvement in conjunction with the State Recovery Coordinator</del>	
<del>Meet with specific agencies involved with recovery operations to determine actions</del>	
<del>Further develop and implement event specific Communication Plan, including public information, appointment of a spokesperson and the local governments internal communication processes.</del>	
<del>Consider support required, for example resources to maintain a record of events and actions</del>	
<b>Within 1 week</b>	
<del>Participate in consultation on the coordination of completion of a Comprehensive Impact Assessment by the Controlling Agency</del>	
<del>Activate a recovery coordination centre if required</del>	
<del>Identify special needs groups or individuals.</del>	
<del>Determine the need to establish subcommittees, and determine functions and membership if necessary</del>	

<del>Develop an Operational Recovery Plan which determines the recovery objectives and details the recovery requirements, governance arrangements, resources and priorities</del>	
<del>Confirm whether the event has been proclaimed an eligible natural disaster under the WA Natural Disaster Relief Arrangements and if so what assistance measures are available.</del>	
<del>Manage offers of assistance, including volunteers, material aid and donated money.</del>	
<del>Report to organisational hierarchy on likely costs/impact of involvement in recovery activities.</del>	
<del>Activate outreach program to meet immediate needs and determine ongoing needs. Issues to be considered should include the need for specialist counselling, material aid, accommodation, financial assistance and social, recreational and domestic facilities.</del>	
<del>Establish a system for recording all expenditure during recovery (includes logging expenditure, keeping receipts and providing timesheets for paid labour)</del>	
<del>Consider establishing a call centre with prepared responses for frequently asked questions</del>	
<del>Establish a 'one-stop shop' recovery centre to provide the affected community with access to all recovery services.</del>	
<del>Manage restoration of essential infrastructure/utilities.</del>	
<del>Brief media on the recovery program.</del>	
<b>Within 12 months</b>	
<del>Determine longer-term recovery strategies</del>	
<del>Debrief recovery agencies and staff</del>	
<del>Implement transitioning to mainstream services</del>	
<del>Evaluate effectiveness of recovery within 12 months of the emergency</del>	
<b><u>Within 1 week</u></b>	
<u>Consider fatigue management for self and recovery staff throughout all recovery (contact DFES State Recovery for advice or for possible State Recovery Cadre support).</u>	
<u>Consult with Controlling Agency on completing the Impact Statement before the transfer of responsibility for management of recovery to the local government.</u>	
<u>In conjunction with the Controlling Agency and other responsible agencies, assess the community's recovery requirements. Coordinate activities to rebuild, restore and rehabilitate the social, built, economic, natural and psychosocial wellbeing of the</u>	

<u>community.</u>	
<u>Liaise and meet with specific emergency management agencies involved with recovery operations to determine priority actions.</u>	
<u>Assess for the LRCG, the requirements for the restoration of services and facilities with assistance of the responsible agencies, where appropriate.</u>	
<u>Contact the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) Officers to determine if the event is eligible under the DRFAWA, and if so ensure an understanding of what assistance measures are available and the process requirements for assistance.</u>	
<u>Understand eligible criteria and payment procedures of the Lord Mayor's Distress Relief Fund, if activated. Payments are coordinated through the local government to affected individuals.</u>	
<u>Report on likely costs and establish a system for recording all expenditure during recovery (includes logging expenditure, keeping receipts and providing timesheets for paid labour).</u>	
<u>Determine the acquisition and appropriate use of resources necessary for effective recovery.</u>	
<u>Consider establishing a call centre with prepared responses for frequently asked questions.</u>	
<u>Determine level of State involvement in conjunction with the local government and the State Recovery Coordinator.</u>	
<u>Liaise with the State Recovery Coordinator on issues where State level support is required or where there are concerns with services from government agencies locally.</u>	
<u>Ensure recovery activities are consistent with the National Principles for Disaster Recovery.</u>	
<b><u>Within 1 to 12 months (or longer-term recovery)</u></b>	
<u>Monitor the progress of recovery and provide periodic reports throughout the recovery effort to the LRCG and State Recovery Coordination Group, if established.</u>	
<u>Ensure recovery projects that support the social, built, economic and natural recovery environments are community-led and targeted to best support affected communities.</u>	
<u>Arrange for an operational debriefing of all participating agencies and organisations as soon as possible after the arrangements have ended.</u>	
<u>Arrange for an evaluation of the effectiveness of recovery within 12 months of the emergency to make sure lessons are captured and available for future managers.</u>	
<u>Provide recovery evaluations to the State Recovery Coordinator to refer to the SEMC for review. Evaluations can involve community and stakeholder surveys, interviews, workshops, and assessment of key project outcomes.</u>	
<u>Social and personal support services are likely to be required in the longer term and the need for a considerable period of psychosocial support (often several years) should be planned for.</u>	

## ANNEX 4 ~~Comprehensive~~ Impact Assessment

A copy of the ~~Comprehensive~~ Impact Assessment template should be downloaded from the Office of Emergency Management website [here](#)

## **ANNEX 5 Operational Recovery Plan Template**

~~(Name of community)~~ Local Recovery Coordinating Group

Operational Recovery Plan

**Emergency:** (type and location)

**Date of Emergency:**

### **Section 1 Introduction**

- Background on the nature of the emergency or incident
- Aim or purpose of the plan
- Authority for plan

### **Section 2 Assessment of Recovery Requirements**

- Details of loss and damage to residential, commercial and industrial buildings, transport, essential services (including State and Local Government infrastructure)
- Estimates of costs of damage
- Temporary accommodation requirements (includes details of evacuation centres)
- Additional personnel requirements (general and specialist)
- Human services (personal and psychological support) requirements
- Other health issues

### **Section 3 Organisational Aspects**

- Details the composition, structure and reporting lines of the groups/committees and subcommittees set up to manage the recovery process
- Details the inter-agency relationships and responsibilities
- Details the roles, key tasks and responsibilities of the various groups/committees and those appointed to various positions including the Recovery Coordinator.

### **Section 4 Operational Aspects**

- Details resources available and required
- Redevelopment Plans (includes mitigation proposals)
- Reconstruction restoration programme and priorities, (including estimated timeframes)
- Includes programs and strategies of government agencies to restore essential services and policies for mitigation against future emergencies
- Includes the local government program for community services restoration

- Financial arrangements (assistance programs (NDRRA), insurance, public appeals and donations
- Public information dissemination.

### **Section 5 Administrative Arrangements**

- Administration of recovery funding and other general financial issues
- Public appeals policy and administration (including policies and strategies for office and living accommodation, furniture and equipment details for additional temporary personnel).

### **Section 6 Conclusion**

Summarises goals, priorities and timetable of plan.

Signed by

Chair, Local Recovery Coordinating Group

Date:

## **ANNEX 6 Recovery Sub-committee Role Statements**

### **COMMUNITY (OR SOCIAL) SUBCOMMITTEE**

#### Objectives

- To provide advice and guidance to assist in the restoration and strengthening of community well-being post the event
- To facilitate understanding on the needs of the impacted community in relation to community wellbeing
- To assess and recommend priority areas, projects, and events to assist with the recovery process in the immediate and short-term regarding the restoration and strengthening of community wellbeing
- To assess and recommend medium and long term priority areas to the local government for consideration to assist in the restoration and strengthening of community wellbeing
- To ensure the affected community is informed and involved in the recovery processes so actions and programs match their needs.

### **ENVIRONMENT (OR NATURAL) SUBCOMMITTEE**

#### Objectives

- To provide advice and guidance to assist in the restoration of the natural environment post the event
- To facilitate understanding of the needs of the impacted community in relation to environmental restoration
- To assess and recommend priority areas, projects and community education to assist with the recovery process in the immediate and short-term regarding the restoration of the environment including weed management and impacts on wildlife
- To assess and recommend medium and long term priority areas to the local government for consideration to assist in the restoration of the natural environment in the medium to long term.

### **INFRASTRUCTURE (OR BUILT) SUBCOMMITTEE**

#### Objectives

- Assist in assessing requirements for the restoration of services and facilities in conjunction with the responsible agencies where appropriate
- To provide advice and assist in the coordination of the restoration of infrastructure assets and essential services damaged or destroyed during the emergency
- To assess and recommend priority infrastructure projects to assist with the recovery process in the immediate and short, medium and long term

## **FINANCE (OR ECONOMIC) SUBCOMMITTEE**

### **Role**

To make recommendations to the Lord Mayor's Distress Relief Fund (LMDRF) on the orderly and equitable disbursement of donations and offers of assistance to individuals having suffered personal loss and hardship as a result of the event.

### **Functions**

- the development of eligibility criteria and procedures by which payments from the LMDRF will be made to affected individuals which:
  - ensure the principles of equity, fairness, simplicity and transparency apply
  - ensure the procedures developed are straightforward and not onerous to individuals seeking assistance
  - recognise the extent of loss suffered by individuals
  - complement other forms of relief and assistance provided by government and the private sector
  - recognise immediate, short, medium and longer term needs of affected individuals
  - ensure the privacy of individuals is protected at all times
- facilitate the disbursement of financial donations from the corporate sector to affected individuals, where practical.

### **Sample LMDRF Eligibility Criteria and Levels of Financial Assistance**

*(Criteria used by the Shire of Mundaring for the Parkerville-Stoneville-Mt Helena Fire on 12 January 2014)*

#### **Owners/Owner Occupiers**

For Owners/Owner Occupiers of properties impacted by the event, there are three levels of LMDRF grant assistance available as follows:

- Level One – shall apply in those instances where the house/house and contents have been totally destroyed
- Level Two – shall apply in those instances where the house/house and contents have been damaged but the house remains habitable
- Level Three – shall apply in those instances where there has been other property damage/loss, eg sheds, shed contents, pergolas, outdoor furniture etc.

#### **Occupiers**

For Occupiers (those renting) of properties impacted by the event, there are two levels of LMDRF grant assistance available as follows:

- Level Four – shall apply in those instances where the house contents have been totally destroyed as a consequence of the house being totally destroyed
- Level Five – shall apply in those instances where there has been partial damage/loss of house contents and other personal effects.



**Annex 7 Local Recovery Coordinating Group Reporting**  
**LOCAL RECOVERY COORDINATING COMMITTEE RECOVERY REPORT –**  
**<Emergency Situation>**

<insert Name> Local Recovery Coordinating Committee  
Report No: .....

To: State Recovery Coordinator

**Situation Update:** *Should include: full damage report (once only) and estimated amount in \$, work in progress including estimated completion dates, details of difficulties or problems being experienced.*

**Proposed Activities:** *Should include plans and strategies for resumption of normal services (where appropriate), plans for mitigation works, dates of commencement and completion of reconstruction works, possible disruption of activities of other agencies.*

**Special Assistance:**

**Requirements:** *Includes support from other agencies, LRCC intervention with priorities.*

**Financial Issues:** *May include support from LRCC for additional funding from Treasury.*

**Recommendations:**

**Name & Signature:**

**Title:**

**Date:**

### 10.1.5 BOUNDARY ENCROACHMENT – LOT 1 (NO. 34) PARRY COURT, NARROGIN

File Reference	A334400
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Chris and Lisa Fleay
Previous Item Numbers	Item 10.1.3, 24 July 2019 Res. 0719.005
Date	9 August 2021
Author	Azhar Awang – Executive Manger Development and Regulatory Services
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Locality Plan 2. Plan of Property Encroachments

#### Summary

Council's consideration is requested in regards to the property encroachment of Lot 1 (No. 34) Parry Court, Narrogin over Reserve 20605 vested in the former Town of Narrogin for the purposes of "Recreation and Parkland", Reserve 37119 also vested in the former Town of Narrogin as Pedestrian Access Way (PAW) and portion of Parry Court road reserve.

#### Background

The proposal was previously considered by Council at its Ordinary Meeting held on 24 July 2019, whereby it resolved as follow:

*"That, with respect to the property encroachments of Lot 1 Parry Court, Narrogin over Reserve 20605 (Crown Land – Class A Reserve) and Reserve 37119 (Pedestrian Access Way), Council:*

- 1. Write to the Department of Planning Land and Heritage and advise them of the alleged property encroachments;*
- 2. Advise the Department of Planning Land and Heritage it supports the excision of Reserve 20605 and Reserve 37119 and amalgamated to Lot 1 Parry Court, Narrogin so as to formalise the property encroachments;*
- 3. Recommend that the applicant engage a licensed Land Surveyor to prepare a survey diagram of the encroachment for submission to the Department of Planning Land and Heritage for its consideration;*
- 4. Advise the applicant that should they not wish to proceed with the land acquisition, they will be required to remove all structures from the reserves;*
- 5. Advise the applicant, that all building setbacks from the new side boundary shall be 1.5m in accordance with the former Town of Narrogin Town Planning Scheme No. 2;*
- 6. Advise the applicant that costs (other than Shire administration) associated with land acquisition and advertising shall be borne by the property owner."*

Conditions 1 and 2 have been completed and the Department of Planning, Lands and Heritage has provided its advice into the process required to rectify the property encroachments.

Conditions 3 and 5 have been undertaken by the applicant-appointed Land Surveyor who has prepared a survey diagram of the property encroachments.

Conditions 4 and 6, the applicant has agreed to proceed with the land acquisition over the encroachments and agreed to the associated costs for the land acquisition and advertising.

### **Consultation**

A site meeting was held with the property owner, Planning Officer and the EMDRS. Discussion also occurred with officers from the Department of Planning, Lands and Heritage.

### **Statutory Environment**

Relevant Acts, Regulations and/or Local Laws that apply to this item include:

- Planning and Development Act 2005 – section 152 deals with reserve purpose.
- Land Administration Act 1997
  - Section 87 deals with the closure of the Pedestrian Access Way (PAW) and amalgamation of Crown Land.
  - Section 42 deals with Class A reserves.
  - Section 58 deals with closure of roads and PAW.
- Land Administration Regulations 1998 – Regulation 9.
- Former Town of Narrogin Town Planning Scheme No. 2.

### **Policy Implications**

Nil

### **Financial Implications**

There may be costs incurred associated with the proposal such as officers' time in administering the process including advertising and notification to the relevant agencies. From the Shire's perspectives this include advertising for the closure of the portion of the laneway and the Parry Court Road reserve where the encroachments are. It is estimated that this would cost less than \$500.

From the State's perspective, the cost between the property owners include, but not limited to:

- Costs of negotiating and compensating Native Title parties and other existing land holders if applicable. The status of Native Title gets assessed for each Crown land parcel by the Department of Planning, Lands and Heritage, upon a formal application.
- Applying for and approval of other statutory requirements, may include local government costs if the Shire has them in place and also planning/zoning amendments.
- Purchase price is determined by way of an independent valuation from Landgate that is made upon a formal submission.
- Survey and plan preparation costs can only be determined at that point in time.
- Advertising and gazettal costs can also only be determined at that point in time.
- Registration and document preparation fees are dependent on what is required at the end of the process.
- GST on any of the above.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	3.	Environment Objective (Conserve, protect and enhance our natural and built environment)
Outcome:	3.1	A preserved natural environment
Strategy:	3.1.1	Conserve, enhance, promote and rehabilitate the natural environment

## Comment/Conclusion

The encroachments involved three areas, the Recreation and Parkland Reserve (Reserve 20605), the Pedestrian Access way (Reserve 37119) and Parry Court road reserve.

### 1. Recreation and Parkland Reserve (Reserve 20605)

The area of encroachment over Reserve 20605 is approximately 135m<sup>2</sup> of land, which includes the existing water tank, gazebo, landscaped area and fencing.

According to the Department of Planning, Lands and Heritage, Reserve 20605 is a 'Class A Reserve' and therefore any amendment to it can be a long and complex process. Section 42 of the Land Administration Act 1997, covers Class A reserves, creating, changing etc. The proposed excision does not meet the requirements of section 42(3) as the boundary between the freehold lot and the Reserve is a surveyed boundary (i.e. both lots are depicted on a survey) and the excision is not for the purpose of public utility services.

Therefore, section 42(4) and (5) apply, whereby *the Minister must cause that proposal to be laid before each House of Parliament* and section 43(1) then applies. The Minister must also, not less than 30 days before acting under subsection (4) in relation to a class A reserve, advertise his intention so to act in a newspaper circulating throughout the State.

This will be a drawn out process and the proponent will be required to indemnify the Minister against all associated costs. With this in mind, the Department expects a compelling justification to set this proceeding into motion.

The Department of Planning, Lands and Heritage, after its initial assessment, proposes that the excision for encroachment from Reserve 20605 should be squared off for practical application. This has been conveyed to the property owner of Lot 1 Parry Court, who is in agreement with the recommended proposal.

### 2. Pedestrian Access Way (Reserve 37119)

Reserve 37119 is a Pedestrian Access Way (PAW) and will be required to be closed or partially closed by the Shire. This land serves a connectivity function for the benefit of the community and may also contain utility/services infrastructure. The proposed PAW closure is treated the same way as a road closure, in accordance with section 58 of the Land Administration Act 1997, and regulation 9 of the Land Administration Regulations 1998. The Shire will need to specify if this is a partial or full closure.

The discussion with the property owner of Lot 1 (no. 34) Parry Court, was for a partial closure so as to allow the public access into the Parkland reserve. The Shire in its initial enquiry through

correspondence to the adjoining owner Lot 1611 (no. 9) Parry Court abutting the PAW, did not receive any response after follow up letters in early January and February of this year.

The Shire will also need to write to the relevant Infrastructure services agencies (Water Corporation, Western Power, and Telstra), for their comments prior to further consideration for closure of the PAW.

### 3. Parry Court Road reserve.

As identified on the survey diagram, there is also an encroachment from 34 Parry Court into the road reserve of Parry Court. In order to close a portion of this road and to include the encroachment into the adjoining freehold (Lot 1 Parry Court), the Shire must comply with its statutory requirements under both section 58 of the Land Administration Act 1997 and regulation 9 of the Land Administration Regulations 1998.

In view of the above encroachments and the advice received from the Department of Planning, Land and Heritage, it is recommended that the Council undertake the public advertising and notifications for the formal closure of the pedestrian access way and part closure of Parry Court Road closure in accordance with section 58 of the Land Administration Act 1997.

## Voting Requirements

Simple Majority

### **OFFICERS' RECOMMENDATION**

That, with respect to the property encroachments of Lot 1 Parry Court (no. 9), Narrogin over Reserve 20605 (Crown Land – Class A Reserve), Reserve 37119 (Pedestrian Access Way) and part of Parry Court road reserve, Council:

1. Advise the Department of Planning Land and Heritage, it supports the excision of Reserve 20605 and Reserve 37119 per the attached amended plan and amalgamated to Lot 1 Parry Court, Narrogin so as to formalise the property encroachments;
2. Support the public advertising of the proposed partial closure of Parry Court road reserve for the encroachment of the front property boundary fence to be amalgamated to Lot 1 Parry Court, in accordance with section 58 of the Land Administration Act 1997 and regulation 9 of the Land Administration Regulations 1998;
3. Support the public advertising of the proposed partial or full closure of the Public Access Way (Reserve 37119) pending the outcome of the public notifications period to the relevant state agencies and adjoining property owners, in accordance with section 58 of the Land Administration Act 1997 and regulation 9 of the Land Administration Regulations 1998;
4. Require the applicant to indemnify the Minister of Lands and/or the Shire of Narrogin, against all associated costs; and
5. Advise the applicant that all costs associated with the above proposal will be at the cost to the applicant.

6. Note that at the conclusion of the advertising period, all submissions received will be presented for its further consideration.



LOCATION PLAN  
NOT TO SCALE  
APPROXIMATE EXTENTS OF SUBJECT SITE  
AERIAL PHOTOGRAPHY APRIL 2019



- LEGEND OF FEATURES**
- BOUNDARY
  - CONTOUR (INTERVALS OF 0.25m)
  - BUILDING/ STRUCTURE
  - FENCE
  - FOOTPATH
  - KERB
  - CHANGE OF GRADE
  - OVERHEAD POWER LINES
  - SURVEY CONTROL MARK
  - POWER POLE
  - WATER METER
  - TREE AT SCALE
  - AREA ENCROACHING INTO ABUTTING CROWN RESERVES

SHEET 1 OF 2			
0	APPROVED & ISSUED TO CLIENT	01/10/2019	J.H.M.P.H.R.E.Y.S. T.P.I.Z.Z.I
No.	DETAILS	DATE	DRAWN CHECKED

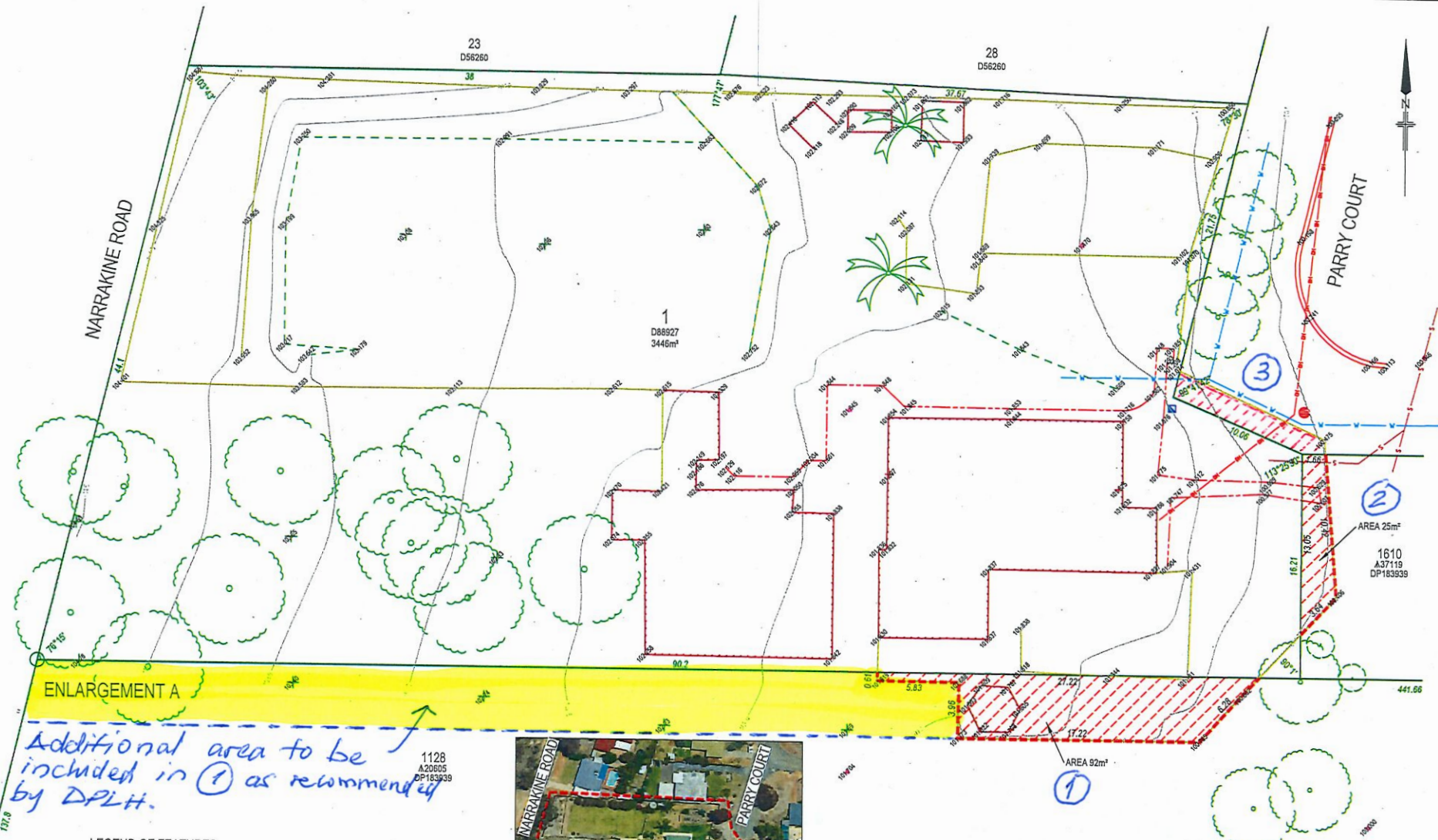
FEATURE SURVEY OF LOT 1 ON D88927 SHOWING EXTENT OF ENCROACHMENT INTO LOT 1128 ON DP183939 (R20605) & LOT 1610 ON 183939 (R37119) No 34 PARRY COURT, NARROGIN

Client: CHRIS FLEAY

DATUM HORIZONTAL - LOCAL VERTICAL - LOCAL	SCALE 1:1000 0 10 20 30 40 50 All distances in metres unless stated otherwise
COPYRIGHT OF ALL THIS PLAN IS RESERVED BY BROWN McALLISTER SURVEYORS AND REMAINS THE PROPERTY OF THE AFORESAID AND SHALL BE RETURNED UPON REQUEST. USE OF ALL OR PART OF THIS PLAN IS RESTRICTED WITHOUT PRIOR WRITTEN PERMISSION.	THE BOUNDARIES WERE NOT RE-ESTABLISHED AS PART OF THIS SURVEY THEREFORE THIS PLAN DOES NOT GUARANTEE THEIR ACCURACY
EXISTING BOUNDARY DIMENSIONS AND LOT AREAS HAVE BEEN TAKEN FROM LANDGATE RECORD D88927 & DP183939	FIELD INSPECTION IS RECOMMENDED FOR LOCATION OF SERVICES PRIOR TO ANY EXCAVATION

**Brown McAllister Surveyors**  
 Licensed Surveyors | Land Development & Strata Consultants | Engineering Surveyors  
 Email: [admin@brownmcallister.com.au](mailto:admin@brownmcallister.com.au) Tel: (08) 9386 9688  
 Address: 128 Pepler Avenue, Saltier Point, Western Australia, 6152

SHEET	A2
SURVEYED	P.G.O.W.-20062011
FIELD NOTES	
DRAWN	J.H.M.P.H.R.E.Y.S.-01/10/2019
CHECKED	
REFERENCE	19565-1F



*Additional area to be included in ① as recommended by DPLH.*

- LEGEND OF FEATURES**
- BOUNDARY
  - - - CONTOUR (INTERVALS OF 0.25m)
  - ▭ BUILDING/STRUCTURE
  - FENCE
  - - - FOOTPATH
  - KERB
  - - - CHANGE OF GRADE
  - OVERHEAD POWER LINES
  - NATURAL SURFACE LEVEL
  - FLOOR LEVEL
  - SURVEY CONTROL MARK
  - POWER POLE
  - WATER METER
  - SEWER PIPE
  - WATER PIPE
  - TREE AT SCALE
- AREA ENCROACHING INTO ABUTTING CROWN RESERVES**



LOCATION PLAN  
NOT TO SCALE  
APPROXIMATE EXTENTS OF SUBJECT SITE  
AERIAL PHOTOGRAPHY APRIL 2019

APPROVED & ISSUED TO CLIENT		01/10/2019	J.HAMPHREYS	T.PZZI
DETAILS		DATE	DRAWN	CHECKED

SHEET 2 OF 2

FEATURE SURVEY OF LOT 1 ON D88927 SHOWING EXTENT OF ENCROACHMENT INTO LOT 1128 ON DP183939 (R20605) & LOT 1610 ON 183939 (R37119) No 34 PARRY COURT, NARROGIN

Client: CHRIS FLEAY

DATUM HORIZONTAL - LOCAL VERTICAL - LOCAL	SCALE 1:200 0 2.5 5 7.5 10 All distances in metres unless stated otherwise
COPYRIGHT OF ALL THIS PLAN IS RESERVED BY BROWN McALLISTER SURVEYORS AND REMAINS THE PROPERTY OF THE AFOREMENTIONED AND SHALL BE RETURNED UPON REQUEST. USE OF ALL OR PART OF THIS PLAN IS RESTRICTED WITHOUT PRIOR WRITTEN PERMISSION.	THE BOUNDARIES WERE NOT RE-ESTABLISHED AS PART OF THIS SURVEY THEREFORE THIS PLAN DOES NOT GUARANTEE THEIR ACCURACY
EXISTING BOUNDARY DIMENSIONS AND LOT AREAS HAVE BEEN TAKEN FROM LANDGATE RECORD D57500	FIELD INSPECTION IS RECOMMENDED FOR LOCATION OF SERVICES PRIOR TO ANY EXCAVATION

**Brown McAllister Surveyors**  
 Licensed Surveyors | Land Development & Strata Consultants | Engineering Surveyors  
 Email: [admin@brownmcallister.com.au](mailto:admin@brownmcallister.com.au) Tel: (08) 9386 9688  
 Address: 12B Pepler Avenue, Salfers Point, Western Australia, 6152

SHEET	A2
SURVEYED	P.DOW - 25/02/2011
FIELD NOTES	
DRAWN	J.HAMPHREYS - 01/10/2019
CHECKED	
REFERENCE	19555-1F



## **10.2 TECHNICAL AND RURAL SERVICES**

There are no reports requiring a Council decision for the current month.

## 10.3 CORPORATE AND COMMUNITY SERVICES

### 10.3.1 SCHEDULE OF ACCOUNTS PAID – JULY 2021

File Reference	12.1.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	13 August 2021
Author	Isabella Symonds – Customer Service Officer/Accounts Payable
Authorising Officer	Frank Ludovico – Executive Manager Corporate & Community Services
Attachments	Schedule of Accounts Paid – July 2021

#### Summary

Council is requested to note the payments as presented in the Schedule of Accounts Paid – July 2021.

#### Background

Pursuant to Local Government Act 1995, Section 6.8 (2)(b), where expenditure has been incurred by a local government, it is to be reported to the next Ordinary Meeting of Council.

#### Consultation

Consultation has been undertaken with Manager Corporate Services.

#### Statutory Environment

Local Government Act 1995, Section 6.8 (2)(b).

#### Policy Implications

Nil

#### Financial Implications

All expenditure has been approved via adoption of the 2020/21 Annual Budget, or resulting from a Council resolution for a budget amendment or will be included in the 2021/22 Budget.

#### Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective:	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1 An efficient and effective organisation

### Comment/Conclusion

The Schedule of Accounts Paid – July 2021 is presented to Council for notation. Below is a summary of activity.

<i>July 2021 Payments</i>		
<i>Payment Type</i>	<i>\$</i>	<i>%</i>
Cheque	189.05	0.03
EFT (incl Payroll)	576,518.69	81.49
Direct Debit	127,975.11	18.09
Credit Card	2,824.75	0.39
Trust	0.00	0.00
Total Payments	707,507.60	100.00

<i>Local Spending</i>	<i>\$</i>	<i>%</i>
Local Suppliers	223,350.32	31.57
Payroll	304,251.84	43.00
Total	527,602.16	74.57

### Voting Requirements

Simple Majority

#### **OFFICERS' RECOMMENDATION**

That, with respect to the Schedule of Accounts Paid for July 2021, Council note the Report as presented.

## Cheque Payments

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
1	590	30/07/2021	Shire Of Narrogin - Petty Cash-admin			\$ 189.05		
2	INV LIB JULY 21	28/07/2021	Shire Of Narrogin - Petty Cash-admin	LIBRARY PETTY CASH RECOUP - July 2021	\$ 189.05			
					<b>Cheque Total \$</b>	<b>189.05</b>		

## EFT Payments

	Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
3	PAYROLL 1	05/07/2021	PAYROLL	Payroll 1 - PPE 05/07/2021	\$ 160,893.82			
4	EFT16787	09/07/2021	Department Of Human Services			\$ 244.70		
5	INV DEDUCTION	05/07/2021	Department Of Human Services	Payroll deductions	\$ 244.70			
6	EFT16788	09/07/2021	Local Government Racing & Cemeteries Employees Union (LGREU)			\$ 20.50		
7	INV DEDUCTION	05/07/2021	Local Government Racing & Cemeteries Employees Union (LGREU)	Payroll deductions	\$ 20.50			
8	EFT16789	09/07/2021	Australian Services Union Western Australian Branc			\$ 25.90		
9	INV DEDUCTION	05/07/2021	Australian Services Union Western Australian Branc	Payroll deductions	\$ 25.90			
10	EFT16790	16/07/2021	Synergy			\$ 11,815.72		
11	INV 6499184328	02/07/2021	Synergy	ROADM - STREET LIGHTING MAINTENANCE/OPERATIONS - Electricity Usage (25/05/2021-24/06/2021)	\$ 11,815.72			
12	EFT16791	16/07/2021	Water Corporation			\$ 770.38		
13	INV 64RQA	14/07/2021	Water Corporation	VARIOUS BUILDINGS - Water Service Charges (01/07/2021-31/08/2021)	\$ 770.38			
14	EFT16792	16/07/2021	Halanson Earthmoving			\$ 792.00	L	
15	INV 1655	09/07/2021	Halanson Earthmoving	2017 VOLVO EC220DL EXCAVATOR - Low Loader Hire to float Excavator (Saunders Rd to Kilpatrick Rd & Kilpatrick Rd to Lydeker way)	\$ 792.00			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
16	EFT16793	16/07/2021	Parry's Pty Ltd			\$ 287.20	L	
17	INV 55003	09/06/2021	Parry's Pty Ltd	PWO - WORKS - PROTECTIVE CLOTHING - Jeans x2 (G Broun)	\$ 76.40			
18	INV 55270	16/06/2021	Parry's Pty Ltd	PWO - WORKS - PROTECTIVE CLOTHING - Jacket x1 (S Reeves)	\$ 75.65			
19	INV 55507	22/06/2021	Parry's Pty Ltd	PWO - WORKS - PROTECTIVE CLOTHING - Shirts x2 (P Lindley)	\$ 59.50			
20	EFT16794	16/07/2021	Susan Farrell			\$ 50.00	L	
21	INV 043	23/06/2021	Susan Farrell	MEMBERS - CIVIC FUNCTIONS, REFRESHMENTS & RECEPTIONS - Various Ranges of Laundry	\$ 50.00			
22	EFT16795	16/07/2021	Geoff Perkins Farm Machinery Centre			\$ 1,769.00	L	
23	INV 5980	02/07/2021	Geoff Perkins Farm Machinery Centre	ROADM - WORKSHOP/DEPOT EXPENSED EQUIPMENT - Purchase of new Honda Self Propelled Mower	\$ 1,769.00			
24	EFT16796	16/07/2021	Narrogin Newsagency			\$ 154.80	L	
25	INV 713 - 283151	01/07/2021	Narrogin Newsagency	ADMIN - PRINTING & STATIONERY - Delivers for the Period 02/06/2021-30/06/2021	\$ 34.50			
26	INV 1355 - 283178	01/07/2021	Narrogin Newsagency	LIB - SUBSCRIPTIONS & MEMBERSHIPS - Delivery for the Period 13/06/2021-24/06/2021 & Newspapers	\$ 84.90			
27	EFT16797	16/07/2021	Narrogin Bearing Service			\$ 80.43	L	
28	INV IN187453	06/07/2021	Narrogin Bearing Service	VARIOUS TRAILERS - Air Coupling x2	\$ 80.43			
29	EFT16798	16/07/2021	Octave Holdings Pty Ltd T/A Narrogin Toyota			\$ 399.47	L	
30	INV JC24030015	06/07/2021	Octave Holdings Pty Ltd T/A Narrogin Toyota	1NGN 2019 TOYOTA PRADO - 50,000Km Service	\$ 399.47			
31	EFT16799	16/07/2021	Toll Transport Pty Ltd			\$ 35.37		
32	INV 0499-T740710	27/06/2021	Toll Transport Pty Ltd	LYDEKER DEPOT BUILDING OPERATIONS - Freight Charges (17/06/2021-23/06/2021)	\$ 35.37			
33	EFT16800	16/07/2021	Narrogin Gasworx			\$ 214.11	L	
34	INV 47430	06/07/2021	Narrogin Gasworx	NO1225 KOMATSU FG25T-12 FORKLIFT - 15Kg Gas Bottle x3	\$ 214.11			
35	EFT16801	16/07/2021	Local Government Professionals Australia Wa			\$ 531.00		
36	INV 22764	07/07/2021	Local Government Professionals Australia Wa	ADMIN - SUBSCRIPTIONS AND MEMBERSHIPS - LG Professionals Membership Fees for Frank Ludovico 2021/22 (As Per Contract)	\$ 531.00			
37	EFT16802	16/07/2021	Ikes Home Improvement & Glass Centre			\$ 5,524.20	L	
38	INV 00030750	07/07/2021	Ikes Home Improvement & Glass Centre	LIBRARY BUILDING CAPITAL - Replacement of all Bottom Window Panels to Laminated Safety Glass	\$ 5,524.20			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
39	EFT16803	16/07/2021	GJ & SE Kulker			\$ 22,000.00	L	PF
40	INV 641	02/07/2021	GJ & SE Kulker	RAILWAY STATION RESTORATION COVID RECOVERY PROJECT - Supply & Install External Paint to Train Station	\$ 22,000.00			
41	EFT16804	16/07/2021	Marketforce Pty Ltd			\$ 1,451.16		
42	INV 39375	28/06/2021	Marketforce Pty Ltd	ADMIN - ADVERTISING - Advertising Position (Payroll/HR Officer) Narrogin Observer 17/06/2021	\$ 308.70			
43	INV 39371	28/06/2021	Marketforce Pty Ltd	ADMIN - ADVERTISING - Levy of Differential Rates 20/21 Narrogin Observer 03/06/2021	\$ 296.69			
44	INV 39373	28/06/2021	Marketforce Pty Ltd	PWO - WORKS - RECRUITMENT - Advertising Position (Plant Operator/General Hand Maintenance) Narrogin Observer 17/06/2021	\$ 288.62			
45	INV 39372	28/06/2021	Marketforce Pty Ltd	COMMUNITY - RECRUITMENT - Advertising Position (Community Development Officer) Narrogin Observer 10/06/2021	\$ 268.53			
46	EFT16805	16/07/2021	YMCA WA			\$ 22,936.10	L	
47	INV SI-A010521	30/06/2021	YMCA WA	NRLC - CONTRACT MANAGEMENT EXPENSE - YMCA Management Fee June 2021 & Actual Deficit for May 2021	\$ 22,936.10			
48	EFT16806	16/07/2021	Torre Tasman Evans			\$ 184.40	L	
49	INV 080721	08/07/2021	Torre Tasman Evans	EMTRS STAFF HOUSING RENTAL PROPERTY EXPENSES - Reimbursement (As Per Contract) - 45K Gas Bottle & Annual Service Charge	\$ 184.40			
50	EFT16807	16/07/2021	Institute Of Public Works Engineering Australasia			\$ 1,815.00		
51	INV 84180-BP0721	02/07/2021	Institute Of Public Works Engineering Australasia	BUILD - SUBSCRIPTIONS & MEMBERSHIPS - Buildings Plus Subscription Fee (01/07/2021-30/06/2022)	\$ 1,815.00			
52	EFT16808	16/07/2021	Landmark Products Pty Ltd			\$ 9,399.50		PF
53	INV 127444	24/06/2021	Landmark Products Pty Ltd	RAILWAY STATION RESTORATION COVID RECOVERY PROJECT - Supply of Black Steel Slatted Council 2.0m Seat with bolt-down legs x4 & Freight	\$ 9,399.50			
54	EFT16809	16/07/2021	Thinkproject Australia Pty Ltd			\$ 10,616.63		
55	INV RSL-17869	01/07/2021	Thinkproject Australia Pty Ltd	PWO - INFORMATION SYSTEMS - Rental of RAMM Software - 01/07/2021-30/06/2022	\$ 10,616.63			
56	EFT16810	16/07/2021	AFGRI Equipment Australia Pty Ltd			\$ 67.53		
57	INV 2038802	30/06/2021	AFGRI Equipment Australia Pty Ltd	NO4871 2014 JOHN DEERE 670G GRADER w/ TOP CON - Oil Filter DZ101884 x1	\$ 67.53			
58	EFT16811	16/07/2021	Narrogin Tyre Service			\$ 594.00	L	
59	INV 13170	11/06/2021	Narrogin Tyre Service	NO237 2020 CATERPILLAR CW34NN RUBBER TYRED ROLLER - Repair of Multi Tyre	\$ 170.50			
60	INV 13214	18/06/2021	Narrogin Tyre Service	1EUF156 HINO ROAD SWEEPER 2004 - New Tyre x1	\$ 341.00			
61	INV 13246	23/06/2021	Narrogin Tyre Service	NO4871 2014 JOHN DEERE 670G GRADER w/ TOP CON - Repair Grader Tyre	\$ 82.50			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
62	EFT16812	16/07/2021	Narrogin Skip Bin Service			\$ 145.20	L	
63	INV INV-1060	31/05/2021	Narrogin Skip Bin Service	LYDEKER DEPOT BUILDING MAINTENANCE - Skip Bin Collection 21/05/2021	\$ 145.20			
64	EFT16813	16/07/2021	Narrogin Auto Centre			\$ 250.87	L	
65	INV 301775	10/06/2021	Narrogin Auto Centre	1NO 2018 NISSAN NAVARA - 100,000Km Service Kit	\$ 250.87			
66	EFT16814	16/07/2021	Johns Building Supplies			\$ 936.21		PF
67	INV 972801	28/05/2021	Johns Building Supplies	RAILWAY STATION RESTORATION COVID RECOVERY PROJECT - Various Lengths & Dimensions of Treated Pine x89	\$ 936.21			
68	EFT16815	16/07/2021	Narrogin Florist			\$ 90.00	L	
69	INV INV221	07/07/2021	Narrogin Florist	MEMBERS - CIVIC FUNCTIONS, REFRESHMENTS & RECEPTIONS - Flowers & Message of Condolences to CEO from Council	\$ 90.00			
70	EFT16816	16/07/2021	BMR Mechanical Pty Ltd			\$ 7,735.62	L	
71	INV INV-0529	09/06/2021	BMR Mechanical Pty Ltd	NO2731 FOUR AXLE SIDE TIPPER TRAILER - Replace & Repair all Bearings and Brake Shoes	\$ 7,735.62			
72	EFT16817	16/07/2021	Narrogin Country Fresh Meats			\$ 129.38	L	F
73	INV 01	01/07/2021	Narrogin Country Fresh Meats	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Meat Purchase July 2021 (Jessie House)	\$ 129.38			
74	EFT16818	16/07/2021	Scott Reeves			\$ 53.00	L	
75	INV 020721	02/07/2021	Scott Reeves	WORKS - TRAINING & DEVELOPMENT - Reimbursement - High Risk Work Licence Renewal (Fork Lift)	\$ 53.00			
76	<b>PAYROLL 2</b>	<b>19/07/2021</b>	<b>PAYROLL</b>	<b>Payroll 2 - PPE 19/07/2021</b>	<b>\$ 143,358.02</b>			
77	EFT16819	20/07/2021	Narrogin Chamber Of Commerce			\$ 1,100.00	L	
78	INV 00003812	08/07/2021	Narrogin Chamber Of Commerce	ADMIN - TRAINING & DEVELOPMENT - Certified Customer Service Excellence Program (Participants x4)	\$ 1,100.00			
79	EFT16820	22/07/2021	Narrogin Hire & Reticulation			\$ 240.00	L	
80	INV 00030684	05/07/2021	Narrogin Hire & Reticulation	OTHCUL - INDIGENOUS CULTURAL EVENTS - NAIDOC Week 2021 - Hire of Tables x10 & Chairs x60	\$ 240.00			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
81	EFT16821	22/07/2021	Narrogin Packaging			\$ 1,455.40	L	PF
82	INV 00070490	14/07/2021	Narrogin Packaging	CHSP - GENERAL EXPENDITURE - Cleaning Supplies, Coffee & Butchers Paper	\$ 632.05			
83	INV 00070928	15/07/2021	Narrogin Packaging	VARIOUS PUBLIC TOILETS - Cleaning Supplies	\$ 476.50			
84	INV 00070511	16/07/2021	Narrogin Packaging	HIGHBURY PUBLIC TOILETS OPERATIONS - Cleaning Supplies	\$ 101.50			
85	INV 00070517	17/07/2021	Narrogin Packaging	VARIOUS PUBLIC TOILETS - Cleaning Supplies	\$ 245.35			
86	EFT16822	22/07/2021	Australia Post			\$ 187.41	L	PF
87	INV 1010710397	03/07/2021	Australia Post	VARIOUS DEPARTMENTS - Postal Charges June 2021	\$ 187.41			
88	EFT16823	22/07/2021	Great Southern Fuels			\$ 25,459.67	L	PF
89	INV JUNE 2021	30/06/2021	Great Southern Fuels	VARIOUS VEHICLES - Fuel Card Charges June 2021	\$ 4,954.17			
90	INV 19007313	12/07/2021	Great Southern Fuels	VARIOUS VEHICLES - 20KG Premium Heavy Duty Grease x2	\$ 426.65			
91	INV B30162-D2073242	19/07/2021	Great Southern Fuels	POC - FUELS AND OILS - 15,000L Diesel	\$ 20,078.85			
92	EFT16824	22/07/2021	Kleenheat Gas			\$ 15,172.63		
93	INV 4374409	01/07/2021	Kleenheat Gas	HIGHBURY HALL BUILDING OPERATIONS - Facility Fee/Cylinder Service Charge	\$ 70.38			
94	INV 2723727	13/07/2021	Kleenheat Gas	ADMIN OFFICE BUILDING OPERATIONS - Electricity Usage (01/06/2021-30/06/2021)	\$ 815.27			
95	INV 2723717	13/07/2021	Kleenheat Gas	CARAVAN PARK GENERAL MAINTENANCE/OPERATIONS - Electricity Usage (01/06/2021-30/06/2021)	\$ 2,020.57			
96	INV 2723745	13/07/2021	Kleenheat Gas	NRLC - UTILITY - ELECTRICITY - Electricity Usage (01/06/2021-30/06/2021)	\$ 12,266.41			
97	EFT16825	22/07/2021	Parry's Pty Ltd			\$ 382.25	L	
98	INV 55348	17/06/2021	Parry's Pty Ltd	ANIMAL - ALLOWANCES - Jeans x2 & Hi-Vis Shirts x2	\$ 271.80			
99	INV 55888	02/07/2021	Parry's Pty Ltd	ANIMAL - PROTECTIVE CLOTHING - Trousers x1	\$ 110.45			
100	EFT16826	22/07/2021	Walga			\$ 36,194.69		
101	INV I3087772	09/07/2021	Walga	MEMBERS - SUBSCRIPTIONS & PUBLICATIONS - WALGA Subscriptions 2021/22	\$ 36,194.69			



Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
102	EFT16827	22/07/2021	Westrac Pty Ltd			\$ 799.03		
103	INV PI 5958043	10/07/2021	Westrac Pty Ltd	VARIOUS VEHICLES - Service Filters	\$ 644.90			
104	INV PI 5978042	15/07/2021	Westrac Pty Ltd	NO4516 2013 CATERPILLAR CW34NN RUBBER TYRED ROLLER - Service Filters	\$ 154.13			
105	EFT16828	22/07/2021	Narrogin Meals On Wheels			\$ 775.42	L	F
106	INV 100981	28/05/2021	Narrogin Meals On Wheels	CHSP MEALS ON WHEELS COMMITTEE - Meal Delivery Service May 2021	\$ 386.34			
107	INV 101023	30/06/2021	Narrogin Meals On Wheels	CHSP MEALS ON WHEELS COMMITTEE - Meal Delivery Service June 2021	\$ 389.08			
108	EFT16829	22/07/2021	It Vision			\$ 53,672.11		
109	INV 35546	01/07/2021	It Vision	ADMIN - INFORMATION SYSTEMS - Renew SynergySoft & Universe Annual License Fees 01 July 2021-30 June 2022 30 Users	\$ 53,672.11			
110	EFT16830	22/07/2021	Narrogin Betta Home Living			\$ 34.95	L	F
111	INV 25710033725	16/07/2021	Narrogin Betta Home Living	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Popcorn Machine (Jessie House)	\$ 34.95			
112	EFT16831	22/07/2021	Shire of Wagin			\$ 3,873.24	L	F
113	INV 9580	14/07/2021	Shire of Wagin	CHCP VARIOUS SERVICES - Client: John Neil-Smith (01/06/2021-30/06/2021)	\$ 1,352.86			
114	INV 9581	14/07/2021	Shire of Wagin	CHCP VARIOUS SERVICES - Client: Ronalea Neil-Smith (01/06/2021-30/06/2021)	\$ 2,520.38			
115	EFT16832	22/07/2021	Public Transport Authority			\$ 414.39		
116	INV 300621	30/06/2021	Public Transport Authority	TRANSWA - AGENT LIABILITY - TransWA Ticket Sales June 2021	\$ 414.39			
117	EFT16833	22/07/2021	Air Response			\$ 50.00	L	F
118	INV 153561A	01/05/2021	Air Response	CHSP - GENERAL OFFICE EXPENSES - Programme Controller & Demonstrate How To Use (Jessie House)	\$ 50.00			
119	EFT16834	22/07/2021	Goodyear Dunlop Tyres Pty Ltd (Beaurepaires)			\$ 69.12	L	
120	INV 6412113418	15/07/2021	Goodyear Dunlop Tyres Pty Ltd (Beaurepaires)	NO2830 BARTCO TRAFFIC LIGHTS - Trailer Tyre x1	\$ 69.12			
121	EFT16835	22/07/2021	Narrogin Amcal Chemist			\$ 82.50	L	
122	INV 34164 - 341980	30/06/2021	Narrogin Amcal Chemist	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination x2	\$ 55.00			
123	INV 34164 - 883070	30/06/2021	Narrogin Amcal Chemist	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 27.50			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
124	EFT16836	22/07/2021	Shire Of Narrogin			\$ 78.66	L	
125	INV 300621	30/06/2021	Shire Of Narrogin	TRANSWA - AGENT LIABILITY - Commission June 2021 Ticket Sales	\$ 78.66			
126	EFT16837	22/07/2021	Fairway Carriers			\$ 41.78	L	
127	INV 43680	19/06/2021	Fairway Carriers	ROADM - WORKSHOP/DEPOT EXPENSED EQUIPMENT - Freight Charges (Hare & Forbes)	\$ 41.78			
128	EFT16838	22/07/2021	LGISWA			\$ 3,245.08		
129	INV 100-143850	07/07/2021	LGISWA	VARIOUS DEPARTMENTS - WORKERS COMP INSURANCE - Actual Wages Adjustment 30/06/2019-30/06/2020	\$ 3,245.08			
130	EFT16839	22/07/2021	Signs Plus			\$ 245.50		PF
131	INV 00165852	25/06/2021	Signs Plus	CHSP - RECRUITMENT - Name Badges x17	\$ 224.50			
132	INV 00165950	29/06/2021	Signs Plus	MEMBERS - PRINTING & STATIONERY - Name Badge for Councillor Lushey	\$ 21.00			
133	EFT16840	22/07/2021	T Yuen Construction			\$ 2,946.30	L	
134	INV 5670	09/07/2021	T Yuen Construction	TOWN HALL (FEDERAL ST) BUILDING MAINTENANCE - Gutter Repairs to Mayors Parlour Balcony	\$ 121.00			
135	INV 5671	13/07/2021	T Yuen Construction	TOWN HALL (FEDERAL ST) BUILDING MAINTENANCE - Urgent Repair to Man Hole Cover at Mayors Parlour	\$ 170.50			
136	INV 13142	17/07/2021	T Yuen Construction	TOWN HALL (FEDERAL ST) BUILDING MAINTENANCE - Supply & Install Gutter Guards, Divert Outlets & Cutback Spout to Arts Narrogin	\$ 2,654.80			
137	EFT16841	22/07/2021	Hot Klobba Clothing Co			\$ 943.84		F
138	INV 315206	02/07/2019	Hot Klobba Clothing Co	CHCP CUSTOMER SERVICES OTHER EXPENSES - NHC Uniform Order June 2019	\$ 943.84			
139	EFT16842	22/07/2021	Belvedere Nursery			\$ 87.00	L	
140	INV I0000001814	26/05/2021	Belvedere Nursery	MEMBERS - CIVIC FUNCTIONS, REFRESHMENTS & RECEPTIONS - Kangaroo Paws x6 (Citizenship Ceremony 26/05/2021)	\$ 87.00			
141	EFT16843	22/07/2021	State Emergency Service			\$ 8,191.50	L	F
142	INV 004	01/06/2021	State Emergency Service	ESL - SES SUBSIDY EXPENDITURE - LGGS Payment January & April 2021	\$ 8,191.50			
143	EFT16844	22/07/2021	Bunnings Group Limited			\$ 744.67		PF
144	INV 2130/01377937	27/05/2021	Bunnings Group Limited	RAILWAY STATION RESTORATION COVID RECOVERY PROJECT - Power Tools & Timber Building Supplies	\$ 744.67			
145	EFT16845	22/07/2021	YMCA WA			\$ 507.00	L	
146	INV SI-A010526	05/07/2021	YMCA WA	ADMIN - OCCUPATIONAL HEALTH & SAFETY - 3 Month Gym Membership for Aimie Allinson, Craig Allinson & Michael Pomykala (05/07/2021-04/10/2021)	\$ 507.00			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
147	EFT16846	22/07/2021	Easifleet			\$ 2,217.23		
148	INV 070721	07/07/2021	Easifleet	NOVATED LEASES - Employee Expenses PPE 07/07/2021	\$ 2,217.23			
149	EFT16847	22/07/2021	Ross Storey			\$ 400.00	L	
150	INV 080721	08/07/2021	Ross Storey	OTHCUL - INDIGENOUS CULTURAL EVENTS - Smoking Ceremony, Didgeridoo Playing & Educational Talk - NAIDOC Opening Ceremony 2021	\$ 400.00			
151	EFT16848	22/07/2021	Narrogin Agricultural Society Inc.			\$ 2,000.00	L	
152	INV 2120	17/07/2021	Narrogin Agricultural Society Inc.	OTHCUL - NARROGIN SHOW - 2021/22 Annual Contribution	\$ 2,000.00			
153	EFT16849	22/07/2021	Narrogin Guardian Pharmacy			\$ 679.99	L	
154	INV 998760	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
155	INV 1000451	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
156	INV 1000858	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
157	INV 1002175	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
158	INV 1003813	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
159	INV 1006537	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
160	INV 1007598	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
161	INV 1007741	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
162	INV 1007818	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
163	INV 999092	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
164	INV 999093	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
165	INV 998782	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
166	INV 999176	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
167	INV 999674	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
168	INV 999744	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			
169	INV 1000378	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00			

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Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
170	INV 1002291	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
171	INV 1005969	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
172	INV 999721	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
173	INV 998872	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
174	INV 998981	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
175	INV 999052	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
176	INV 999160	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
177	INV 999194	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
178	INV 999531	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
179	INV 999856	30/06/2021	Narrogin Guardian Pharmacy	ADMIN - OCCUPATIONAL HEALTH & SAFETY - Flu Vaccination	\$ 25.00		
180	INV 1003474	15/07/2021	Narrogin Guardian Pharmacy	LYDEKER DEPOT BUILDING MAINTENANCE - First Aid Kit	\$ 29.99		
181	EFT16850	22/07/2021	United Security Enforcement Corporation			\$ 158.40	
182	INV 00012392	12/07/2021	United Security Enforcement Corporation	LYDEKER DEPOT BUILDING OPERATIONS - Alarm Response Depot	\$ 158.40		
183	EFT16851	22/07/2021	Komatsu Australia Pty Ltd			\$ 216.04	
184	INV 002377809	07/07/2021	Komatsu Australia Pty Ltd	1EYN610 KOMATSU WA380-6 WHEEL LOADER - Service Filters	\$ 216.04		
185	EFT16852	22/07/2021	Basil Joseph Kickett			\$ 300.00	L
186	INV 18	06/07/2021	Basil Joseph Kickett	OTHCUL - INDIGENOUS CULTURAL EVENTS - Welcome to Country NAIDOC 2021	\$ 300.00		
187	EFT16853	22/07/2021	Narrogin Auto Centre			\$ 188.36	L
188	INV 302794	13/07/2021	Narrogin Auto Centre	NO0 2017 MITSUBISHI TRITON - Service Filters	\$ 188.36		
189	EFT16854	22/07/2021	Telair Pty Ltd			\$ 1,420.00	
190	INV TA10781-024	30/06/2021	Telair Pty Ltd	VARIOUS DEPARTMENTS - TELEPHONE/MOBILES - Telephone Charges June 2021	\$ 1,420.00		PF
191	EFT16855	22/07/2021	Code Zed Design			\$ 2,000.00	
192	INV 2021-3	16/07/2021	Code Zed Design	SMITH ST PUBLIC TOILETS (COLES CARPARK) CAPITAL - Drafting Services (Plans & Engineer Drawings)	\$ 2,000.00		

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	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
193	EFT16856	22/07/2021	Wild & Waste Free			\$ 68.75	L	F
194	INV 0068	11/07/2021	Wild & Waste Free	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Groceries for Jessie House	\$ 68.75			
195	EFT16857	22/07/2021	Earl Street Physiotherapy			\$ 302.00	L	F
196	INV 0021163	10/06/2021	Earl Street Physiotherapy	CHCP - CLIENT PURCHASES - Standard Consultation (Client: I Harper)	\$ 75.00			
197	INV 0021394	18/06/2021	Earl Street Physiotherapy	CHCP - CLIENT PURCHASES - Standard Consultation (Client: I Harper)	\$ 75.00			
198	INV 0021606	25/06/2021	Earl Street Physiotherapy	CHCP - CLIENT PURCHASES - Standard Consultation (Client: I Harper)	\$ 75.00			
199	INV 0021991	08/07/2021	Earl Street Physiotherapy	CHCP - CLIENT PURCHASES - Standard Consultation (Client: I Harper)	\$ 77.00			
200	EFT16858	22/07/2021	Narrogin Country Fresh Meats			\$ 101.69	L	F
201	INV NHC JULY 2021	15/07/2021	Narrogin Country Fresh Meats	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Meat Purchase July 2021 (Jessie House)	\$ 101.69			
202	EFT16859	22/07/2021	Simply Uniforms			\$ 936.43		F
203	INV INV-8882	24/06/2021	Simply Uniforms	CHSP - RECRUITMENT - Ladies Cardigan x1 & Stretch Tunic x4	\$ 397.10			
204	INV INV-9088	13/07/2021	Simply Uniforms	CHSP - RECRUITMENT - Stretch Tunics x7	\$ 539.33			
205	EFT16860	22/07/2021	Narrogin & Districts Plumbing Service			\$ 99.00	L	
206	INV INV-0476	18/07/2021	Narrogin & Districts Plumbing Service	MEMORIAL PARK TOILETS MAINTENACE - Unblock Toilets	\$ 99.00			
207	EFT16861	22/07/2021	Epic Fire Solutions T/As MCG Fire Services			\$ 14,643.20	L	
208	INV INV-1432	02/07/2021	Epic Fire Solutions T/As MCG Fire Services	NRLC - PLANT & EQUIPMENT OTHER (CAPITAL) - Emergency & Exit Lighting Replacement	\$ 14,643.20			
209	EFT16862	22/07/2021	GH & CP Goss			\$ 363.00	L	F
210	INV 2006202	18/06/2021	GH & CP Goss	CHSP & CHCP - INFORMATION SYSTEMS - Contract Work (23/05/2021-18/06/2021)	\$ 363.00			
211	EFT16863	22/07/2021	Jessica Kennedy Acupuncture			\$ 200.00	L	F
212	INV 000064	16/07/2021	Jessica Kennedy Acupuncture	CHCP - CLIENT PURCHASES - Standard Consultation x2 (Client: W. Butler)	\$ 200.00			
213	EFT16864	30/07/2021	Narrogin Hire & Reticulation			\$ 785.28	L	PF
214	INV 00030524	30/06/2021	Narrogin Hire & Reticulation	NGN13362 2016 TRAILER - Trailer Hire (5 Weeks)	\$ 525.00			
215	INV 00030722	19/07/2021	Narrogin Hire & Reticulation	PARKS & GARDENS MAINTENANCE - Reticulations Materials	\$ 260.28			

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	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
216	EFT16865	30/07/2021	Water Corporation			\$ 235.45		
217	INV VBALM	28/07/2021	Water Corporation	RAILWAY INSTITUTE HALL & OFFICE BUILDING OPERATIONS - Trade Waste Charge (01/07/2021-30/06/2022)	\$ 235.45			
218	EFT16866	30/07/2021	Hancocks Home Hardware			\$ 101.00	L	PF
219	INV 366432	25/06/2021	Hancocks Home Hardware	CHSP - GENERAL EXPENDITURE - Men's Shed Keys Cut x3 (Jessie House)	\$ 12.00			
220	INV 367059	02/07/2021	Hancocks Home Hardware	ADMIN - PRINTING & STATIONERY - Door Bell & 120L Storage Container	\$ 89.00			
221	EFT16867	30/07/2021	Landgate			\$ 714.53		
222	INV 355188 - 10001100	24/03/2020	Landgate	RATES - VALUATION EXPENSES - Rural UV Chargeable (01/02/2020-28/02/2020)	\$ 167.52			
223	INV 366165 - 10001100	23/06/2021	Landgate	RATES - VALUATION EXPENSES - Rural UV Chargeable (20/03/2021-11/06/2021)	\$ 85.46			
224	INV 68577170 - 10001100	24/06/2021	Landgate	VISITOR INFORMATION BAY UPGRADE (WILLIAMS ROAD) - Custom Map Service Charge (Amendments to Maps)	\$ 354.75			
225	INV 1108291 - 10001100	01/07/2021	Landgate	RATES - VALUATION EXPENSES - Other DLI Invoices x4	\$ 106.80			
226	EFT16868	30/07/2021	Walga			\$ 110.00		
227	INV I3086825	29/04/2021	Walga	MEMBERS - MEMBERS CONFERENCE/TRAINING EXPENSES - Breakfast with Minister Carey 20/05/2021 (L. Ballard)	\$ 55.00			
228	INV I3086824	29/04/2021	Walga	MEMBERS - MEMBERS CONFERENCE/TRAINING EXPENSES - Breakfast with Minister Carey 20/05/2021 (D. Stewart)	\$ 55.00			
229	EFT16869	30/07/2021	Narrogin Electrical Services			\$ 253.00	L	
230	INV 2421	22/07/2021	Narrogin Electrical Services	ADMIN OFFICE BUILDING MAINTENANCE - Urgent Replacement of Faulty Light Switches x9	\$ 253.00			
231	EFT16870	30/07/2021	Narrogin Glass & Quick Fit Windscreens			\$ 655.00	L	
232	INV 00056192	09/07/2021	Narrogin Glass & Quick Fit Windscreens	1NGN 2019 TOYOTA PRADO - Replacement Windscreen	\$ 655.00			
233	EFT16871	30/07/2021	Great Southern Waste Disposal			\$ 42,044.22	L	
234	INV IV00000001647	05/07/2021	Great Southern Waste Disposal	BIN COLLECTIONS VARIOUS LOCATIONS - June 2021	\$ 42,044.22			
235	EFT16872	30/07/2021	Goodyear Dunlop Tyres Pty Ltd (Beaurepaires)			\$ 451.00	L	
236	INV 6412122550	22/07/2021	Goodyear Dunlop Tyres Pty Ltd (Beaurepaires)	NGN00 2019 HOLDEN ACADIA LTZ - Tyres x2	\$ 451.00			
237	EFT16873	30/07/2021	Local Government Professionals Australia Wa			\$ 531.00		
238	INV 22173	21/07/2021	Local Government Professionals Australia Wa	PLAN - SUBSCRIPTION & MEMBERSHIPS - LG Professionals Membership for Azhar Awang 2021/22 (As Per Contract)	\$ 531.00			

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	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
239	EFT16874	30/07/2021	Narrogin Ceilings			\$ 572.00	L	
240	INV 13	05/06/2021	Narrogin Ceilings	CHILD CARE CENTRE BUILDING MAINTENANCE - Urgent Roof Repairs (REED)	\$ 572.00			
241	EFT16875	30/07/2021	Bob Waddell & Associates Pty Ltd			\$ 2,178.00		
242	INV 2266	27/04/2021	Bob Waddell & Associates Pty Ltd	RATES - CONSULTANTS - Assistance with Rates Enquiries & Tasks (25/04/2021)	\$ 561.00			
243	INV 2334	28/06/2021	Bob Waddell & Associates Pty Ltd	RATES - CONSULTANTS - Assistance with Rates Enquiries & Task (27/06/2021)	\$ 297.00			
244	INV 2360	12/07/2021	Bob Waddell & Associates Pty Ltd	RATES - CONSULTANTS - Assistance with Rates Enquiries & Tasks (11/07/2021)	\$ 1,221.00			
245	INV 2373	19/07/2021	Bob Waddell & Associates Pty Ltd	RATES - CONSULTANTS - Assistance with Rates Enquiries & Tasks (18/07/2021)	\$ 99.00			
246	EFT16876	30/07/2021	Market Creations Pty Ltd			\$ 2,574.53		
247	INV 17811	30/06/2021	Market Creations Pty Ltd	ADMIN - INFORMATION SYSTEMS - MC NBN Prem 100/40	\$ 198.00			
248	INV 17828	30/06/2021	Market Creations Pty Ltd	ADMIN - INFORMATION SYSTEMS - Exclaimer for Office 365 (month to month) Subscription Licenses	\$ 135.94			
249	INV 17827	30/06/2021	Market Creations Pty Ltd	ADMIN - INFORMATION SYSTEMS - M365 Business Software (June 2021)	\$ 1,479.39			
250	INV 17812	30/06/2021	Market Creations Pty Ltd	ADMIN - INFORMATION SYSTEMS - Service Desk & Preventative Maintenance (June 2021)	\$ 761.20			
251	EFT16877	30/07/2021	Melchiorre Plumbing & Gas			\$ 412.50	L	PF
252	INV 7871	19/07/2021	Melchiorre Plumbing & Gas	RAILWAY STATION RESTORATION COVID RECOVERY PROJECT - Install Shower Drain & Hire of Jackhammer	\$ 412.50			
253	EFT16878	30/07/2021	Belvedere Nursery			\$ 103.30	L	F
254	INV I0000001771	24/03/2021	Belvedere Nursery	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Potting Mixture x2 (Jessie House)	\$ 17.00			
255	INV I0000001796	28/04/2021	Belvedere Nursery	CHSP SOCIAL SUPPORT GROUP OTHER EXPENSES - Potting Mixture x4 & Pruner (Jessie House)	\$ 86.30			
256	EFT16879	30/07/2021	Department of Mines, Industry Regulation and Safety			\$ 2,601.12		
257	INV T13	16/07/2021	Department of Mines, Industry Regulation and Safety	BSL PAYMENT - ARREARS FROM JANUARY 2021	\$ 370.45			
258	INV T13	16/07/2021	Department of Mines, Industry Regulation and Safety	BSL PAYMENT - MARCH 2021	\$ 649.99			
259	INV T13	16/07/2021	Department of Mines, Industry Regulation and Safety	BSL PAYMENT - MAY 2021	\$ 1,100.19			
260	INV T13	16/07/2021	Department of Mines, Industry Regulation and Safety	BSL PAYMENT - JUNE 2021	\$ 480.49			

Schedule of Accounts Paid - July 2021

	Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
261	EFT16880	30/07/2021	The Workwear Group Pty Ltd			\$ 175.00		
262	INV 13310354	30/06/2021	The Workwear Group Pty Ltd	PWO - EMTRS - ALLOWANCES - Uniforms (Md Rafiqul Islam) 2020/21	\$ 175.00			
263	EFT16881	30/07/2021	YMCA WA			\$ 39,105.00	L	
264	INV SI-A010566	30/06/2021	YMCA WA	NRLC - CONTRACT MANAGEMENT EXPENSE - Actual Deficit for June 2021	\$ 39,105.00			
265	EFT16882	30/07/2021	Dan Turner			\$ 660.00	L	
266	INV 1340	02/07/2021	Dan Turner	ANZAC WAR MEMORIAL REPAIR & RESTORATION - Full Structural Inspection & Report	\$ 660.00			
267	EFT16883	30/07/2021	Easifleet			\$ 1,817.87		
268	INV 210721	21/07/2021	Easifleet	NOVATED LEASES - Employee Expenses PPE 21/07/2021	\$ 1,817.87			
269	EFT16884	30/07/2021	Planning Institute Of Australia Ltd			\$ 638.00		
270	INV 6471	21/07/2021	Planning Institute Of Australia Ltd	PLAN - SUBSCRIPTION & MEMBERSHIPS - P/A Membership Renewal (Azhar Awang)	\$ 638.00			
271	EFT16885	30/07/2021	Job Construction Equipment Australia			\$ 482.61		
272	INV 124803P	07/07/2021	Job Construction Equipment Australia	2019 JCB 5CX BACKHOE LOADER - Service Filters	\$ 482.61			
273	EFT16886	30/07/2021	O'Rourke Electric Services			\$ 3,115.20	L	
274	INV INV-1409	01/06/2021	O'Rourke Electric Services	CHILD CARE CENTRE BUILDING MAINTENANCE - Urgent Electrical Repairs (REED)	\$ 3,115.20			
275	EFT16887	30/07/2021	Narrogin Auto Centre			\$ 634.73	L	F
276	INV 303068	21/07/2021	Narrogin Auto Centre	NGN219 2019 NISSAN X-TRAIL - 70,000Km Service	\$ 225.25			
277	INV 303069	21/07/2021	Narrogin Auto Centre	NGN847 MITSUBISHI OUTLANDER - 60,000Km Service	\$ 409.48			
278	EFT16888	30/07/2021	OneMusic Australia			\$ 146.37		PF
279	INV 146255	01/07/2021	OneMusic Australia	VARIOUS DEPARTMENTS - Music Licence 01/07/2021-30/09/2021	\$ 146.37			
280	EFT16889	30/07/2021	BMR Mechanical Pty Ltd			\$ 4,228.95	L	
281	INV 0534	16/06/2021	BMR Mechanical Pty Ltd	1EEF863 2006 ISUZU FVZ1400 TRUCK w/ PAVELINE UNIT (WORKS) (P8218) Repairs to Hydraulic System	\$ 4,228.95			
282	EFT16890	30/07/2021	Earl Street Physiotherapy			\$ 77.00	L	F
283	INV 0022371	22/07/2021	Earl Street Physiotherapy	CHCP - CLIENT PURCHASES - Standard Consultation (Client: I Harper)	\$ 77.00			



Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
284	EFT16891	30/07/2021	Spyker Technologies Pty Ltd T/A Spyker Business Solutions		\$ 2,756.57		
285	INV 2122017	14/07/2021	Spyker Technologies Pty Ltd T/A Spyker Business Solutions	OLOPS - CCTV MAINTENANCE - 1st Quarter Public CCTV Maintenance for RFQ 1920-10 for 2021-2022	\$ 2,756.57		
286	EFT16892	30/07/2021	Divine's Coffee Cups		\$ 467.50	L	
287	INV INV-00010	14/07/2021	Divine's Coffee Cups	MEMBERS - CIVIC FUNCTIONS, REFRESHMENTS & RECEPTIONS - Catering for Council Meeting 14/07/2021	\$ 467.50		
288	EFT16893	30/07/2021	Fire Mitigation Services		\$ 40,550.00		F
289	INV 00000573	15/07/2021	Fire Mitigation Services	FIRE - BUSHFIRE RISK MANAGEMENT PLANT - MITIGATION ACTIVITIES - Contract Works - Mechanical Works to create Firebreaks & Eco Mulching (as part of the MAFS)	\$ 40,550.00		
290	EFT16894	30/07/2021	Lite n' Easy Pty Ltd		\$ 220.70		F
291	INV 5761447	15/06/2021	Lite n' Easy Pty Ltd	CHCP - CLIENT PURCHASES - Lite N Easy Meals (Client: H McMullan)	\$ 101.60		
292	INV 5796539	06/07/2021	Lite n' Easy Pty Ltd	CHCP - CLIENT PURCHASES - Lite N Easy Meals (Client: H McMullan)	\$ 119.10		
				<b>EFT Total</b>	<b>\$ 576,518.69</b>		

Direct Debits

293	DD6691.1	05/07/2021	Keenan & Tania Wenning		\$ 1,386.67	L	
294	INV EMDRS JULY 2021	05/07/2021	Keenan & Tania Wenning	EMDRS STAFF HOUSING RENTAL PROPERTY EXPENSES - Rent July 2021	\$ 1,386.67		
295	DD6696.1	05/07/2021	Aware Super		\$ 15,569.25		
296	INV SUPER	05/07/2021	Aware Super	Superannuation contributions	\$ 13,064.76		
297	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 260.00		
298	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 150.00		
299	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 181.73		
300	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 346.20		
301	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 1,165.99		
302	INV DEDUCTION	05/07/2021	Aware Super	Payroll deductions	\$ 400.57		
303	DD6696.2	05/07/2021	Prime Super		\$ 397.48		
304	INV SUPER	05/07/2021	Prime Super	Superannuation contributions	\$ 397.48		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
305	DD6696.3	05/07/2021	Cbus Super Fund		\$ 198.74		
306	INV SUPER	05/07/2021	Cbus Super Fund	Superannuation contributions	\$ 198.74		
307	DD6696.4	05/07/2021	Lgia Super		\$ 980.31		
308	INV SUPER	05/07/2021	Lgia Super	Superannuation contributions	\$ 497.79		
309	INV DEDUCTION	05/07/2021	Lgia Super	Payroll deductions	\$ 300.00		
310	INV DEDUCTION	05/07/2021	Lgia Super	Payroll deductions	\$ 182.52		
311	DD6696.5	05/07/2021	Rest Superannuation		\$ 544.03		
312	INV SUPER	05/07/2021	Rest Superannuation	Superannuation contributions	\$ 506.52		
313	INV DEDUCTION	05/07/2021	Rest Superannuation	Payroll deductions	\$ 37.51		
314	DD6696.6	05/07/2021	Essential Super		\$ 200.37		
315	INV SUPER	05/07/2021	Essential Super	Superannuation contributions	\$ 200.37		
316	DD6696.7	05/07/2021	Bt Super For Life		\$ 771.29		
317	INV SUPER	05/07/2021	Bt Super For Life	Superannuation contributions	\$ 609.36		
318	INV DEDUCTION	05/07/2021	Bt Super For Life	Payroll deductions	\$ 60.83		
319	INV DEDUCTION	05/07/2021	Bt Super For Life	Payroll deductions	\$ 101.10		
320	DD6696.8	05/07/2021	Oasis Superannuation Service		\$ 214.93		
321	INV SUPER	05/07/2021	Oasis Superannuation Service	Superannuation contributions	\$ 214.93		
322	DD6696.9	05/07/2021	Colonial First State		\$ 359.62		
323	INV SUPER	05/07/2021	Colonial First State	Superannuation contributions	\$ 359.62		
324	DD6706.1	14/07/2021	Shire Of Gingin		\$ 33,474.93		
325	INV INV-35980	30/06/2021	Shire Of Gingin	PROVISION FOR LONG SERVICE LEAVE - Long Service Leave Recoup (A. Cook)	\$ 33,474.93		
326	DD6707.1	08/07/2021	Elgas		\$ 5,766.64		
327	INV 0364820762	01/07/2021	Elgas	CARAVAN PARK GENERAL MAINTENANCE/OPERATIONS - Gas Service Charge (2x 210.0Kg LPG Cyl)	\$ 151.25		
328	INV 0364820773	01/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Service Charge (2x 7500L LPG Cyl)	\$ 302.50		
329	INV 0360802518	01/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Supplied 5,003.0L	\$ 5,312.89		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
330	DD6721.1	15/07/2021	Sandwai Pty Ltd		\$ 1,071.40		
331	INV JULY2021	15/07/2021	Sandwai Pty Ltd	CSHSP - Information Systems GEN - Monthly Charges June 2021	\$ 1,071.40		
332	DD6730.1	19/07/2021	Aware Super		\$ 14,412.46		
333	INV SUPER	19/07/2021	Aware Super	Superannuation contributions	\$ 12,262.45		
334	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 260.00		
335	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 150.00		
336	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 181.82		
337	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 346.33		
338	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 831.55		
339	INV DEDUCTION	19/07/2021	Aware Super	Payroll deductions	\$ 380.31		
340	DD6730.2	19/07/2021	Rest Superannuation		\$ 564.60		
341	INV SUPER	19/07/2021	Rest Superannuation	Superannuation contributions	\$ 518.34		
342	INV DEDUCTION	19/07/2021	Rest Superannuation	Payroll deductions	\$ 46.26		
343	DD6730.3	19/07/2021	Spirit Super		\$ 403.71		
344	INV SUPER	19/07/2021	Spirit Super	Superannuation contributions	\$ 302.78		
345	INV DEDUCTION	19/07/2021	Spirit Super	Payroll deductions	\$ 100.93		
346	DD6730.4	19/07/2021	Prime Super		\$ 568.50		
347	INV SUPER	19/07/2021	Prime Super	Superannuation contributions	\$ 568.50		
348	DD6730.5	19/07/2021	Cbus Super Fund		\$ 202.40		
349	INV SUPER	19/07/2021	Cbus Super Fund	Superannuation contributions	\$ 202.40		
350	DD6730.6	19/07/2021	Lgia Super		\$ 980.31		
351	INV SUPER	19/07/2021	Lgia Super	Superannuation contributions	\$ 497.79		
352	INV DEDUCTION	19/07/2021	Lgia Super	Payroll deductions	\$ 300.00		
353	INV DEDUCTION	19/07/2021	Lgia Super	Payroll deductions	\$ 182.52		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
354	DD6730.7	19/07/2021	Essential Super		\$ 200.36		
355	INV SUPER	19/07/2021	Essential Super	Superannuation contributions	\$ 200.36		
356	DD6730.8	19/07/2021	Oasis Superannuation Service		\$ 214.93		
357	INV SUPER	19/07/2021	Oasis Superannuation Service	Superannuation contributions	\$ 214.93		
358	DD6730.9	19/07/2021	Mercer Super Trust		\$ 72.24		
359	INV SUPER	19/07/2021	Mercer Super Trust	Superannuation contributions	\$ 72.24		
360	DD6733.1	19/07/2021	WA Treasury Corporation		\$ 5,196.42		
361	INV 121B	19/07/2021	WA Treasury Corporation	Loan No. 121B Interest payment - Repayment of NLC Loan	\$ 5,196.42		
362	DD6750.1	22/07/2021	Elgas		\$ 4,835.02		
363	INV 0360802535	15/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Supplied 4,553.0L	\$ 4,835.02		
364	DD6750.2	23/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Supplied 9,585.0L	\$ 10,178.70		
365	INV 0360884187	07/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Supplied 9,585.0L	\$ 10,178.70		
366	DD6750.2	23/07/2021	Elgas		\$ 10,178.70		
367	INV 0360884187	07/07/2021	Elgas	NRLC - UTILITY - GAS - Gas Supplied 9,585.0L	\$ 10,178.70		
368	DD6760.1	23/07/2021	WA Treasury Corporation		\$ 3,064.44		
369	INV JUNE 21 FEES	23/07/2021	WA Treasury Corporation	VARIOUS LOANS - Accrued Guarantees Fee for Period Ending 30/06/21	\$ 3,064.44		
370	DD6767.1	05/07/2021	Aware Super		\$ 96.28		
371	INV SUPER	19/07/2021	Aware Super	Superannuation contributions	\$ 96.28		
372	DD6774.1	30/07/2021	Aaron Joseph Cook		\$ 2,245.54		
373	INV CEO JULY 2021 RENT	30/07/2021	Aaron Joseph Cook	CEO STAFF HOUSING RENTAL PROPERTY EXPENSES - Rent July 2021	\$ 2,245.54		
374	DD6776.1	27/07/2021	Easifleet		\$ 924.70		
375	INV 147089	08/07/2021	Easifleet	FIRE - MOTOR VEHICLE EXPENSES GEN - Lease of Holden Colorado (NGN12398) for Bushfire Risk Planning Co-Ordinator - July 2021	\$ 924.70		
376	DD6696.10	05/07/2021	loof		\$ 231.79		
377	INV SUPER	05/07/2021	loof	Superannuation contributions	\$ 231.79		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
378	DD6696.11	05/07/2021	Local Government Super		\$ 111.89		
379	INV SUPER	05/07/2021	Local Government Super	Superannuation contributions	\$ 111.89		
380	DD6696.12	05/07/2021	Qsuper		\$ 372.85		
381	INV SUPER	05/07/2021	Qsuper	Superannuation contributions	\$ 372.85		
382	DD6696.13	05/07/2021	Host Plus		\$ 155.52		
383	INV SUPER	05/07/2021	Host Plus	Superannuation contributions	\$ 155.52		
384	DD6696.14	05/07/2021	Care Super		\$ 82.20		
385	INV SUPER	05/07/2021	Care Super	Superannuation contributions	\$ 82.20		
386	DD6696.15	05/07/2021	ANZ Smart Choice Super		\$ 200.37		
387	INV SUPER	05/07/2021	ANZ Smart Choice Super	Superannuation contributions	\$ 200.37		
388	DD6696.16	05/07/2021	Bt Superwrap		\$ 438.83		
389	INV DEDUCTION	05/07/2021	Bt Superwrap	Payroll deductions	\$ 114.93		
390	INV SUPER	05/07/2021	Bt Superwrap	Superannuation contributions	\$ 323.90		
391	DD6696.17	05/07/2021	Hesta Superannuation		\$ 1,247.41		
392	INV SUPER	05/07/2021	Hesta Superannuation	Superannuation contributions	\$ 1,077.41		
393	INV DEDUCTION	05/07/2021	Hesta Superannuation	Payroll deductions	\$ 170.00		
394	DD6696.18	05/07/2021	Sunsuper		\$ 563.83		
395	INV DEDUCTION	05/07/2021	Sunsuper	Payroll deductions	\$ 140.96		
396	INV SUPER	05/07/2021	Sunsuper	Superannuation contributions	\$ 422.87		
397	DD6696.19	05/07/2021	Spirit Super		\$ 403.71		
398	INV DEDUCTION	05/07/2021	Spirit Super	Payroll deductions	\$ 100.93		
399	INV SUPER	05/07/2021	Spirit Super	Superannuation contributions	\$ 302.78		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
400	DD6696.20	05/07/2021	Australiansuper		\$ 1,937.05		
401	INV DEDUCTION	05/07/2021	Australiansuper	Payroll deductions	\$ 109.31		
402	INV DEDUCTION	05/07/2021	Australiansuper	Payroll deductions	\$ 637.00		
403	INV SUPER	05/07/2021	Australiansuper	Superannuation contributions	\$ 1,190.74		
404	DD6696.21	05/07/2021	Mlc Masterkey		\$ 244.46		
405	INV SUPER	05/07/2021	Mlc Masterkey	Superannuation contributions	\$ 244.46		
406	DD6696.22	05/07/2021	Bt Super For Life		\$ 112.34		
407	INV SUPER	05/07/2021	Bt Super For Life	Superannuation contributions	\$ 112.34		
408	DD6730.10	19/07/2021	Colonial First State		\$ 359.62		
409	INV SUPER	19/07/2021	Colonial First State	Superannuation contributions	\$ 359.62		
410	DD6730.11	19/07/2021	Bt Super For Life		\$ 450.60		
411	INV SUPER	19/07/2021	Bt Super For Life	Superannuation contributions	\$ 349.50		
412	INV DEDUCTION	19/07/2021	Bt Super For Life	Payroll deductions	\$ 101.10		
413	DD6730.12	19/07/2021	Qsuper		\$ 392.43		
414	INV SUPER	19/07/2021	Qsuper	Superannuation contributions	\$ 392.43		
415	DD6730.13	19/07/2021	loof		\$ 77.27		
416	INV SUPER	19/07/2021	loof	Superannuation contributions	\$ 77.27		
417	DD6730.14	19/07/2021	Local Government Super		\$ 76.92		
418	INV SUPER	19/07/2021	Local Government Super	Superannuation contributions	\$ 76.92		
419	DD6730.15	19/07/2021	Care Super		\$ 82.20		
420	INV SUPER	19/07/2021	Care Super	Superannuation contributions	\$ 82.20		
421	DD6730.16	19/07/2021	ANZ Smart Choice Super		\$ 200.37		
422	INV SUPER	19/07/2021	ANZ Smart Choice Super	Superannuation contributions	\$ 200.37		

Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
423	DD6730.17	19/07/2021	Host Plus		\$ 292.92		
424	INV SUPER	19/07/2021	Host Plus	Superannuation contributions	\$ 285.34		
425	INV DEDUCTION	19/07/2021	Host Plus	Payroll deductions	\$ 7.58		
426	DD6730.18	19/07/2021	Bt Superwrap		\$ 458.08		
427	INV DEDUCTION	19/07/2021	Bt Superwrap	Payroll deductions	\$ 114.93		
428	INV SUPER	19/07/2021	Bt Superwrap	Superannuation contributions	\$ 343.15		
429	DD6730.19	19/07/2021	Sunsuper		\$ 563.83		
430	INV DEDUCTION	19/07/2021	Sunsuper	Payroll deductions	\$ 140.96		
431	INV SUPER	19/07/2021	Sunsuper	Superannuation contributions	\$ 422.87		
432	DD6730.20	19/07/2021	Australiansuper		\$ 2,040.22		
433	INV DEDUCTION	19/07/2021	Australiansuper	Payroll deductions	\$ 109.31		
434	INV DEDUCTION	19/07/2021	Australiansuper	Payroll deductions	\$ 637.00		
435	INV SUPER	19/07/2021	Australiansuper	Superannuation contributions	\$ 1,293.91		
436	DD6730.21	19/07/2021	Hesta Superannuation		\$ 1,257.68		
437	INV SUPER	19/07/2021	Hesta Superannuation	Superannuation contributions	\$ 1,087.68		
438	INV DEDUCTION	19/07/2021	Hesta Superannuation	Payroll deductions	\$ 170.00		
439	DD6730.22	19/07/2021	Mlc Masterkey		\$ 244.46		
440	INV SUPER	19/07/2021	Mlc Masterkey	Superannuation contributions	\$ 244.46		
441	DD6730.23	19/07/2021	Bt Super For Life		\$ 101.29		
442	INV SUPER	19/07/2021	Bt Super For Life	Superannuation contributions	\$ 101.29		

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
				<b>Direct Debit Total \$</b>	<b>127,975.11</b>		

**Credit Card Purchases**

CEO & EMCCS		GENERAL Credit Card Purchases					
443	DD6708.1	23/07/2021	General Credit Card Purchases				\$2,824.75
444	INV FLJUN0121	31/05/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Plate Change on Vehicles NO03 & NO591	\$57.20		
445	INV FLJUN1021	17/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Filler Pads for Councillor Notepads	\$75.95		
446	INV FLJUN1121	23/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Keyboard & Mouse	\$94.95		
447	INV FLJUN1221	28/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Registered Nurse)	\$324.50		
448	INV DSJUN0121	09/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Parking at Perth Airport	\$100.85		
449	INV DSJUN0221	02/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Event Registration (D Stewart)	\$150.00		
450	INV DSJUN0321	14/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Monthly SMS Charge	\$17.60		
451	INV DSJUN04CR	17/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Event Registration (D Stewart) Credit Event Cancelled	-\$150.00		
452	INV FLJUN0221	31/05/2021	General Credit Card Purchases	CREDIT CARD June 2021 - New Vehicle Registration NO591 & NO03	\$128.70		
453	INV FLJUN0321	01/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Bushfire Risk Planning Co-Ordinator)	\$324.50		
454	INV FLJUN0421	31/05/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Rural Health West Membership 2021/22	\$100.00		
455	INV FLJUN0521	04/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Community Development Officer)	\$324.50		
456	INV FLJUN0621	04/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Building Surveyor)	\$324.50		
457	INV FLJUN0721	04/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Environmental Health Officer)	\$324.50		
458	INV FLJUN0821	10/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Community Development Support Officer)	\$ 313.50		
459	INV FLJUN0921	14/06/2021	General Credit Card Purchases	CREDIT CARD June 2021 - Seek Advertisement (Payroll/ HR Officer)	\$ 313.50		
				<b>Credit Card Total</b>	<b>\$2,824.75</b>		



Schedule of Accounts Paid - July 2021

Chq/EFT/DD	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
				<b>Trust Total</b>	<b>\$0.00</b>		

ABBREVIATIONS				
		<b>Cheque Total (Less TD)</b>	\$189.05	0.03%
<b>PF</b>	Partially Funded	<b>Term Deposits (TD)</b>		
<b>I</b>	Insurance	<b>EFT Total*</b>	\$272,266.85	38.48%
<b>F</b>	Funded	<b>Payroll Total*</b>	\$304,251.84	43.00%
<b>L</b>	Local Supplier	<b>Direct Debit Total</b>	\$127,975.11	18.09%
<b>R</b>	Recoverable	<b>Credit Card Total</b>	\$2,824.75	0.40%
		<b>Trust Total</b>	\$0.00	0.00%
			<b>\$707,507.60</b>	100.00%
		<b>Total (Less Term Deposits)</b>	<b>\$707,507.60</b>	
		<b>Local Suppliers</b>	\$223,350.32	31.57%
		<b>Employees</b>	\$304,251.84	43.00%
		<b>Combined Total</b>	<b>\$527,602.16</b>	74.57%

\* Please note Payroll totals

### **10.3.2 OBJECTIONS TO COUNCIL POLICY 3.14 – CONTIGUOUS LAND USE**

Pursuant to section 5.23 of the Local Government Act 1995, this item is CONFIDENTIAL to Elected Members and has been sent under separate cover. The outcome of any Council resolution will be made public.

#### **OFFICERS' RECOMMENDATION**

That with respect to item 10.3.3 Objections to Council Policy 3.14 – contiguous land use, Council resolve to proceed behind closed doors due to matter still being deliberated in a mediation hearing of the State Administrative Tribunal, pursuant to Section 5.23 of the Local Government Act 1995.

#### **OFFICERS' RECOMMENDATION**

That Council resume in public.

Your Ref: OFM209102-A238400  
SAT Ref: DR 68/2021

Paul and Lynette Blechynden  
81 Herald Street  
Narrogin WA 6312

Mr Dale Stewart  
CEO, Shire of Narrogin  
PO Box 1145  
Narrogin WA 6312

Shire of Narrogin RECEIVED	
Directed to	DALE, FRANK, JOSH THOMAS
	14 JUN 2021
Ref No	ICR2124055
Property File	A238400
Subject File	
Ref	LM2123574

Dear Dale,

### Narrogin Shire's Rating Policy – Contiguous Land Use

The intent of this letter is to invite the Shire of Narrogin to reconsider its decision concerning the application of rating policy 3.14 to land owner by my wife and I, namely lots 965 and 966 being 81 Herald Street Narrogin.

In providing this letter we comply with State Administrative Tribunal correspondence 4 June 2021 concerning matter DR 68/2021.

We welcome the opportunity to meet onsite with shire representatives to demonstrate how this land complies with policy 3.14, specifically the recent definition to manicured garden as described below:

“A garden that has been significantly developed and continues to be well maintained with, for example, infrastructure, reticulation, paths or fixed seating; is generally lawned or heavily planted with flowering plants or planted shrubs or trees; and clearly incorporated into the occupation of the adjoining lot used for residential purposes without fencing between the common holdings; and viewed from the streetscape as attractive and functioning and being enjoyed as one occupation across the boundary.”

As will be demonstrated, this land (lot 965):

1. Has a significantly developed, heavily planted and well-maintained garden comprising a 12-year-old orchard, many grapevines and numerous flowering plants.
2. Is clearly incorporated into the occupation of the adjacent lot that is used for residential purposes and without fencing between the common holdings.
3. Has infrastructure including:
  - rainwater tank – supplied from catchment on the adjacent lot.
  - Three independent reticulation systems providing water to orchard, grape vines and vegetable garden.
  - Has two paved paths and other informal paths
  - Has an enclosure for poultry

- Has a clothes line used by the residents of lot 966
4. Can be viewed from the streetscape as attractive and functioning and being enjoyed as one occupation across the boundary.

During this site visit the matter concerning the absence of a legal and safe vehicle entry to Lot 965 can be discussed together with the application of the WALGA Guidelines and Specifications for Residential Crossovers and the Austroads Guide to Road Design Part 3: Geometric Design.

Yours sincerely



Paul Blechynden

10 June 2021

XREF: LM2123484

A 237000

ICR 212 4026

**ATTACHMENT 2**

YOUR REF: OFM219939-A237000

R.M. Walliss

58 Havelock Street

Narrogin WA 63129

SHIRE OF NARROGIN

PO Box 1145

NARROGIN WA 6312

ATT: Mr Dale Stewart CEO

Dear Mr Stewart

**A23700 – OBJECTION TO POLICY 3.14 RATING – CONTIGUOUS LAND USE**

Further to a Mediation Meeting held on the 3<sup>rd</sup> June, 2021 at the Shire offices in Narrogin between the State Administrative Tribunal (SAT), the Shire of Narrogin, myself (being assisted by my daughter Mrs Coral Parrett) and three other applicants, I advise as follows:

I am and have been the resident of 58 Havelock Street, Narrogin (Lots 676 and 677) for the past 85 years and the subsequent owner for the past 65 or so years.

I would appreciate reconsideration to your objection to Policy 3.14 Rating - Contiguous Land Use on the following grounds;

- The land complies with the above mentioned policy.
- There is a large dam in the middle of Lot 677 which consumes the majority of the land.
- There is a natural water course that runs through Lot 677 which floods the land and the road (Havelock Street). This can be verified by surrounding residence.
- Currently the land is used for the purpose of running a few sheep, an orchard consisting of fruit trees and garden. All of the within mentioned are watered from a dam and piping, which runs across both title lots. Both lots are completely fenced together.
- Access is not required from a road frontage access to Lot 677.
- It would be extremely difficult to sell Lot 677 as it is not a viable proposition.

I wish to advise that I am happy to meet with you or allow access to my property by yourself or any of your staff, at a time convenient to both parties, to assess my property.

Yours sincerely,

R.M. Walliss

10<sup>th</sup> June, 2021



XREF: LM 212 3492  
A195400  
ICR 2124022

ATTACHMENT 3

Shire of Narrogin  
RECEIVED

09 JUN 2021

YOUR REF: A195400

07 June 2021

ATT: Dale Stewart  
Shire of Narrogin  
PO Box 1145  
Narrogin WA 6312

Dear Mr. Stewart

RE: A195400 – COUNCIL DECISION ON OBJECTION TO POLICY 3.14 RATING – CONTIGUOUS LAND USE

Thank you for the shire's invitation to submit evidence as per the State Administrative Tribunal (SAT) mediation at council chambers (03/06/2021) to support the ongoing contiguous land use continuation to apply to the common land ownership of 72 and 74 Fox street, Narrogin.

To recap the points as previously advised in earlier correspondence, and per the copy of the SAT application provided for your information regarding the Fox Street properties:

1. Aerial photos clearly showing the usage of the combined blocks as one for personal enjoyment:
  - a) Aerial photo A195400, (see ref:1.1) (Shire of Narrogin, Minutes Ordinary Council Meeting, 24/02/2021, p201)
  - b) Landgate photo (see ref:1.2) <https://map-viewer-plus.app.landgate.wa.gov.au/index.html>
  - c) Google maps (see ref:1.3) <https://www.google.com/maps/place>
2. Letter of statement tabled declaring type of use and no intention to sell property (Shire of Narrogin, Minutes, Ordinary Council Meeting, 24/02/21, p195)
3. Courtesy letter of response to shire's letter (your ref: OFM219939-A195400, 26/02/2021) and indication to act upon council's (incorrect) recommendation for ratepayers to make application to the SAT for review of the decision.
4. Courtesy letter of response (07/03/2021) to shire's letter (your ref: OFM219939-A195400, 26/02/2021) and the indication to act upon council's recommendation to make application to the SAT for the right of review of the original decision maker (Council resolution 0221.011, Shire of Narrogin, Minutes, Ordinary Council Meeting, 24/02/2021, p185). The letter also informs the Shire of Narrogin that the parcel of lots was purchased originally as a garden and enjoyment area and continues to be enjoyed as such some 10 years on by the

same ratepayer. This letter also put forward the discrepancy of the interpretation of a "manicured garden" as per the intents and purposes of the Shire of Narrogin.

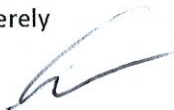
As such, "manicured gardens" can be ascertained from aerial photographs showing "a garden that has been significantly developed and continues to be well maintained with...infrastructure, reticulation, paths...is...lawned (and) heavily planted with flowering plants (and) planted shrubs (and) trees; and clearly incorporate(s) into the occupation of the adjoining lot used for residential purposes without fencing between the common holdings...and being enjoyed as one occupation across the boundary" (Shire of Narrogin, Minutes, Ordinary Council Meeting, 26/05/2021, p.116, attachment 4, policy statement, 2.3)

5. As per shire's direction to apply to the SAT to review the decision upheld by the shire, the following points are made to support the continuance of contiguous land rating (Shire of Narrogin, policy statement 2.1) for 72 and 74 Fox street, Narrogin:
- a) the land is contiguous (share a common border), (ibid. 2.1.1)
  - b) in common ownership (ibid.2.1.2)
  - c) buildings have been built across the lot boundaries (Shire of Narrogin, policy statement, 2.2)
  - d) lots are clearly used, fenced, utilise, and occupied (Shire of Narrogin, policy statement, 2.1.3)
  - e) and appears as one clear activity (ibid. 2.1.3)
  - f) The land is used and occupied as one holding (ibid. 2.1.3)
  - g) The common use and contiguity of the land is likely to continue and will NOT be marketed for sale.
  - h) The lots are for the sole use and enjoyment of the ratepayer/landowner/occupier.

Therefore, as per the *Valuer General's Guide to Rating and Taxing Values* that is being used as an overarching direction by the Shire of Narrogin, the "actual and continuing occupation extends across more than one lot (whereby) a single value (can be) determined for the whole of the land" (Valuer General's Guide to Rating and Taxing values, rev. July 2015, Shire of Narrogin, Minutes Ordinary Council Meeting, pg. 61,22/09/2020)

Thankyou for providing the opportunity to present concisely why the lots continue to be suitable for assessment under the contiguous land rating now and in the future.

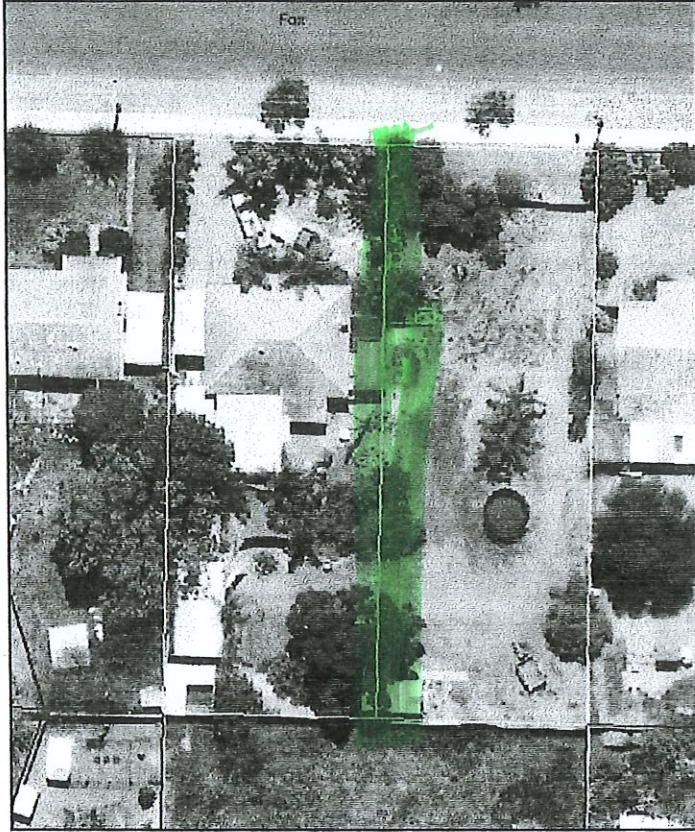
Yours sincerely



DJ Turner

Owner/Occupier  
Shire of Narrogin

A195400 72 Fox Street, Narrogin



REF 1.1.





Ref: 1.2

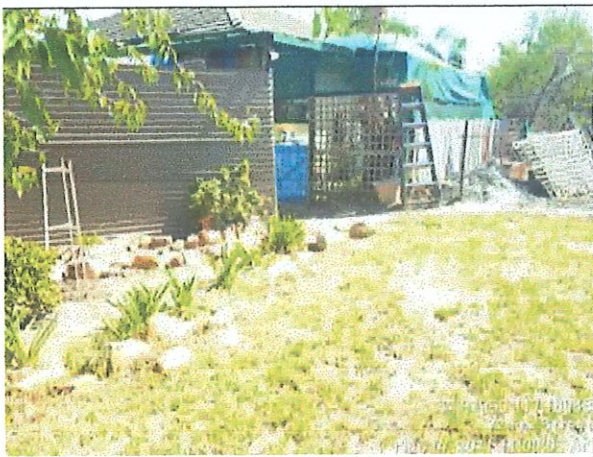
<https://map-viewer-plus.app.landgate.wa.gov.au/index.html>



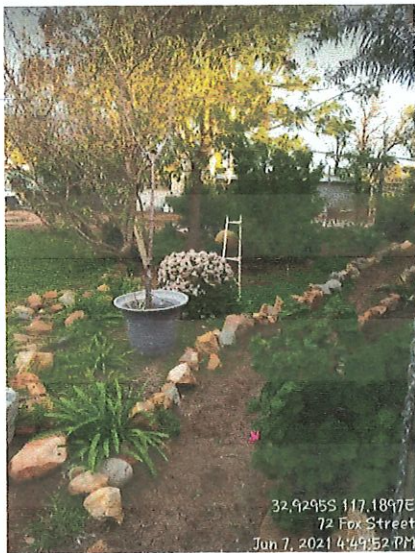
Ref: 1.3

<https://www.google.com/maps/place>

**Photographs of 72 and 74 Fox Street indicating enjoyment and personal use of both lots as one.**



32,9294S 117,1898E  
72 Fox Street  
Jun 7, 2021 4:50:19 PM

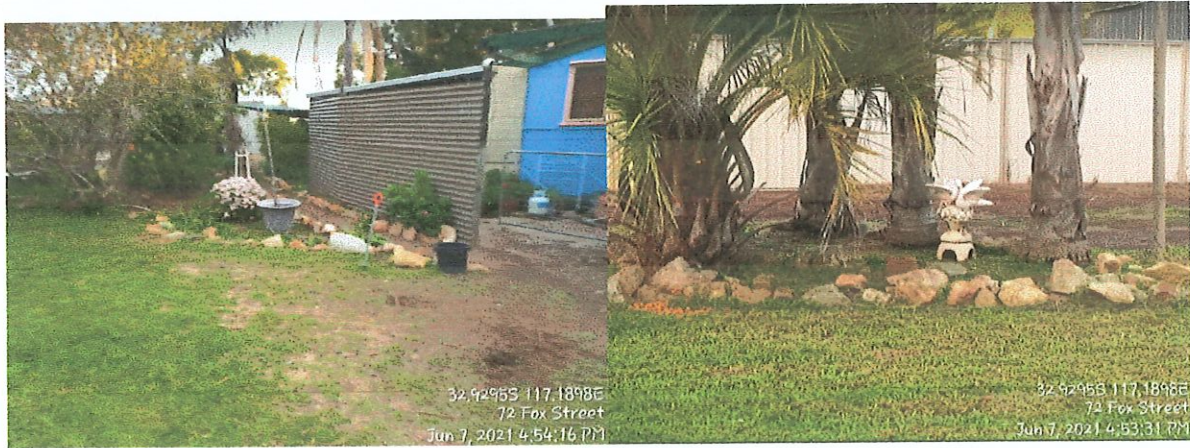
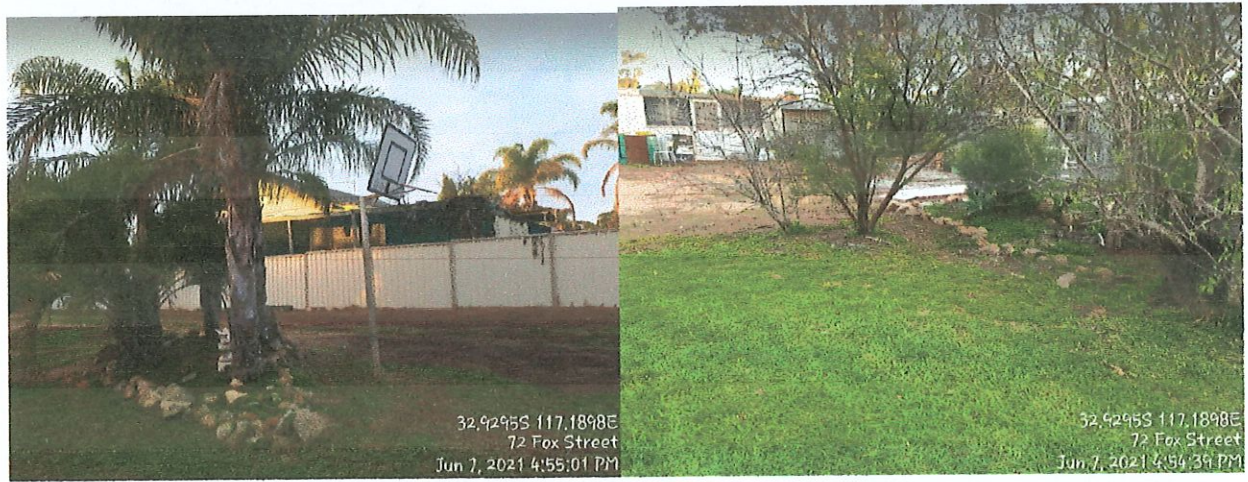


32,9295S 117,1897E  
72 Fox Street  
Jun 7, 2021 4:49:52 PM



32,9295S 117,1899E  
74 Fox Street  
Jun 7, 2021 4:51:02 PM

**Photographs of 72 and 74 Fox Street indicating enjoyment and personal use of both lots as one.**



**Photographs of 72 and 74 Fox Street indicating enjoyment and personal use of both lots as one.**



13<sup>th</sup> June 2021

ATT: Dale Stewart

Shire of Narrogin

PO Box 1145

Narrogin WA 6312

We would like to continue to have our property lots 687 & 688 be rated as contiguous. For many years it has been rated as contiguous. We have been owners of this lot for 29 years and the use of this land will continue as we have no interest in selling or improving the value. We use it as an exercise area for us and our pets, our recreational space, which is always kept at a tidy standard, fenced and as an area to keep our pets, which all are named and friendly. It is zoned rural/ residential, and it is not used as a productive agricultural pursuit for monetary gain.

As the Shire of Narrogin minutes on 26/05/2021 state, we adhere to all the unimproved value criteria.

1. The land shares one border, it is in common ownership, used as one holding definitively into the future as well and it is adjoining.
2. The issue is our block is a low-lying paddock near the brickworks which is not a manicured garden as such, but it is definitely part of our home and is used many times each day as such.

Please contact us regarding an onsite meeting.

Yours sincerely,

Harold and Narelle Webb

[REDACTED]

**ATTACHMENT 5**

**CONFIDENTIAL ATTACHMENT - INTERNAL MEMORANDUM REPORTING SITE VISITS**

Aerial photos of properties

A238400 81 Herald Street, Narrogin











### 3.14 Rating – Contiguous Land Use

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<b>Statutory context</b>	Local Government (Financial Management) Regulations 1996 – - r.55 – Rate record, form of etc. (Act s.6.39(1)) Local Government (Financial Management) Regulations 1996 – - r.56 – Rate notice, content of etc. (Act s.6.41) Valuation of Land Act 1978 - Valuer General’s Guide to Rating and Taxing Values (Version: Published February 2012)	
<b>Corporate context</b>	Delegation 3.5 – Rates Record, Extensions and Objections	
<b>History</b>	Adopted	22 September 2020
	Amended	26 May 2021

#### Policy Statement

Contiguous rating, also known as group rating, is the rating of multiple land titles on one rates notice. This method can occur within the Shire, provided the following criteria is met on the land upon which this policy may apply.

##### 1. Unimproved Value

Where the land valuation is Unimproved Value (UV), the following criteria shall be met for the eligibility of contiguous rating:

- 1.1. The land (lots or locations) is contiguous (share a common border) and in common ownership and;
- 1.2. The land is used and occupied as one holding; and
- 1.3. The common use and contiguity of the land is likely to continue into the future (eg the relevant portion(s) are not marketed for sale); and
- 1.4. The land parcels, although possibly separated by a road or waterway (such as a river, stream, creek etc.), would otherwise be adjoining.

The Council’s policy position is that land outside of townsites utilised for genuine farming enterprise should be contiguously rated, to assist in minimising the cost of production, minimise the unplanned breakdown or disaggregation of farmland and to maximise the opportunities for that land to continue to be aggregated for productive agricultural pursuits and purposes.

##### 2. Gross Rental Value

The Council’s policy position is that land in townsites should not normally be contiguously rated, as to do so encourages the practice of holding land for speculation. This pushes prices up and inhibits the use of land designated for industrial, commercial or residential development being utilised for those purposes.

Where the basis of land valuation is GRV, contiguous rating is not permitted unless:

- 1.1. The land (lots or locations) is:
  - 1.1.1. contiguous (sharing a common border), and
  - 1.1.2. in common ownership, and
  - 1.1.3. clearly used, fenced, and occupied, and appears as one clear activity or business

and either or both of the following also applies:
- 1.2. Buildings have (due to a past error) been built across the lot boundaries, and/or
- 1.3. The adjoining land is part of an approved development or used as a tennis court or manicured garden.

Adjoining owners' vacant residential, rural residential or rural zoned land in a town site will generally not be supported for contiguous rating, unless extenuating circumstances prevail.

#### Definitions

A 'manicured garden' is "a garden that has been significantly developed and continues to be well maintained with, for example, infrastructure, reticulation, paths or fixed seating; is generally lawned or heavily planted with flowering plants or planted shrubs or trees; and clearly incorporated into the occupation of the adjoining lot used for residential purposes without fencing between the common holdings; and viewed from the streetscape as attractive and functioning and being enjoyed as one occupation across the boundary."

A 'Building' is a permanent fixed structure that is not capable of being easily demolished.

An 'approved development' is defined as being in accordance with a Development Application approved pursuant to the former Shire of Narrogin Town Planning Scheme No. 2 or former Town of Narrogin Town Planning Scheme No. 2.

If the required criteria are met, the Shire will write to Landgate (The Valuer General) to request the contiguous rating of the affected titles on behalf of the owner.

Where the Chief Executive Officer determines that land does not meet the criteria for contiguous rating, the landowner will be given a right of appeal to the Council.

– End of Policy

#### Notes

An example of contiguous rating on land rated UV is a farming property which comprise a number of lots/locations that are under common ownership and used contiguously as one large holding and farming operation.

Properties in a Townsite approved for contiguous rating will be recorded on the Property Assessment in the Rate Book and reviewed for continuing conformity with this Policy on at least a 5 yearly basis.

## Section 4 - ORDER / PUBLIC SAFETY

No Council Policies applicable to this area of operations.

### 10.3.3 RATES EXEMPTION APPLICATION – DEPARTMENT OF EDUCATION (43 GRAY STREET, NARROGIN)

File Reference	A223500
Disclosure of Interest	Neither the Author nor Authorising Officer has any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Department of Education
Previous Item Numbers	Nil
Date	28 July 2021
Author	Thomas Baldwin – Rates Officer
Authorising Officer	Frank Ludovico - Executive Manager Corporate & Community Services
<b>Attachments</b> <ol style="list-style-type: none"><li>1. Rates exemption application – 43 Gray Street</li><li>2. Signed statutory declaration</li><li>3. Statement supporting the application</li><li>4. Certificate title LR3023/662</li><li>5. Deposited plan 191204</li><li>6. A picture of the college grounds showing all buildings and outbuildings</li><li>7. Email from Landgate valuations team to Shire of Narrogin 19 July 2021</li><li>8. Aerial view of property from MyLandgate</li></ol>	

#### Summary

The Department of Education has submitted an application to Council to have the property located at 43 Gray Street, Narrogin exempted from rates due to the land parcel being Crown Land and used as residential accommodation for paying students attending Narrogin High School.

#### Background

In March 2021 the Department of Education submitted a rates exemption application for 43 Gray Street. The rates for the 2020/21 year totalled \$3,056.47.

The Emergency Services Levy (ESL) and rubbish & recycling service charges would remain applicable in the event of rates exemption. In 2020/21 these totalled an additional \$2,395.45.

All rates were paid in full for the financial year, without payment arrangement or instalments.

#### Consultation

Consultation has been undertaken with the following:

- Chief Executive Officer;
- Executive Manager Corporate and Community Services;
- Governance Officer;
- Western Australian Local Government Association (WALGA); and
- Office of the Valuer General (Landgate).

## Statutory Environment

Section 6.26 (2) (a) of the Local Government Act 1995 states that land is not rateable if:

“... (a) land which is the property of the Crown and —  
(i) is being used or held for a public purpose; ...”

This notwithstanding, it is the view of the Administration, that precedent through the State Administrative Tribunal has determined over many years, that the exemption provided by ‘public purpose’, does not necessarily extend to the circumstances of the application.

Section 6.76 of the Local Government Act 1995, enables an objection to be made against the record in the ‘rate book’, should the applicant be aggrieved by a Council decision in relation to the rate book.

## Policy Implications

Nil

## Financial Implications

As the application is dated 26 March 2021 an exemption, if granted, would apply from that date. It would require a refund of \$803.89 (i.e. \$3,056.47 / 365 days x 96 days) for the 2020/21 financial year and a reduction in budgeted income for 2021/22 of \$3,132.88 (based on the rates model proposed of 2.5% increase to the rate in the dollar).

If approved by Council, the Administration will include the property in the Shire’s Exempt Rates Register and review its status on an annual basis for continuation of exemption.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	2.	Social Objective (to provide community facilities and promote social interaction).
Outcome:	2.2	Build a healthier and safer community.
	2.2.1	Support the provision of community security services and facilities

## Comment/Conclusion

The current situation is that rates are charged on the basis of a Gross Rental Valuation (GRV) which has been received from the Valuer General’s office (Landgate) since 1993. It has been reviewed by Landgate periodically since 1993, as part of the general revaluation of the townsite and the current valuation of \$27,040 was provided in 2019.

It is clear to the Administration that a GRV of \$27,040 cannot accurately be said to reflect the entire property at 43 Gray Street, which comprises several buildings, including two residences, several student accommodation wings, a car park, swimming pool and tended grounds.

The application has been made on the joint basis of two claims: that the land parcel is Crown Land and that it is used for a public purpose, thus fulfilling the criteria of section 6.26 (2) (a) (i) of the Local Government Act 1995 for being ‘not rateable land’. However, the Administration believes the situation

is more nuanced, as the public purpose is not being fulfilled on the entirety of the land parcel, and that the valuation currently used applies only to certain improvements on the land.

(The applicant's claim that the land parcel is Crown Land under a management order to the Department of Education is undisputed, being supported by the Certificate of Title from Landgate.)

The valuations team at Landgate informed the administration that the GRV is given for *"only 2 residential buildings that exist on the site – the remaining improvements that comprise the residential college are not included in this value. Our description of these buildings indicates that one residence is for the Managers residence and the other residence is for the Supervisors residence – the remaining buildings on site have not been valued for LG rating purposes."*

The applicant has confirmed in their application that *"The site also contains residential premises which are used as a place of residence for supervisory staff employed there whilst students are in residence."*

Since it is confirmed that the Shire of Narrogin has been rating only two residences on this much larger block since 1993 and not rating the improvements used for the stated primary purpose of "providing residential accommodation and related services for students while they attend and participate in an education programme of a school", the Administration is of the view that these residences are for the purpose of housing staff on-site. They therefore do not form part of the public purpose of providing accommodation to paying students of Narrogin High School, being instead part of the duty of care of the college towards their paying guests, and so their status as rateable properties is correct and should continue.

Thus, Council is asked to reject this application for rates exemption and to continue rating the property on the basis of the GRV provided by Landgate.

The applicant has also stated that the School Education Act 1999 "provides that the Residential Colleges are exempt from State tax". While this may be true, the Administration does not consider that land rates are a State tax, and certainly does not levy rates on the Residential College student accommodation component of the facility.

## Voting Requirements

Simple Majority

### OFFICERS' RECOMMENDATION

That, with respect to the Rates Exemption Application for 43 Gray Street, Council:

1. Refuse the application on the basis that the property, although situated on Crown Land, is not wholly used for a public purpose, as understood and interpreted by the Shire of Narrogin Council, and that the current Gross Rental Valuation is a valid appraisal of the parts of the property not eligible for rates exemption.
2. Request the Chief Executive Officer to inform the applicant of their right of appeal to the State Administrative Tribunal.



**RATES EXEMPTION APPLICATION**

Local Government Act 1995 – Section 6.26

(FCCS016)


**Shire of  
Narrogin**  
*Love the life*

89 Earl Street  
PO Box 1145  
Narrogin WA 6312

(08) 9890 0900

www.narrogin.wa.gov.au  
enquiries@narrogin.wa.gov.au

CASHIER HOURS:  
8:30am – 4:30pm  
MONDAY- FRIDAY

**This application form is to be used by organisations seeking exemption from rates, pursuant to the provisions of Section 6.26 of the Local Government Act 1995.** In doing so you are objecting to the rate book under Section 6.76 of the Local Government Act 1995. The application for exemption will be checked based on the information you have provided, and you will be advised of the outcome in due course.

Please attach any additional documents requested, as failure to do so may result in the application being refused.

**Privacy**

The personal information collected on this form will only be used by the Shire of Narrogin for the sole purpose of providing requested and related services. Information will be stored securely by the Shire and will not be disclosed to any third parties without your express written consent.

**Please note that where exemption from rates is approved, the property will still be subject to the Emergency Services Levy and any other charges, if applicable, such as rubbish collection charges. All properties which are granted exemption from rates are subject to periodic reviews to ensure continued approval.**

**PROPERTY DETAILS**

Assessment Number	A223500		
Property Address	43 Gray Street		
Suburb/Town	Narrogin	State	WA
		Postcode	6312

**PROPERTY OWNER DETAILS**

Owner's Surname	n/a	Owner's Other Names	n/a
Organisation Name	The State of Western Australia – CROWN LAND		
Contact Person	Daniel Sudlow, Manager Residential Colleges		
Postal Address	151 Royal Street East Perth WA 6004		
Phone Number	08 9264 5432	Mobile Number	0436 621 452
Email Address	daniel.sudlow@education.wa.edu.au		

**APPLICANT DETAILS**

Contact Person	Neil Rodgers	Position Title	Principal Consultant, Residential Colleges
Organisation Name	Department of Education		
Residential Address	151 Royal Street East Perth		
Postal Address	As above		
Phone Number	08 9264 5121	Mobile Number	n/a
Email Address	neil.rodgers@education.wa.edu.au		

## NON RATEABLE LAND

Council can apply for rates and charges to all land, with the following exceptions as per section 6.26, subsections s6.26(2) to s6.26(6) of the Local Government Act 1995.

6.26 (2) the following land is not rateable land –

- (a) land which is property of the Crown and –
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except –
      - (I) where any person is, under paragraph (e) of the definition of owner in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting license held under the Mining Act 1978 in respect of the land the area of which does not exceed 10 ha or a miscellaneous license held under the Act: or
      - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of owner in section 1.4 occupies or makes use of the land:
  - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for the purposes of trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government: and
  - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
  - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood: and
  - (e) land used exclusively by a religious body as a school for the religious instruction of children: and
  - (f) land used exclusively as a non-government school within the meaning of the School Education Act 1999; and
  - (g) land used exclusively for charitable purposes: and
  - (h) land vested in trustees for agricultural or horticultural show purposes: and
  - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government; and
  - (j) land which is exempt from the rates under any other written law; and
  - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the Gazette.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

**WHAT IS THE CURRENT USE OF THE PROPERTY?**

Please complete the section below, detailing what the property is currently being used for:

For example:-

- S6.26(2)(d) – ‘Religious Body’.....a place of residence of a minister of religion, a convent, nunnery.....
- Current use of property – place of residence for Sisters of X, who provide a chaplain service to the local community, local schools and aged care facilities.

1. Please quote what sub-section of **s6.26(2) to s6.26(6)** of the Local Government Act 1995 are you claiming the rates exemption under?

S 6.26 (2) (a) (i) – land which is the property of the Crown and is being used for a public purpose.

2. Briefly describe what the property is used for?

The property is being used as a Student Residential College as provided for in S213B of the School Education Act 1999. Its purpose is to provide residential accommodation and related services for students while they attend and participate in an educational programme of a school. The site also contains residential premises which are used as a place of residence for supervisory staff employed there whilst students are in residence.

**ORGANISATION DETAILS**

<ul style="list-style-type: none"> <li>• Is the organisation an incorporated body as per the <i>Association Incorporated Act 1987 (WA)</i>? <b>If <u>yes</u>, please provide a Certificate of Incorporation.</b></li> </ul>	Yes <input type="checkbox"/>	No X
<ul style="list-style-type: none"> <li>• Is the organisation registered with <i>Australian Charities and Not-for-profits Commission (ACNC)</i>? <b>Please provide an extract of the relevant certificate from the ACNC.</b></li> </ul>	Yes <input type="checkbox"/>	No X
<ul style="list-style-type: none"> <li>• Has the organisation registered for an ABN number? <b>If <u>yes</u>, please provide the number:</b> <u>69 769 481 770</u></li> </ul>	Yes X	No <input type="checkbox"/>
<ul style="list-style-type: none"> <li>• Is the organisation the owner and occupier of the land with the rate notice being issued in the organisation’s name? <b>If <u>yes</u>, please provide a copy of Certificate of Title.</b></li> </ul>	Yes X	No <input type="checkbox"/>
<ul style="list-style-type: none"> <li>• Does the organisation lease and occupy the rateable property? <b>If <u>yes</u> and the lessee is responsible for the payment of the rates, please provide a copy of the lease agreement showing the lessee is responsible for payment of the rates.</b></li> </ul>	Yes <input type="checkbox"/>	No X
<ul style="list-style-type: none"> <li>• Does the organisation occupy the whole building? <b>If <u>no</u>, please provide a copy of the floor plans showing the areas leased and/or areas claiming rate exemption.</b></li> </ul>	Yes X	No <input type="checkbox"/>
<ul style="list-style-type: none"> <li>• Has planning approval for the land use of the property been obtained? <b>A site inspection may be required by Council before the application is processed.</b></li> </ul>	Yes X	No <input type="checkbox"/>

Please provide a copy of the following documents (in addition to those documents already specified in the previous sections).

<p><b>1. A copy of the organisations Constitution.</b></p> <p><b>2. Written statement outlining the nature of the Organisation’s operations: Details to include are:</b></p> <p>i. Confirm the grounds upon which an objection is being made to the rateage record under Section 6.76 of the Local Government Act 1995;</p> <p>ii. Confirm the grounds upon which the exemption application applies under Section 6.26 of the Local Government Act 1995;</p> <p>iii. Use and occupancy of the land, inclusive of date of commencement;</p> <p>iv. Type of service provided (e.g. community service, food, accommodation/rental etc.);</p> <p>v. Frequency of the service provision (e.g. daily, weekly, short-term, long-term etc.);</p> <p>vi. Is payment received for the service;</p> <p>vii. If there is commercial activities conducted on the land, please provide details of the activity and if revenue is raised, where it is disbursed.</p> <p><b>3. A plan of the property, showing all buildings and outbuildings; or, A Floor plan of the leased property area, if only part of the property is the subject of this application.</b></p> <p><b>4. A copy of the current years audited financial statements for the Organisation</b> <i>(If this exemption applies to only a portion of land owned by this Organisation, provide the relevant statements for the land this application applies to.)</i></p>
---

Please read through and check the information you have provided before continuing with the Authorisation and Statutory Declaration.

**AUTHORISATION**

By signing this Application, I hereby certify that the information provided is true and correct to the best of my knowledge.			
<b>Name:</b>	Neil Rodgers		
<b>Position:</b>	Principal Consultant Residential Colleges		
<b>Organisation:</b>	Department of Education		
<b>Signature of CEO / Trustee:</b>	Neil Rodgers	<b>Date:</b>	26/03/21

**WESTERN AUSTRALIA**

**OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005**

**STATUTORY DECLARATION**

**APPLICATION FOR RATES EXEMPTION UNDER  
SECTION 6.26 OF THE LOCAL GOVERNMENT ACT 1995.**

**STATEMENT OF PROPERTY USE FOR THE YEAR ENDING 30 JUNE 20\_\_\_\_\_**

(1) Christian name or names and surname of declarant in full ( 1 )  
**I** \_\_\_\_\_  
( 2 )  
(2) Address **o f** \_\_\_\_\_  
**In the State of Western Australia**  
3) Occupation (3) \_\_\_\_\_

Sincerely declare as follows:-

<b>The property located at</b>
is used by
for the purposes of
Description of the activities the property is used for
for the period << ___ to ___ >> or from to .

The applicant agrees to advise the Local Government's Rating Services Section as soon as there is **ANY** change to the purpose/s as stated above.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

Declared at \_\_\_\_\_

this          day of                          20

In the presence of \_\_\_\_\_  
(Signature of authorised witness)

\_\_\_\_\_  
(Name of authorised witness and qualification as such a witness)

(4) Signature of person making the declaration

(4)

**\*Important** This Declaration must be made before any of the following persons:-

Academic {post-secondary institution}  
Accountant  
Architect  
Australian Consular Officer  
Australian Diplomatic Officer  
Bailliff  
Bank Manager  
Chartered secretary  
Chemist  
Chiropractor  
Company auditor or liquidator  
Court officer {Judge, magistrate, registrar or clerk}  
Defence Force officer {Commissioned, Warrant or NCO {with 5 years continuous service}}  
Dentist  
Doctor  
Electorate Officer {State – WA only}  
Engineer  
Industrial organisation secretary  
Insurance broker  
Justice of the Peace {any State}  
Lawyer  
Local government CEO or deputy CEO  
Local government councilor  
Loss adjuster  
Marriage Celebrant  
Member of Parliament {State or Commonwealth}  
Minister of religion  
Nurse  
Optometrist  
Patent Attorney  
Physiotherapist  
Podiatrist  
Police officer  
Post Officer manager  
Psychologist  
Public Notary,  
Public Servant {State or Commonwealth}  
Real Estate agent  
Settlement agent  
Sheriff or deputy Sheriff  
Surveyor  
Teacher  
Tribunal officer  
Veterinary surgeon

Or,

Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a Statutory Declaration may be made.

---

**FOR INFORMATION:** Any authorised witness for the State of Western Australia may also witness a Commonwealth Statutory Declaration, as long as they are in Western Australia at the time of witnessing {Schedule 2, item 231 of the Commonwealth Statutory Declarations Regulations 1993}.

**IMPORTANT INFORMATION:**

AS OF 1 JANUARY 2006 THERE IS NO PROVISION FOR COMMISSIONERS FOR DECLARATIONS IN THE STATE OF WESTERN AUSTRALIA

**OFFICE USE ONLY**

<b>CONSIDERATIONS</b>			
Approval with Shire's Town Planning Scheme?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Has the property been inspected?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Recommend for non-rateable status?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
<b>Section of the Local Government Act 1995 6.26(2):</b>			
<b>Classification:</b>			
<b>Person(s) or Classes of Persons affected by this decision:</b>			
<b>Reason for Non-Rateable status:</b>			
<b>Date of New Application:</b>		<b>Date of Review of Exemption:</b>	
If Approved, amount of rates to be exempted and dates to be applicable from ('Application Date'). The Approval will be for a period of 3 years, unless circumstances change:			
<b>Amount:</b>	<b>Date (From):</b>		
Rubbish Bin charges to be levied and dates to be applicable from:			
<b>Amount:</b>	<b>Date (From):</b>		

<b>DECISION – DELEGATED AUTHORITY 1.2.27</b>	
<b>The person exercised the power or discharged the duty by the CEO's Sub-delegation:</b>	
Renewals less than \$10,000 – Executive Manager Corporate and Community Services	
Applications and renewals less than \$25,000 – Chief Executive Officer	
<b>This application has been:</b>  <u><b>DENIED</b></u> for Non-ratable Status <input type="checkbox"/>  <u><b>APPROVED</b></u> for Partial Non-ratable Status <input type="checkbox"/>  <u><b>APPROVED</b></u> for Non-ratable Status <input type="checkbox"/>	<b>Comments:</b>

<b>Executive Manager Name:</b>	<b>Signature:</b>	<b>Date:</b>
<b>CEO Name:</b>	<b>Signature:</b>	<b>Date:</b>

WESTERN AUSTRALIA

OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

STATUTORY DECLARATION

APPLICATION FOR RATES EXEMPTION UNDER SECTION 6.26 OF THE LOCAL GOVERNMENT ACT 1995.

STATEMENT OF PROPERTY USE FOR THE YEAR ENDING 30 JUNE 20\_\_\_

(1) Christian name or names and surname of declarant in full (1) I NEIL LEONARD RODGERS  
 (2) Address (2) of 28B WASLEY ST MT LAWLEY  
In the State of Western Australia  
 (3) Occupation (3) PUBLIC SERVANT

Sincerely declare as follows:-

The property located at	<u>43 GRAY STREET NARROGIN</u>
is used by	<u>NARROGIN RESIDENTIAL COLLEGE</u>
for the purposes of	<u>PROVIDING RESIDENTIAL ACCOMMODATION AND RELATED SERVICES TO STUDENTS WHILE THEY ATTEND AND PARTICIPATE IN THE EDUCATIONAL PROGRAM OF A SCHOOL.</u>
Description of the activities the property is used for	<u>ACCOMMODATION AND MEALS, SUPERVISION AND PASTORAL CARE, TUTORING, COUNSELLING AND MEDICAL CARE WHEN REQUIRED.</u>
for the period << ___ to ___ >>	<u>or from 1956 to PRESENT DAY</u>

The applicant agrees to advise the Local Government's Rating Services Section as soon as there is ANY change to the purpose/s as stated above.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

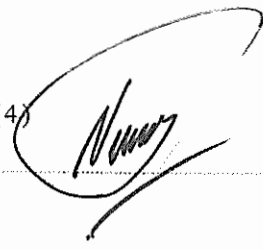
Declared at EAST PERTH

this 26<sup>th</sup> day of MARCH 20

In the presence of   
 (Signature of authorised witness)

Christopher Chuck - Public Servant  
 (Name of authorised witness and qualification as such a witness)

(4) Signature of person making the declaration

(4) 



**\*Important** This Declaration must be made before any of the following persons:-

Academic (post-secondary institution)  
Accountant  
Architect  
Australian Consular Officer  
Australian Diplomatic Officer  
Bailiff  
Bank Manager  
Chartered secretary  
Chemist  
Chiropractor  
Company auditor or liquidator  
Court officer {Judge, magistrate, registrar or clerk}  
Defence Force officer {Commissioned, Warrant or NCO {with 5 years continuous service}}  
Dentist  
Doctor  
Electorate Officer {State – WA only}  
Engineer  
Industrial organisation secretary  
Insurance broker  
Justice of the Peace {any State}  
Lawyer  
Local government CEO or deputy CEO  
Local government councilor  
Loss adjuster  
Marriage Celebrant  
Member of Parliament {State or Commonwealth}  
Minister of religion  
Nurse  
Optometrist  
Patent Attorney  
Physiotherapist  
Podiatrist  
Police officer  
Post Officer manager  
Psychologist  
Public Notary,  
Public Servant {State or Commonwealth}  
Real Estate agent  
Settlement agent  
Sheriff or deputy Sheriff  
Surveyor  
Teacher  
Tribunal officer  
Veterinary surgeon

Or,

Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a Statutory Declaration may be made.

---

**FOR INFORMATION:** Any authorised witness for the State of Western Australia may also witness a Commonwealth Statutory Declaration, as long as they are in Western Australia at the time of witnessing {Schedule 2, item 231 of the Commonwealth Statutory Declarations Regulations 1993}.

**IMPORTANT INFORMATION:**

AS OF 1 JANUARY 2006 THERE IS NO PROVISION FOR COMMISSIONERS FOR DECLARATIONS IN THE STATE OF WESTERN AUSTRALIA



Your ref : A223500  
Our ref : Narrogin RC  
Enquiries : 9264 5121

Shire of Narrogin  
89 Earl Street  
Narrogin WA 6312

To whom it may concern,

This statement supports the rates exemption application for Narrogin Residential College over property address 43 Gray Street Narrogin, certificate of title Volume LR3023 Folio 662.

Your records list this address as the Country High School Hostels Authority. The certificate of title also lists the Country High School Hostels Authority as the primary interest holder of this crown land title.

I can advise that Narrogin Residential College was previously managed by the Country High School Hostels Authority until its merger with the Department of Education in July 2017. Student residential colleges are now provided for under the *School Education Act 1999* following repeal of the *Country High School Hostels Authority Act 1960* in 2017.

I put forward this request for exemption in accordance with Section 6.76 of the *Local Government Act 1995*, namely that the land is not rateable land, on the following grounds:

1. Section 6.26 of the *Local Government Act 1995* provides that land which is the property of the Crown and is being used for a public purpose is **not** rateable land.

**6.26. Rateable land**

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
  - (a) land which is the property of the Crown and —
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except —

2. Section 1.6 of the *Local Government Act 1995* provides that the Department of Education, as a State Government Agency and therefore “the Crown”, is not bound by the Act.

**1.6. Crown not generally bound**

This Act does not bind the Crown except to the extent expressly stated in this Act.

3. Clause 41 of the *School Education Act 1999* provides that the Residential Colleges are exempt from State tax.

**41. Exemption from State tax**

- (1) In this clause —  
*State tax* includes —
- (a) duty under the *Duties Act 2008*; and
  - (b) any other tax, duty, fee, levy or charge under a law of the State.
- (2) State tax is not payable in relation to —
- (a) anything that occurs by operation of this Division; or
  - (b) anything done (including a transaction entered into or an instrument or document of any kind made, executed, lodged or given) under this Division, or to give effect to this Division, or for a purpose connected with or arising out of giving effect to this Division.

Narrogin Residential College is situated on land which is vested with the Minister for Education and Training and is being used for a public purpose – the purpose being to provide residential accommodation and related services to students while they attend and participate in the educational programme of a school.

The college opened in 1956 as “Narrogin Hostel” and moved to its current site at 43 Gray Street in 1962. It is believed to have been renamed “Narrogin Residential College” sometime in the 1990s. Throughout its operations from 1956 to date, the purpose of the site has continued to be as a residential facility enabling students who would otherwise have been unable to attend school to receive an education.

As a residential facility, the services provided are predominantly accommodation; meals; supervision and pastoral care, transport; and arranging for things such as excursions, tutoring, counselling and medical care as and when required.

Narrogin Residential College operates broadly along the same frequency as a school, with the year broken into school terms and holidays. Unlike a school however, the college is open for residence on weekends and is staffed 24/7. Students return home during the school holidays, so the college is typically open for 42 weeks of the year.

Payment is received for this service, in accordance with Regulation 14(7) of the *School Education (Student Residential Colleges) Regulations 2017*. The fee for 2021 is \$14,461. As with schools, this fee is subsidised by the Government of Western Australia with the actual “cost” of the service being higher.

No commercial activity takes place on the land.

As required in the rates exemption application I also attach:

- Certificate of title LR3023/662 (including Deposited Plan 191204)
- “A copy of the organisations constitution” – the Department of Education does not have a constitution, but the *School Education Act 1999* can be accessed via the Western Australian Legislation website:  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_a1960.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a1960.html)
- “A plan of the property showing all buildings and outbuildings”
- “A copy of the current years audited financial statements for the Organisation”

Kind regards,

Neil Rodgers  
Principal Consultant, Residential Colleges

Department of Education  
a: 151 Royal Street. East Perth WA 6004  
t: 9264 5121  
w: [education.wa.edu.au](http://education.wa.edu.au)  
e: [neil.rodgers@education.wa.edu.au](mailto:neil.rodgers@education.wa.edu.au)

WESTERN



AUSTRALIA

REGISTER NUMBER	
1656/DP191204	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

RECORD OF QUALIFIED CERTIFICATE  
OF  
CROWN LAND TITLE  
UNDER THE TRANSFER OF LAND ACT 1893  
AND THE LAND ADMINISTRATION ACT 1997  
**NO DUPLICATE CREATED**

VOLUME FOLIO  
LR3023 662

The undermentioned land is Crown land in the name of the STATE OF WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

*BGRoberts*  
REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 1656 ON DEPOSITED PLAN 191204

**STATUS ORDER AND PRIMARY INTEREST HOLDER:**  
(FIRST SCHEDULE)

**STATUS ORDER/INTEREST:** RESERVE UNDER MANAGEMENT ORDER

**PRIMARY INTEREST HOLDER:** COUNTRY HIGH SCHOOL HOSTELS AUTHORITY

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. RESERVE 28096 FOR THE PURPOSE OF HOSTEL SITE  
MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED.

- Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
Lot as described in the land description may be a lot or location.  
(2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.  
(3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

**STATEMENTS:**

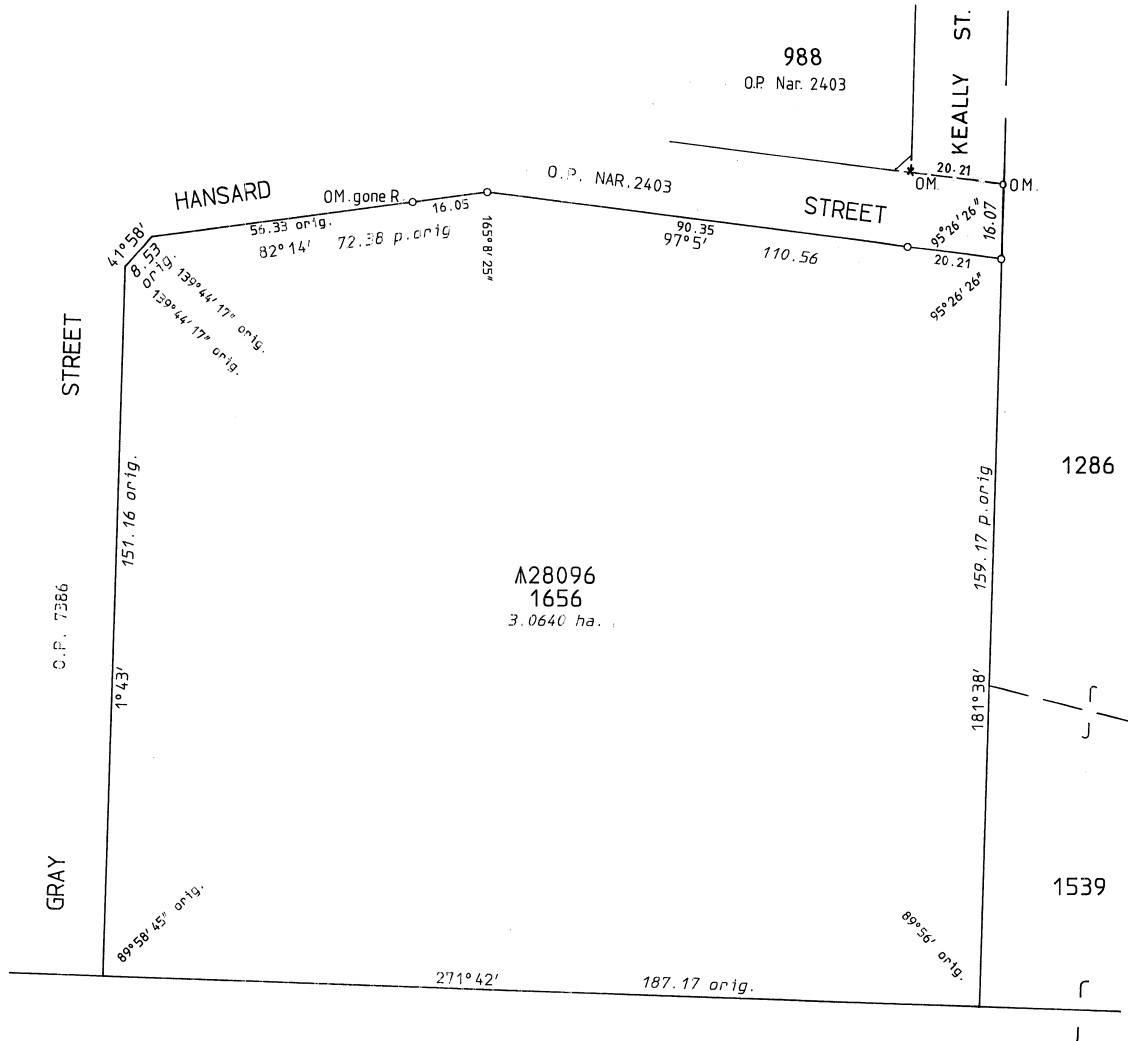
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP191204  
PREVIOUS TITLE: LR3023-662  
PROPERTY STREET ADDRESS: 43 GRAY ST, NARROGIN.  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NARROGIN  
RESPONSIBLE AGENCY: COUNTRY HIGH SCHOOL HOSTELS AUTHORITY

NOTE 1: M203696 CORRESPONDENCE FILE 00589-1961-01RO

ROAD CLOSED - GAZ 2/7/93 pg. 3264  
 A28096 - AMEND - GAZ 10/8/93 pg. 4313

INCLUDES LOTS 1550 & 1565  
 SUPERSEDES DIA 81505



M22787  
 1283  
 O.P. 6017

DP 191204



CD 91204



LAND DISTRICT WILLIAMS		NARROGIN LOT 1656			
I hereby certify that:- (a) this plan of survey is a correct and accurate representation of the survey carried out by me personally / under my own personal supervision, inspection and field check and recorded in Fieldbooks Lodged for the purpose of this plan of survey; (b) the measurements are in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 and in particular regulations 23 and 34 of those regulations; and (c) this survey and this plan of survey are in strict accordance with the requirements of the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 and the relevant law in relation to which it is lodged.				SCALE 1:1000 measurements in metres	
Licensed Surveyor _____ Date _____ (a strike out which even does not apply)		SURVEYOR B.S.ECKERSLEY PUBLIC PLANS BJ31 (2) 12.36		FILE 589/961	
Prepared by: P. BROEKMEULEN		In order for certification:  Date 27/10/93		AZIMUTH FROM DIA 81505 RECORDED ON KEY PLAN INDEX PLAN BJ31 (2) 12.36	
Examined Date 26.5.93 In order for further action: _____ Date 2.6.93		DIAGRAM CERTIFIED CORRECT  Authorized Land Officer Date 1.11.93		RECORDED ON PUBLIC PLAN P. PEARCE 26/10/93 DEPARTMENT OF LAND ADMINISTRATION DIAGRAM 91204	
		LODGED R.F.P. 26.5.93			



**Carolyn Thompson**

---

**From:** Sara Rose <Sara.Rose@landgate.wa.gov.au>  
**Sent:** Monday, 19 July 2021 1:20 PM  
**To:** Thomas Baldwin  
**Cc:** George Soria  
**Subject:** FW: Querying the GRV for VEN 838499  
**Attachments:** Statement supporting rates exemption application.docx

Good afternoon Thomas

As per our discussion this morning regarding the Student Residential College. I can confirm that the GRV of \$27,040 that currently appears on roll 1 comprises of only 2 residential buildings that exist on the site – the remaining improvements that comprise the residential college are not included in this value. Our description of these buildings indicates that one residence is for the Managers residence and the other residence is for the Supervisors residence – the remaining buildings on site have not been valued for LG rating purposes. In our system it appears that the property has appeared on Roll 1 (LG rating Roll) since 1993.

In instances of crown land properties we would only provide a value for rating purpose if the council requests this. In terms of if ESL should be collected I can confirm that the Department of Education is a Schedule 2 Government Agency therefore ESL should only be charged if the Local Government determines that they wish rate the property. This is outlined in Section 3.7.2 and page 23 in the DFES Manual of Operating Procedures (MOP) – the link to the MOP follows:

[https://dfes.wa.gov.au/emergencyserviceslevy/ESLAdministration/ESL\\_Manual\\_of\\_Operating\\_Procedures\\_2021\\_22.pdf](https://dfes.wa.gov.au/emergencyserviceslevy/ESLAdministration/ESL_Manual_of_Operating_Procedures_2021_22.pdf)

## SCHEDULE 2 STATE GOVERNMENT AGENCIES

The State Government will make a single direct ESL payment to DFES for property owned by the Agencies listed below. However, if a property owned by an Agency listed below is subject to local government rates, then the property should instead be billed the ESL on the rates notice issued by the local government (refer to **3.7.2**).

**Source: Economic and Fiscal Outlook – Budget Paper No. 3 (Appendix 1)**

If the council determines that the 2 residences shall no longer be rated please provided the date that the rating is to cease from and I will ensure that this is actioned accordingly.

If you require any further information please do not hesitate to get in touch.

Best regards.

**Sara Rose, CPV, AAPI | Valuations Consultant**

Valuation Services

Landgate

1 Midland Square, Midland WA 6056

t +61 (0) 8 9273 9084

w [landgate.wa.gov.au](http://landgate.wa.gov.au)

Landgate respectfully acknowledges the traditional owners of country throughout Western Australia and pays its respects to Elders past, present and emerging.

Please consider the environment before printing this email.





**From:** Thomas Baldwin <[rates@narrogin.wa.gov.au](mailto:rates@narrogin.wa.gov.au)>  
**Sent:** Friday, 16 July 2021 11:15 AM  
**To:** George Soria <[George.Soria@landgate.wa.gov.au](mailto:George.Soria@landgate.wa.gov.au)>  
**Subject:** Querying the GRV for VEN 838499

Dear George,

Further to our phone conversation:

The Shire of Narrogin has received a rates exemption application from the Department of Education for the property at 43 Gray Street, Narrogin. They have made the application on the basis that it is Crown Land and used for a public purpose - the provision of accommodation for students attending the neighbouring High School.

However on investigation it transpires there is a GRV for the property, which has provided the basis of our rating there for several years. The GRV is currently \$27,040, which seems odd given the large size of the block and number of improvements on it. It may be that it only applies to certain improvements, but which ones and for what purpose are those improvements used? One would assume that when they were given a GRV (and it was re-assessed in the general reval around 2018/2019) the Valuer General agreed those improvements should be rateable, despite the land being Crown Land.

I attach the main supporting statement from the Department that came with their exemption application, in case this is helpful. I should mention that we are having an internal debate at the Shire at the moment over the definition of 'public purpose' and whether a hostel where students pay to stay really falls under that definition. But that is incidental to the question over why the GRV is what it is.

If the agenda item is going to go up this month I need to have it complete by noon on Monday, so apologies for this extremely tight turnaround. However if we don't make it this month it will just have to wait until the following month's Council meeting.

Thank you very much for your help.

Kind regards,

**Thomas Baldwin**  
Rates Officer  
Tel: 08 9890 0900



The Shire of Narrogin acknowledges the Noongar people as traditional custodians of this land and their continuing connection to land and community. W

Naatj ngiyang Birdiya Gnarojin kep unna nidja Noongar Moort ngaala maya nidja boodjera baarlak djoowak karlerl koolark. Ngalak niny ngullang karnan ba  
*Noongar translation by Elder Basil Kickett*

Enquiries (08) 9890 0900  
89 Earl Street, Narrogin  
**All correspondence to:**  
PO Box 1145 Narrogin WA 6312 - or  
[enquiries@narrogin.wa.gov.au](mailto:enquiries@narrogin.wa.gov.au)  
[www.narrogin.wa.gov.au](http://www.narrogin.wa.gov.au)



Shire of Narrogin Disclaimer:

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Hansard St

Gray St

Keally St

Shire of Narrogin

NARROGIN

### 10.3.4 CORPORATE BUSINESS PLAN – 2021 REVIEW

File Reference	4.2.2
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	10.3.3 Corporate Business Plan – 2021 Review – 28 July 2021
Date	9 July 2021
Author	Frank Ludovico – Executive Manager Corporate & Community Services
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Corporate Business Plan 2021-2025 – Annual Review 2021 (under separate cover)

#### Summary

To consider the annual review of the Corporate Business Plan as required by the Local Government Act 1995.

#### Background

The Corporate Business Plan (CBP) is one of two core components of planning for the future, together with the Strategic Community Plan.

#### Consultation

Discussions have been undertaken with the Executive Management Team.

#### Statutory Environment

The following legislation applies: Local Government Act 1995 –

- Section 5.56(1) A local government is to plan for the future of the district.
- Section 6.2 – Local government to prepare annual budget.

Local Government (Administration) Regulations 1996 –

- Regulation 19DA(4) – A local government is to review the current corporate business plan for its district every year.

#### Policy Implications

There are no Council policies associated with this item.

#### Financial Implications

All of the proposed modifications for year 1 of the CBP are reflected in the Draft Annual Budget 2021/22.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2	Continue to enhance communication and transparency

## Comment/Conclusion

The current Corporate Business Plan was adopted by Council on 28 July 2020.

The Plan has been updated by:

Forecast Statement of Funding and Capital Program

- Deletion of 2020-21 financial data;
- Updating of 2021/22, 2022/23 and 2023/24 financial data from the current Long Term Financial Plan; and
- Inclusion of 2024-25 financial data from the current Long Term Financial Plan.

Service Delivery

- Deletion of 2020/21 planned actions;
- Updating of 2021/22, 2022/23 and 2023/24 planned actions; and
- Inclusion of 2024/25 planned actions.

The various actions of Service delivery have been amended to take into account projects brought forward or deferred. In this respect the Council has been able to accommodate most of the proposed activities.

The primary changes from the Corporate Business Plan 2020-2024 include:

- Introducing the relocation of services associated with Narrogin Regional Homecare to the new site on Hale Street;
- Further improvements to the Shire's Caravan Park to invest Federal Infrastructure monies into revenue creation activities and a much needed improvements to the Caravan Park especially whilst Western Australians are opting to travel intrastate during the COVID pandemic;
- Provision of a lawn cemetery for the Shire at the Narrogin Cemetery with the provision of 120 lawn burial sites for the first time;
- Creation of an additional 80 traditional memorial (headstone) plots given the existing burial area is nearing exhaustion;
- Implementation of the recently completed Tourism Development Strategy with actions associated with the Railway Precinct and Visitor Centre;
- Implementation of the recently completed Youth Strategy in partnership with the YMCA WA at the Narrogin Regional Leisure Centre;
- Sealing a number of town streets and extending the seal on Narrogin Valley Road by an additional kilometre; and

- Subject to receipt of a grant application, construction of a new water holding facility within the Clayton Oval Precinct for furthering greening of our town.

### Voting Requirements

Absolute Majority

#### **OFFICERS' RECOMMENDATION**

That pursuant to regulation 17DA(4) of the Local Government (Administration) Regulations 1996, Council adopt the Corporate Business Plan 2021-2025 as presented.

### 10.3.5 ADOPTION OF 2021/22 DRAFT ANNUAL BUDGET

<b>File Reference</b>	12.4.1
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
<b>Applicant</b>	Shire of Narrogin
<b>Previous Item Numbers</b>	Item 10.3.3 26 May 2021 Res 0521.008 Item 10.3.3 25 June 2021 Res 0621.007
<b>Date</b>	20 July 2021
<b>Author</b>	Alex Mulenga – Manager Corporate Services
<b>Authorising Officer</b>	Frank Ludovico – Executive Manager Corporate & Community Services
<b>Attachments</b>	
1. 2021/22 Draft Annual Budget (Under separate cover)	

#### Summary

The 2021/22 Draft Annual Budget for the year ending 30 June 2022 is prepared and delivers on many strategies adopted by the Council and maintains a high level of service across all programs while ensuring an increased focus on road and associated infrastructure, as well as on renewing and maintaining all assets at sustainable levels.

The document is now submitted to Council for formal consideration and adoption.

#### Background

The 2021/22 Draft Annual Budget is a balanced budget and has been converted into the statutory format since the Council's Budget workshops held in May, June, July and August 2021.

The Budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

The Significant Projects program for 2021/22 include:

	<b>Significant Projects</b>	<b>Value (\$)</b>	<b>Funding</b>
1	Relocation of Home & Community Care facility	900,000	G
2	Construction of new Smith St ablution facility	110,000	
3	Expansion of Narrogin Cemetery. Adding 80 traditional graves and 120 graves in a new lawn area.	138,960	G
4	Narrogin Town Hall works including Fire panel replacement, Parapet wall capping and Stage rigging.	75,000	
5	Purchase of Staff Housing	500,000	L

	<b>Significant Projects</b>	<b>Value (\$)</b>	<b>Funding</b>
6	Architectural Planning Study Concept Plan for expanded facilities at Narrogin Regional Leisure Centre.	20,000	
7	Narrogin Leisure Centre projects, including purchase of a building management system, and provision for repairs to pool liner, pool filter and boiler.	296,000	
8	LED Lighting Upper Great Southern Hockey Association	330,000	PF
9	Walk Cycle & Mountain Bike Trails Projects	200,000	G
10	May St Stormwater Catchment Dam	169,190	G
11	Library Expansion Project Planning	20,000	
12	Narrogin Railway Station – completion of project	389,000	IP/PF
13	Fit out of Railway Station Building	50,000	
14	Repairs and Restoration of ANZAC War Memorial	50,000	
15	Museum Restoration as per Conservation Report	60,000	
16	Public Art Projects identified by Townscape Committee	25,000	
17	Subsidy to ARtS Narrogin	58,000	
18	Subsidy to Dryandra Country Visitor Centre	63,000	
19	Roadworks - Roads to Recovery – reseal various roads	375,100	G
20	Roadworks - Regional Road Group <ul style="list-style-type: none"> <li>• Wagin Wickepin Rd - construct 5km new seal</li> <li>• Narrogin Harrismith Rd – Stabilise defects</li> </ul>	550,900 236,600	PF
21	Black Spot Program – improve geometry of s bend Tarwonga Rd.	132,000	PF
22	Roadworks – Municipal including: <ul style="list-style-type: none"> <li>• Narrogin Valley Rd - New Seal over gravel</li> <li>• Cannell Rd - Gravel re sheet</li> <li>• Marramucking Rd - Gravel re sheet</li> <li>• Spriggs Rd – Gravel re sheet</li> </ul>	761,940	
23	Narrogin Airport – Sealing of patients transfer facility apron.	69,554	G
24	Narrogin Airport – Construction of patient transfer facility	30,000	G
25	Footpath Construction (Ensign St and in Wilbur Park)	58,000	



	<b>Significant Projects</b>	<b>Value (\$)</b>	<b>Funding</b>
26	Caravan Park – Reseal and redevelop caravan parking bays including realigning of water, power and sewer services to maximise available caravan bays.	310,000	PF
27	Plant Purchases	1,030,000	
28	Community Chest	57,000	
29	Landcare Community Projects	25,000	

(In Progress – “IP”, Partially Funded – “PF”, Grant Dependent – “G”, Loan – “L”). All others are funded by municipal

### Efficiency Gains

An important feature of this Budget is the various ongoing efficiency gains, business and or service improvement changes either made by the Organisation prior to budget adoption and/or planned for the coming year in the following areas:

- Reviewing the need for and remuneration of each position as vacancies arise;
- Disposal of under-utilised light fleet and plant;
- Disposal of surplus minor plant and equipment;
- Construction of a number of new assets as detailed in the Capital Works Program; and
- Continuing the provision of services to other local governments on a fee-for-service basis.

### Key Operational Changes from 2021/22

The following operational changes are noted in this and upcoming Budgets:

- The need to consider operational costs of the Railway Station, landscaping and carpark once refurbished;
- Other than Homecare and grant funded employees, staff numbers have remained at 2018/19 levels;
- A moderate increase in Elected Members remuneration and allowances;
- Interest and Principal on a new loan for the TWIS Upgrade Project and Housing acquisition;
- Provision for a Biennial Local Government Election this year; and
- Home and Community Care Program (HACC) ended on 30 June 2021.

### Rating

The memorandum of understanding (MOU) between the former Town and Shire of Narrogin, regarding the phase in the additional rate increase to allow the rural ward GRV ratepayers to gradually achieve parity with the urban ward GRV ratepayers. Details of the MOU can be found at <http://www.narrogin.wa.gov.au/live/services/rates.aspx>.

The proposed differential general rates were approved by the Council on 26 May 2021 and advertised for public comment on Council website and The Narrogin Observer on 3 June 2021.

No submissions have been received. Based on workshops with Elected Members the Administration has included in the Draft Budget a rate increase of 2.5% (noting there was no increase in 2020/21 Financial Year). Efficiency gains have meant the advertised increase of 2.9% was not needed.

### Employees

No additional employee positions have been included in the Draft Budget:

## Fees and Charges

Council adopted the 2021/22 Fees and Charges at its 22 June 2021 Council Meeting.

### Consultation

Consultation has been undertaken with:

- Elected Members;
- Executive Management Group; and
- Officers from relevant functional areas.

### Statutory Environment

Section 6.2 Local Government Act 1995 of requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its Municipal Fund for the financial year ending on the next following 30 June.

Section 5.63 (1)(b) The Local Government Act 1995 specifically excludes the need for Elected Members to “Declare a Financial Interest” in imposing a rate, charge or fee.

The Section reads as follows:

*“5.63(1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter –*

*(b) an interest arising from the imposition of any rate, charge or fee by the local government;”*

Additionally, the declaration provisions of the Act to not apply to Council business reimbursements or to Members sitting fees. Any other interest, be it Financial, Proximity or Impartiality must be declared.

Divisions 5 and 6 Local Government Act 1995 refer to the setting of budgets and raising of rates and charges. The Local Government (Financial Management) Regulations 1996 details the form and content of the budget. The 2021/22 Draft Annual Budget as presented is considered to meet statutory requirements.

There is no legislative requirement to re-advertise differential rates, even if they are changed from the advertised figures.

Regulation 34(5) Local Government (Financial Management) Regulations 1996 requires each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS (Australian Accounting Standards), to be used in statements of financial activity for reporting material variances.

Local Government (COVID-9 Response) Order 2020 gazetted 8 May 2020.

### Policy Implications

The following Council Policies apply:

- Policy 3.6 Rating – Merger Parity Transition
- Policy 3.7 Investments Policy
- Policy 3.12 Financial Hardship Policy.

## Financial Implications

The financial implications of the budget are based upon the objective of achieving a balanced budget at 30 June 2022, after carrying out normal operational requirements, and an extensive capital program.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective:	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1 An efficient and effective organisation
Strategy:	4.1.1 Continually improve operational efficiencies and provide effective services

## Comment/Conclusion

The Draft 2021/22 Budget is presented for consideration.

## Voting Requirements

Absolute Majority

### OFFICERS' RECOMMENDATION

That with respect to the Budget for the 2021/22 Financial Year, Council:

- Notes no submissions were received regarding the advertised 2021/22 Differential Rating model.
- For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part 1 above, Council pursuant to the Sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 and clause 9 of the Local Government (COVID19 Response) Order 2020 (gazette on 8 May 2020), impose the following differential general and minimum rates on Gross Rental and Unimproved Values (as advertised).

Differential Rate Category	Rate in the \$	General Minimum Payment \$	Lesser Minimum Payment \$
GRV – Urban	11.5861c	1,133.00	
GRV – Rural	7.7419c	863.00	749.00
UV	0.5557c	863.00	

- Pursuant to the Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, adopt the following due dates for the payment in full by instalments:

Option 1

Due Date

Wednesday 13 October 2021

Option 2

1st Instalment Due	Wednesday 13 October 2021
2nd Instalment Due	Tuesday 14 December 2021
3rd Instalment Due	Tuesday, 15 February 2022
4th Instalment Due	Wednesday, 20 April 2022

4. Pursuant to the Section 6.13 of the Local Government Act 1995 and Regulation 19A of the Local Government (Financial Management) Regulations 1996, and clause 8 of the Local Government (COVID19 Response) Ministerial Order 2020 (gazetted on 8 May 2020), adopt an interest rate of 7% pa for any amount of money (other than rates, levies and charges) owing to the Local Government that remains unpaid after 35 days from the date of issue, subject to:
  - a. This interest rate cannot be applied to a person who is considered by the Shire of Narrogin to be suffering financial hardship as a consequence of the COVID19 pandemic.
5. Pursuant to the Section 6.45 of the Local Government Act 1995, Regulation 67 of the Local Government (Financial Management) Regulations 1996 and clause 13 of the Local Government (COVID19 Response) Ministerial Order 2020 (gazetted on 8 May 2020), adopt an instalment administration charge where the owner has elected to pay rates, levies and charges through the four (statutory) instalments option of \$52.50, subject to:
  - a. This charge cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial Order 2020, that has been determined by the Shire of Narrogin as suffering financial hardship as a consequence of the COVID-19 pandemic.
6. Pursuant to the Section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996 and clause 13 of the Local Government (COVID19 Response) Order 2020 (gazette on 8 May 2020) adopt an interest rate of 5.5% pa where the owner has elected to pay rates, levies and charges through the four instalments option subject to:
  - a. This interest rate cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial Order 2020, that has been determined by the Shire of Narrogin as suffering financial hardship as a consequence of the COVID-19 pandemic.
7. Pursuant to the Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995, Regulation 70 of the Local Government (Financial Management) Regulations 1996 and clause 14 of the Local Government (COVID19 Response) Order 2020 (gazette on 8 May 2020), adopt an interest rate of 7% pa for rates, levies and charges and costs of proceedings to recover such charges that remains unpaid after becoming due and payable, subject to:
  - a. This interest rate cannot be applied to a person who is considered by the Shire of Narrogin to be suffering financial hardship as a consequence of the COVID19 pandemic.
8. Pursuant to the Section 6.12 of the Local Government Act 1995, adopt the following rates incentive scheme including a contribution of \$3,000 from municipal funds towards this scheme:
  - 1st Prize - \$1,000 of Chamber of Commerce Vouchers;
  - 2nd Prize - \$500 of Chamber of Commerce Vouchers; and
  - 15 Prizes of \$100 each Chamber of Commerce Vouchers.

9. Elected Member Allowances (payable quarterly, in arrears, pro-rata)
- a. Pursuant to the Section 5.99 of the Local Government Act 1995 and Regulation 30 of the Local Government (Administration) Regulations 1996, adopt the following annual fees for payment of elected members in lieu of individual meeting attendance fees:
- President \$20,000 pa
  - Councillors (x8) \$ 9,000 each pa
- b. Pursuant to the Section 5.99A of the Local Government Act 1995 and Regulation 31 of the Local Government (Administration) Regulations 1996 adopt the following annual local government allowance for elected members:
- Information & Communications Technology (ICT) Allowance
- President \$ 1,600 pa
  - Councillors (x8) \$ 500 each pa
- c. Pursuant to the Section 5.99A and 5.98 of the Local Government Act 1995 and Regulation 31 of the Local Government (Administration) Regulations 1996, note the following reimbursable costs incurred by an elected member because of their attendance at a council meeting or a meeting of a committee of which he or she is also a member or in attending a meeting expressly authorised by the local government:
- Child Care, the actual cost out of pocket to the elected member per hour or \$30 per hour, whichever is the lesser amount; and
  - Travelling costs at those rates applicable at the date of the current determination of the Salaries and Allowances Tribunal for Local Government Elected Council Members.
- d. Pursuant to the Section 5.98(5) of the Local Government Act 1995, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:
- President \$23,500 pa
- e. Pursuant to the Section 5.98(5) of the Local Government Act 1995, adopt the following annual local government allowance to be paid in addition of the annual meeting allowance:
- Deputy President \$5,875 pa
10. Pursuant to the Section 6.16 of the Local Government Act 1995, adopt the Fees and Charges included in the 2021/22 Draft Annual Budget ATTACHMENT 1 (under separate cover).
11. Pursuant to section 6.47 of the Local Government Act 1995, provide a 100% waiver on rates (not refuse or ESL) to properties leased to Not for Profit Community groups, subject to it being provided for in their lease or being previously waived / applied in the preceding financial year.

Continued over...

12. In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, adopt the following materiality reporting thresholds:

<b>Condition</b>	<b>Action</b>
Actual variances to Budget up to 5% of Budget	No reporting required
Actual variances to Budget between 5% and 10% of Budget	Use Management Discretion
Actual Variance exceeding 10% and with a value greater than \$15,000	Must Report

13. Pursuant to the provisions of the Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, adopt the Municipal Fund Budget as contained in ATTACHMENT 1 (as amended) (under separate cover) of this agenda and the minutes, for the Shire of Narrogin for the 2021/22 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type;
- Statement of Comprehensive Income by Program;
- Statement of Cash Flows;
- Rate Setting Statement;
- Notes to and Forming Part of the Budget; and
- Capital Expenditure Program.

## 10.4 OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 10.4.1 LOCAL LAWS STATUTORY REVIEW

File Reference	19.6.1
Disclosure of Interest	The Author has a Financial Interest as the consultant undertaking the review.
Applicant	Shire of Narrogin
Previous Item Numbers	Item 10.4.3 of 28 April 2021 Resolution 0421.010
Date	19 July 2021
Author	Niel Mitchell – Governance Consultant
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Draft Repeal and Amendment Local Law 2021

#### Summary

To consider outcomes of the full statutory review of local laws, and a proposed Repeal and Amendment Local Law 2021.

#### Background

The Local Government Act 1995, section 3.16, requires that all local laws be reviewed at least once every eight years.

#### Consultation

Consultation has occurred with the following:

- Chief Executive Officer;
- Executive Managers;
- Technical Officers;
- Executive Support Officer; and
- Governance Officer.

#### Statutory Environment

The Local Government Act 1995, section 3.16, requires that a periodic review of all local laws be carried out at least once every eight years, sets out the process and stipulates that the decision, whether or not to proceed with amendments, is to be made by absolute majority.

Section 3.12 of the Act specifies the process for making a local law, which includes repeal and amendments of local laws.

#### Policy Implications

The Council's' Policy Manual contains no policies that relate and nor are there any proposed.

## Financial Implications

The cost of conducting the review is contained within the current agreement with the consultant. There will be additional cost for local public notice and publication in the Government Gazette, of an estimated \$5,000, which is included in advertising fees in the proposed Budget for financial year 2021/22.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services

## Comment/Conclusion

### Local Laws Review

The majority of local laws were adopted in 2016. Since that time, a number have had amendments, and a listing of matters that need to be addressed has been kept.

Council approved commencement of a full statutory review at the April 2021 Ordinary Council Meeting.

In accordance with requirements for the periodic review of local laws and for local public notice, the review was advertised in the Narrogin Observer on 13 May 2021, on official notice boards, the Shire's website and social media.

The local laws under review are –

- Bush Fire Brigades Local Law 2018
- Cats Local Law 2016
- Cemetery Local Law 2016
- Dogs Local Law 2016
- Extractive Industries Local Law 2017
- Fencing Local Law 2016
- Meeting Procedures Local Law 2016
- Parking Local Law 2016
- Places & Property Local Law 2016
- Signs, Hoardings and Bill Posting By-laws (1986)
- Waste Local Law 2019

Public submissions closed 1 July 2021. No public submissions were received, but comment from a number of staff was made and incorporated where appropriate and directed into a proposed Repeal and Amendment Local Law, together with issues noted over the past six years.

In addition to the matters noted over the past years, additional items were also observed and are proposed for amendment.



## Repeal and Amendment Local Law 2021

The Local Government Act requires the following statements –

Purpose – to revoke an old local law no longer required, to amend various continuing local laws for clarity, and improved administration of the local law.

Effect – revocation of an old local law now administered by the Local Planning Scheme, and improved clarity regarding the application and interpretation of provisions of continuing local laws.

The revocation of one local law is recommended, which is the Signs, Hoardings and Bill Posting Bylaw of the Town of Narrogin made in 1986 and amended once in 1993. The Executive Manager Development and Regulatory Services advises that the By-law may be repealed as matters are adequately covered by the Local Planning Scheme and Local Planning Policies. The amendment does not have to be individually repealed as the Interpretation Act 1984 provides that where the enabling legislation is repealed, amendments to it automatically fall away.

Many of the proposed amendments to other local laws are technical in nature, often relating to use of various terms for which interpretation has become increasing specific and strict. Examples of these include –

- Council – means the elected members as a group, in session, and not the organisation. As it is specified to the Council, decisions cannot therefore be delegated to the Chief Executive Officer.
- Local government – means the organisation, not the Council or the district. In effect, there are two applications of this term –
  - administratively – where a document is to be submitted (such as the front counter, or mail or general email etc), if a report or application has to be made, or there is some other organisational task,
  - if a decision is required – the Department of Local Government, Sport and Cultural Industries guidelines notes that it in this context, should be treated as being the highest possible decision making of the organisation. This being the Council, but unspecified as being limited to the elected members in session, it permits delegation of power to make the decision to the Chief Executive Officer.
- CEO, Chief Executive Officer or other specified position – since the position is specified, the decision cannot be delegated or the action assigned to another employee.
- Delegate or delegation – means the power to make a decision otherwise intended to be made by Council, by the CEO or sub-delegation made at the CEO's discretion.
- Authority or authorisation – means the ability to take an action directly allowed by legislation or a local law.
- Authorised person – once appointed is permitted to take a pre-determined action described by legislation, local law etc.

Some corrections of definitions, spelling and punctuation were required.

A number of changes are proposed to assist with reading and understanding of the various local laws.

In a very few instances, significant changes are proposed. The draft local law contains text boxes where important or significant changes are proposed. These text boxes do not form part of the local law, and will not be published in the Government Gazette, but are inserted at this time for explanation and information only.

No amendment is proposed that alters the intent or the principles of any local law.

The proposed Repeal and Amendment Local Law 2021 is difficult to interpret on its own. For it to be interpreted, it needs to be read in conjunction with the principal local law. Tracked versions of each principal local law, as amended are available on request.

If approved by Council, the provisions of section 3.12 of the Local Government Act apply:

- local public notice of the proposed local law is to be given;
- minimum six weeks public submission period;
- the draft to be submitted to relevant government departments or Minister;
- only after the public submission period is the draft presented to Council for final adoption;
- publication in the Government Gazette;
- local public notice of adoption and date of coming into effect;
- confirmation of processes made to relevant government departments and Ministers;
- submission of all necessary documentation to the Joint Standing Committee on Delegated legislation (JSCDL). The JSCDL reviews the local law, its effects and may recommend to Parliament that it be amended and request an undertaking, or that it be disallowed. The JSCDL will not review the draft until after it has been formally adopted, gazetted etc.

Council may make amendments to the proposed Repeal and Amendment Local Law now, or when it comes to Council for final adoption. If made at the later time, and the amendment is considered significant, the public consultation process must recommence.

This local law once gazetted is not required to be placed on the website, however, all local laws amended by it will need to be updated, consolidated and replace the existing website versions.

No amendments are proposed to the Waste Local Law.

The Local Government Act requires that any decision on the outcome of a statutory review is made by absolute majority.

## **Voting Requirements**

Absolute Majority

See over for Officers' Recommendation

## **OFFICERS' RECOMMENDATION**

That with respect to the statutory review of local laws, Council:

1. Notes the completion of a periodic review of local laws in accordance with the Local Government Act 1995 section 3.16; and
2. Resolves pursuant to section 3.12 (2) and (3) of the Local Government Act 1995, and all other legislation enabling it, to give Statewide and local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following Shire of Narrogin Repeal and Amendment Local Law 2011 –

Purpose – to revoke an old local law no longer required, to amend various continuing local laws for clarity and improved administration of the local law.

Effect – revocation of an old local law now administered by the Local Planning Scheme, and improved clarity regarding the application and interpretation of provisions of continuing local laws.

3. Provide copies, in accordance with section 3.12 (3) of the Local Government Act, to the Minister for Local Government and the Minister for Fire and Emergency Services and any other person requesting it, of the proposed Repeal and Amendment Local Law.

**LOCAL GOVERNMENT ACT 1995  
BUSH FIRES ACT 1954  
CAT ACT 2011  
CEMETERIES ACT 1986  
DOG ACT 1976**

**SHIRE OF NARROGIN**

**REPEAL AND AMENDMENT LOCAL LAW 2021**

Under the powers conferred by the *Bush Fires Act 1954*, *Cat Act 2011*, *Cemeteries Act 1986*, *Dog Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Narrogin resolved on \_\_\_\_\_ to adopt the following local law.

**1. Citation**

This local law may be cited as the *Shire of Narrogin Repeal and Amendment Local Law 2021*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Bylaws Relating to Signs, Hoards and Bill Posting repealed**

The *Municipality of the Town of Narrogin By-laws Relating to Signs, Hoardings and Bill Posting* as published in the *Government Gazette* on 18 July 1986 are repealed.

Considered that sufficient controls are in the Local Planning Schemes and Local Planning Policies.

**4. Bush Fire Brigades Local Law 2017 amended**

The *Shire of Narrogin Bush Fire Brigades Local Law 2017* published in the *Government Gazette* on 8 September 2017 is amended as follows –

- (a) delete clause 3.6;
- (b) insert –

**3.6 Training of bush fire control officers**

- (1) The local government is to supply each bush fire control officer and Captain with information and training materials which may be relevant to the performance of the bush fire brigade officers' functions, and any amendments made from time to time.
- (2) Bush fire control officers are required to complete appropriate training as determined by the CEO, and which may include recognised prior learning, within 12 months of appointment, unless a course has been completed within the 4 years prior to appointment as a bush fire control officer.
- (3) Bush fire control officers are required to complete appropriate training as determined by the CEO, and which may include recognised prior learning, at least once every 5 years.

While training is still a mandatory requirement, the proposed amendment broadens the discretion of the CEO to accept training or experience that is considered relevant and adequate, that is not necessarily part of the Dept and Fire and Emergency Services curriculum.

- (c) in clause 4.3(1) replace the words "No later than 30 April in" with the words "At least once".

**5. Cats Local Law 2016 amended**

The *Shire of Narrogin Cats Local Law 2016* published in the *Government Gazette* on 8 August 2016 is amended as follows –

- (a) in the Contents after "4.4 Additional conditions for approved cat breeders insert" –
  - 4.4A Variation of permit conditions
- (b) in clause 1.4 in the definition of **central business zone**; replace the word "mean" with the word "means";

- (c) in clause 3.1(b) delete the second instance of the word “is”;
- (d) in subclauses 3.8(2) and (3) replace the words “the local government” with the words “an authorised person” in each instance;
- (e) after clause 4.4 insert new clause –

**4.4A Variation of permit conditions**

An authorised person may vary the conditions of a permit by giving not less than 14 days notice.

The ability to vary permit conditions is currently implied, but it is suggested that it be specified.

- (f) In Schedule 3 after item 5 insert –

5A	3.3(b)	Keeping more than 4 cats without a permit	200
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**6. Cemetery Local Law 2016 amended**

The *Shire of Narrogin Cemetery Local Law 2016* as published in the *Government Gazette* on 8 August 2016 is amended as follows –

- (a) in the Contents delete –
  - 2.4 Pre-need certificate
- (b) in clause 1.5 –
  - (i) in the definition of **natural stone** after “ceramics,” insert the words “unpolished concrete”;
  - (ii) delete the definition of **pre-need certificate**; and
  - (iii) in the definition of **standard grave** replace the word “2m” with the word “2.4m”;
- (c) delete clause 2.4;

Deletion of pre-need certificates although previously accepted by the Joint Standing Committee on Legislation and accepted in local laws of other Shires, has now been held to be outside the scope of the Cemeteries Act. The JSCDL did refer the matter to the State Solicitors Office for an opinion and they confirmed that it is *ultra vires* (ie: beyond the ability or authority to do), and that pre-need certificates must be treated as a reservation under the Cemeteries Act. Consequential changes also made. Relevant staff are aware of this.

- (d) in clause 2.5 delete the words “or holder of a pre-need certificate under clause 2.4”;
- (e) in clause 3.5 –
  - (i) delete subclause (2); and
  - (ii) in subclause (3) delete the words “or (2)”;
- (f) in clause 7.2 delete subclauses (1)(c)(iii) and (iv) and insert –
  - (iii) the base of the monument measured across the width of the grave shall not exceed 1.2m; and
  - (iv) the base of the monument measured along the length of the grave shall not exceed 600mm;
- (g) in clause 7.3 delete subclauses (1)(c)(iv) and (v) and insert –
  - (iv) the base of the headstone measured across the width of the grave shall not exceed 1.2m;
  - (v) the base of the headstone measured along the length of the grave shall not exceed 300mm; and

(g) and (h) are to clarify the intent of existing wording for easier reading and application

- (h) in Schedule 2, under “Payments may be made” –
  - (i) delete item (b); and
  - (ii) insert –
    - (b) by EFT (contact Shire office for details)

**7. Dogs Local Law 2016 amended**

The *Shire of Narrogin Dogs Local Law 2016* published in the *Government Gazette* on 8 August 2016 is amended as follows –

- (a) the Contents –
  - (i) delete –
    - 4.15 Objections and appeals
  - (ii) insert in order –

3.6A Variation of permit conditions

6.3 Objections and review

(b) after clause 3.6 insert new clause –

**3.6A Variation of permit conditions**

The local government may vary the conditions of a permit by giving not less than 14 days notice.

The ability to vary permit conditions is currently implied, but it is suggested that it be specified.

(c) delete clause 4.15; and

(d) after clause 6.2 insert –

**6.3 Objections and appeals**

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of an authorised person to grant a permit may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

Similar provision to apply to all discretionary decision made under the whole local law, as the existing provisions apply to kennels only.

**8. Extractive Industries Local Law 2017 amended**

The *Shire of Narrogin Extractive Industries Local Law 2017* as published in the *Government Gazette* on 8 September 2017 is amended as follows –

- (a) in clause 1.4 at the end of the definition of **site** replace the full stop with a semicolon;
- (b) in clause 3.1(1)(b)(i) and (2)(i) replace the word “CEO” with the words “local government” in each instance;
- (c) in clause 3.2(2)(j) after the words “Department of” insert the words “Water and”;
- (d) in clause 4.2(4) replace the word “CEO” with the words “local government” in each instance;
- (e) in clause 4.7(2)(c)(ii) insert the word “and” after the semi-colon;
- (f) in clause 5.3(a) after the words “Department of” insert the words “Water and”;
- (g) in clause 6.1(1)(c)(i) delete the word “by”;
- (h) delete clause 8.3 and insert –

**8.3 Local government may undertake requirements of notice**

If a person fails to comply with a notice referred to in clause 8.1, the local government may –

- (a) do the thing specified in the notice;
- (b) take whatever remedial action it considers appropriate and which would have been if the breach or failure had not occurred; and
- (c) recover all costs from the licensee, as a debt.

To embed a significant power of the local government to enforce provisions of the local law. Similar provisions exist in other local laws. These mirror provisions of section 3.26 of the *Local Government Act*, which applies to breaches of notices given in relation to Schedule 3.1 of that Act.

(i) after clause 10.3 insert –

**10.3A Issue of infringement notice**

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

To clarify authority to issue infringement notice.

**9. Fencing Law 2016 amended**

The *Shire of Narrogin Fencing Local Law 2016* as published in the *Government Gazette* on 6 December 2016 is amended as follows –

(a) in clause 1.5 –

- (i) delete the definitions of **central business lot**, **general agriculture lot**, **height** and **residential lot**; and
- (ii) insert in order –

**central business lot** means a lot zoned as central business under the local planning scheme;

**general agriculture lot** means a lot zoned as general agriculture under the local planning scheme;

**height** in relation to a fence means the vertical distance between the top of the fence at any point and –

- (a) the ground level; or
- (b) where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

**residential lot** means a lot zoned as residential under the local planning scheme;

- (b) in clause 3.5 replace the word “must” with the word “shall”;
- (c) in clause 3.8 replace the words “an authorised person” with the words “the local government in accordance with regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996*”;

For greater consistency with legislation and consistent with the intentions of Delegations 12.7 and 12.11.

- (d) in clause 4.1 replace the word “must” with the word “shall”;
- (e) in clause 5.1(4) replace the word “must” with the word “shall”; and
- (f) in clause 5.2(3) replace the word “must” with the word “shall”.

## 10. Meeting Procedures local Law 2016 amended

The *Shire of Narrogin Meeting Procedures Local Law 2016* as published in the *Government Gazette* on 8 August 2016 is amended as follows –

- (a) in clause 1.5(1) –
  - (i) delete the definition of **member**; and
  - (ii) insert in order –

**member** has the meaning given to it in section 1.4 of the Act, and where the context permits, a committee member;

To clarify application of the term to committee members where appropriate.

- (b) in clause 2.1 insert –
  - (4) Unless earlier determined by Council, a Committee established by Council ceases to exist immediately prior to the first ordinary meeting of the Council held after the next following ordinary local government election.
  - (5) Council may re-establish the Committee by resolution until the first meeting held after the next following ordinary local government election.

The Local Government Act specifies that the term of a committee member is only until the next following ordinary local government elections, but does not specify any termination of committees. The anomaly can then exist where there is a continuing established committee without any members and has been for some years.

This brings the termination date of committees that established by decision of Council in line with the terms of committee members.

The provision does not apply to workplace committees such as Occupational Health and Safety Committee or those established under other legislation. Good practice would suggest revision of these committees at the same time, as is provided for in the Committee and Reference Groups Terms of Reference document.

- (c) in clause 3.1(2) delete the words “on a twice monthly basis or otherwise”;
- (d) In clause 6.2(6) replace the words “Unless the Council resolves otherwise, once” with the word “Once”; and

The Local Government Act requires that any decision made in a closed meeting is to be made public. There is no discretion for Council to resolve to withhold the information.

- (e) In clause 18.7(2) replace the word “member” with the word “person”.

## 11. Parking Local Law 2016 amended

The *Shire of Narrogin Parking Local Law 2016* as published in the *Government Gazette* on 8 August 2016 is amended as follows –

- (a) in the Contents –

- (i) delete –
  - 7.5 Issue of infringement notice
  - 7.6 Withdrawal of infringement notice
  - Schedule 2 – Infringement notice and notice requiring owner of vehicle to identify vehicle
- (ii) insert in order –
  - 7.5 Form of notices
- (b) delete clause 7.5 and insert –
 

**7.5 Form of notices**

For the purposes of this local law –

  - (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
  - (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
  - (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

The infringement notice in the local law is deleted and reference to the provisions of the Local Government Act and Regulations inserted. This is consistent with current practice and other local laws, and also consistent with Governor’s Orders made in November 2020 relating to all local laws having infringement notices that refer to the Fines Enforcement Registry.

- (c) delete clause 7.6; and
- (d) delete Schedule 2.

## 12. Public Places and Local Government Property Local Law 2016 amended

The *Shire of Narrogin Public Places and Local Government Property Local Law 2016* published in the *Government Gazette* on 6 December 2016 is amended as follows –

- (a) in clause 1.6(1) in the definition of **licence** delete the words “by the local government”;
- (b) in clause 2.1 replace the words “local government” where first appearing with the word “Council”;
- (c) in clause 2.2 –
  - (i) delete subclause (1) and insert –
    - (1) The local government is to give local public notice of the intention to make a determination.
  - (ii) in subclauses (2)(a), (3), (4), (5) and (6) replace the words “local government” with the word “Council” in each instance;
  - (iii) in subclauses (5) and (6) replace the words “it is to give local public notice” with the words “local public notice is to be given” in each instance; and
  - (iv) delete subclause (8);
- (d) in clause 2.6 –
  - (i) in subclauses (1) and (3) replace the words “local government” with the word “Council” in each instance; and
  - (ii) in subclause (3) replace the words “it is to give local public notice” with the words “local public notice is to be given”;

Part 2 of the local law deals with Determinations, in effect a decision that means particular restrictions or permission apply to an area. The current use of “local government” in this part is as per the WALGA model, and implies the ability for Council to delegate such decisions to the CEO. However, the JSCDL do not consider that the ability to make a local law or extend a local law under a determination, is a matter that can be delegated.

Accordingly, change of terminology is proposed to clarify that only Council may make, amend or revoke determinations>

- (e) in clause 4.8 replace the words “the local government” with the words “an authorised person”;
- (f) in clause 6.13 in subclauses (1) and (2) replace the word “Council” with the words “the local government” in each instance;
- (g) in clause 7.5(2)(b) replace the words “the local government” with the words “an authorised person”;
- (h) in clause 9.7 –



- (i) in subclause (1) replace the words “The CEO” with the words “an authorised person”; and
- (ii) in subclause (2) replace the words “CEO’s initiative” with the words “initiative of an authorised person”;
- (i) in clause 9.9(1) replace the word “CEO” with the words “local government”;
- (j) in clause 9.11 –
  - (i) in subclause (1) replace the words “The CEO” with the words “An authorised person”;
  - (ii) in subclause (2)(b) replace the word “CEO’s” with the words “authorised person’s”; and
  - (iii) in subclause (2)(d) delete the word “CEO’s”;
- (k) in clause 9.12 –
  - (i) in subclause (1) replace the words “the CEO” with the words “an authorised person” and replace the word “CEO” with the words “authorised person”; and
  - (ii) in subclauses (2)(a), (c) and (3) replace the word “CEO” with the words “authorised person” in each instance;
- (l) in clause 9.13 –
  - (i) in subclause (1) replace the words “The CEO” with the words “An authorised person” and replace the word “CEO” with the words “authorised person”; and
  - (ii) in subclauses (2) replace the words “The CEO” with the words “An authorised person”;
- (m) in clause 9.15 replace the words “the CEO” with the words “an authorised person”;
- (n) in clause 9.16 replace the word “CEO” with the words “authorised person”; and
- (o) delete clause 9.18 and insert –

**9.18 Production of licence document for amendment**

If an authorised person amends or renews a licence, the licensee must, if required by an authorised person, produce the licence document to the authorised person for amendment within the period specified by the authorised person.

All proposed amendments relate to the specific and restricted interpretation of – Council, CEO, local government, authorised person.  
 Many of the suggested changes will allow for a matter to be delegated, or else acted on as part of an authorised person’s normal duties or dealt with administratively.

\_\_\_\_\_

Dated \_\_\_\_\_

The Common Seal of the Shire of Narrogin was affixed by authority of a resolution of Council in the presence of –

L.N. BALLARD, President

D.R. STEWART, Chief Executive Officer

## 10.4.2 DRAFT HEALTH LOCAL LAW 2021

File Reference	19.6.1
Disclosure of Interest	The Author has a Financial Interest as the consultant undertaking the process.
Applicant	Shire of Narrogin
Previous Item Numbers	None
Date	22 July 2021
Author	Niel Mitchell – Governance Consultant
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Draft Health Local Law 2021

### Summary

To consider a proposed Health Local Law 2021.

### Background

The former Shire of Narrogin and former Town of Narrogin have outdated health by-laws that require updating. The easiest way in which to do that is to repeal the current by-laws with a new modern local law, based on several other local governments local laws adopted in recent years, and modified to local circumstances.

The Shire's current health by-laws are as follows:

- Health Model "A" Series By-laws adopted by the former Shire of Narrogin in 1974 as amended; and
- Health Model "A" Series By-laws adopted by the former Town of Narrogin in 1966 as amended.

### Consultation

Consultation has occurred with the following:

- Chief Executive Officer;
- Executive Manager Development and Regulatory Services;
- Environmental Health Officers;
- Building Surveyor; and
- Governance Officer.

### Statutory Environment

The Public Health Act 2016 has no provision for local laws and accordingly the provisions of the Local Government Act 1995 apply to the process of making, amending and revocation of all health local laws.

The Local Government Act 1995, section 3.12 specifies the process for making a local law, which includes repeal and amendments of local laws.

## Policy Implications

The Council's Policy Manual contains no policies that relate and nor are there any proposed.

## Financial Implications

The cost to finalise the statutory process of adoption is contained within the current agreement with the consultant. There will be additional cost for local public notice and publication in the Government Gazette, of an estimated \$5,000, which is included in advertising fees in the proposed Budget for the financial year 2021/22.

## Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective:	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services

## Comment/Conclusion

The Local Government Act requires the following statements –

Purpose – to revoke outdated health by-laws adopted by the former Shire and former Town of Narrogin, and provide a statutory means of effectively controlling issues which have the potential to adversely impact on the health and well-being of the community.

Effect – revocation of outdated by-laws and to allow health related issues to be sufficiently controlled so as to provide an acceptable standard for the maintenance of public health in the community and to provide for remedies and penalties for non-compliance.

The outdated By-laws were not included in the periodic review of local laws recently completed, as it was intended that they be revoked in the proposed Health Local Law 2021.

Amendments made to the outdated By-laws do not have to be individually itemised or repealed as the Interpretation Act 1984 provides that where the enabling legislation is repealed, amendments to it automatically fall away.

The Shire of Narrogin currently relies on two very old Health Series "A" Model By-laws which can trace their origin to as early as 1927. Although the Model "A" Series was repealed in 2017, the local laws adopted using the model remain in force. The former Shire adopted the Model Bylaws in 1974 and the former Town in 1966.

The proposed Health Local Law uses the Health Local Law originally developed by the former City of Perth in the early 1990's and successively updated by local governments to suit changing legislation and their individual circumstances as its historical basis.

The WA Local Government Association does not have a model Health Local Law, so each local government must develop their own using others as the basis and for guidance. The proposed Health

Local Law draws extensively on several recently gazetted Health Local Laws, including, those from the Shire of Murray and the City of Greater Geraldton, which both use City of Perth's Health Local Law as the foundation, through various iterations and local governments.

Initial work towards a new Health Local Law commenced a number of years ago, prior to the commencement of the Public Health Act 2016, as it was known that there would be significant changes to processes and provisions. Its development has involved successive staff in multiple positions.

Prominent changes from health local laws made under the former Health Act 1911 include:

- The almost full implementation of the Public Health Act 2016, but without the intended revised and updated Regulations that may impact health local laws.
- As there is no provision in the Public Health Act 2016, health local laws are now to be made using the authority and processes of the Local Government Act, although standards and requirements may be set by the Public Health Act 2016 and Regulations, and
- The Local Government Act processes allow for infringements, broadened delegations subject to holding appropriate qualifications where necessary, and other flexibilities not possible under the former Health Act 1911. In particular, the only remedy for non-compliance under the former Health Act was to initiate legal action through the court system.

The core of the proposed Health Local Law is very similar to many others in the industry, but time has been taken to:

- Address inconsistencies and gaps, such as cattle feedlots not being permitted closer to townsites than 5km but piggeries permitted within 3.5km, or some matters being noted specifically in a clause that conditions could be applied but remains silent in other clauses on matters dealing with the same type of issue;
- Remove matters no longer relevant, duplicated, that are superfluous or can be dealt with under other provisions of the local law or legislation;
- Remove potentially conflicting provisions regarding giving notice of non-compliance or required works, placement of conditions on discretionary approvals, that are usually scattered throughout a Health Local Law implying that the conditions or actions may only be taken on that particular matter. Consolidation of these issues gives clear guidance to relevant persons that the matters apply to the whole of the local law, and prescribe the process necessary;
- Provide the ability to determine fees and charges in the annual budget in accordance with the Local Government Act 1995, section 6.16 in the same manner and process as other fees and charges imposed, rather than specifying them in the local law;
- Provide for a range of remedies other than being limited to prosecution. These include provisions for infringements, issue of formal notice requiring works to be done, for the Shire to enter and carry out the works and recover as a debt if non-compliant (similar to section 3.26 of the Local Government Act), possible suspension of licence for non-compliance, if still not compliant then termination of licence, and ultimately prosecution; and
- Ensure appropriate use of terms such as Council, local government, authorised person etc. In general, the ability to delegate to CEO and therefore subsequent further delegation has been used

where appropriate, in preference to limiting a decision or action to Council or a specified role. And further, if it is appropriate for an authorised person to undertake the task, this has been used in preference to delegation.

Accordingly, dependant on the severity or potential public health risk or the non-compliance, a scaled response from the Shire is possible, and in a much more timely fashion than the months needed for legal action to be undertaken.

The Public Health Act 2016 has not yet been proclaimed in full, although the parts that remain unproclaimed are limited.

The 32 regulations made under the Health Act 1911 remain in force. In time, the Department of Health intends that these will be substantially reviewed and then consolidated to approximately 18 new regulations under the Public Health Act 2016. Expanded application of the new regulations is also anticipated. Some of these are expected to impact on the proposed Health Local Law 2021, which once proclaimed, will over-ride Local Law provisions and necessitate amendment of the relevant clauses. Impact is expected to include, but are not limited to:

- housing;
- lodging houses; and
- offensive trades.

It is not known when draft regulations will be available for comment, and it would likely be quite some time after that before they are proclaimed and in force.

If the draft Health Local Law is approved by Council, the provisions of section 3.12 of the Local Government Act applies as follows:

- local public notice of the proposed local law is to be given;
- minimum six weeks public submission period;
- the draft to be submitted to relevant government departments or Ministers;
- only after the public submission period is the draft presented to Council for final adoption;
- publication in the Government Gazette;
- local public notice of adoption and date of coming into effect;
- confirmation of processes made to relevant government departments and Ministers; and
- submission of all necessary documentation to the Joint Standing Committee on Delegated legislation (JSCDL). The JSCDL reviews the local law, its effects and may recommend to Parliament that it be amended and request an undertaking, or that it be disallowed. The JSCDL will not review the draft until after it has been formally adopted, gazetted etc.

Council may make amendments to the proposed Health Local Law now, or when it comes to Council for final adoption after the public consultation period. If made at the later time, and the amendment is considered significant, the public consultation process must recommence.

At this stage, as it is only being put out for public comment and is not being considered for final adoption, the decision only requires a simple majority.

This local law, once gazetted, will be required to be placed on the Shire's website.

## Voting Requirements

Simple Majority

## **OFFICERS' RECOMMENDATION**

That with respect to the draft Health Local Law 2021, Council, request the Chief Executive Officer to:

1. Pursuant to section 3.12 (2) and (3) of the Local Government Act 1995, and all other legislation enabling it, give Statewide and local public notice, inviting submissions during a minimum 6-week time frame, that it intends to make the following Shire of Narrogin Health Local Law 2021:

Purpose – to revoke outdated health by-laws as adopted by the former Shire and former Town of Narrogin and provide a statutory means of effectively controlling issues which have the potential to adversely impact on the health and well-being of the community.

Effect – revocation of outdated by-laws and to allow health related issues to be sufficiently controlled so as to provide an acceptable standard for the maintenance of public health in the community and to provide for remedies and penalties for non-compliance.

2. Provide copies, in accordance with section 3.12 (3) of the Local Government Act 1995, to the Minister for Local Government and the Minister for Health and any other person requesting it, of the proposed Repeal and Amendment Local Law.

**LOCAL GOVERNMENT ACT 1995**  
**SHIRE OF NARROGIN**  
**HEALTH LOCAL LAW 2021**

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LOCAL GOVERNMENT ACT 1995

SHIRE OF NARROGIN

HEALTH LOCAL LAW 2021

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Shire of Narrogin resolved on \_\_\_\_\_ to make the following local law.

PART 1 - PRELIMINARY

**1.1 Citation**

This local law may be cited as the *Shire of Narrogin Health Local Law 2021*.

**1.2 Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**1.3 Application**

This local law applies throughout the district of the local government.

**1.4 Repeal**

The following local laws are repealed –

- (a) The Health Local Laws made by the Council of the Town of Narrogin adopting the *Model By-Laws Series 'A'* at a meeting of the Council on 14 December 1965 and published in the *Government Gazette* on 13 July 1966, and amended from time to time; and
- (b) The Health Local Laws made by the Council of the Shire of Narrogin adopting the *Model By-Laws Series 'A'* at a meeting of the Council on 18 March 1974 and published in the *Government Gazette* on 11 October 1974, and amended from time to time.

**1.5 Transitional provisions**

- (1) An application for, or the renewal of, a licence, permit or other authorisation made under a local law that is in force before the commencement day is to be dealt with and determined as if it were an application under this local law.
- (2) A licence, permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a licence under this local law and may be dealt with accordingly.

**1.6 Terms used**

- (1) In this local law, unless the context otherwise requires –

**Act** means the *Health (Miscellaneous Provisions) Act 1911*;

**adequate** means satisfactory or fit for purpose or, if there is any doubt, at the discretion of an authorised person;

**adequate supply of water** means a flow of water of not less than five litres per minute;

**apparatus for the treatment of sewage** has the same meaning as in section 3 of the Act;

**AS or AS/NZS** means an Australian Standard or Australian/New Zealand Standard published by Standards Australia, as amended from time to time;

**AS 1530.2:1993** means Australian Standard for Methods for fire tests on building materials, components and structures – Test for flammability of materials;

**AS 1530.3:1999** means Australian Standard for Methods for fire tests on building materials, components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release;

**AS 1668.2: 2012** means Australian Standard for the use of ventilation and air conditioning in buildings – Mechanical ventilation in building;

**AS 2001.5.4:2005** means Australian Standard for Methods of test for textiles – Dimensional change –

Domestic washing and drying procedures for textile testing (ISO 6330:2000, MOD);

**AS 2293.1:2018** means Australian Standard for Emergency escape lighting and exit signs for buildings – System design, installation and operation;

**AS 3666.2:2011** means Australian Standard for Air-handling and water systems of buildings – Microbial control – Design, installation and commissioning;

**AS 3786:2014** means Australian Standard for Smoke alarms using scattered light, transmitted light or ionization;

**AS/NZS ISO 717.1:2013** means Australian Standard for Acoustics – Rating of sound insulation in buildings and of building elements – Airborne sound insulation;

**authorised person** means a person appointed under –

- (a) the provisions of the *Public Health Act 2016* as an authorised person; or
- (b) the *Local Government Act 1995*; and
- (c) includes a person appointed by the local government as an Environmental Health Officer;

**bed** means a piece of furniture on which to sleep;

**bedding** includes beds, mattresses, pillows and bed heads as well as bed linen;

**bed linen** includes sheets, blankets, pillow cases, quilts and doona covers, and mattress covers;

**builder** means the holder of a building permit issued in respect of building works on a building site or a person in control of a building site;

**building permit** means a permit granted under section 20 of the *Building Act 2011*;

**building site** means any lot for which a building permit is current;

**Chief Health Officer** means a person appointed to this position under the provisions of the *Public Health Act 2016*;

**Council** means the Council of the local government;

**district** means the district of the local government and includes any area placed under the jurisdiction of the local government pursuant to section 22 of the Act;

**drinking water** means drinking water as defined in the Australian Drinking Water Guidelines developed by the National Health and Medical Research Council;

**dwelling house** means a place of residence, whether temporary or permanent, containing at least one sleeping room and includes a room or outbuilding separate from, but ancillary to, the building in which the sleeping room is located;

**habitable room** means a room used for normal domestic activities; and

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, play-room, family room and sun-room; but
- (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, lobby, photographic dark room, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods;

**hot water** means water at a temperature of at least 65 degrees Celsius;

**infectious disease** has the meaning given to it by –

- (a) section 3(1) of the Act; and
- (b) includes a notifiable infectious disease;

**land** has the meaning given to it by the *Planning and Development Act 2005*;

**licence** means a licence, permit, registration or approval issued by the local government under this local law;

**local government** means the Shire of Narrogin;

**local planning scheme** has the meaning given to it by the *Planning and Development Act 2005*;

**lot** has the meaning given to it by the *Planning and Development Act 2005*;

**morgue** means a place for the temporary reception and keeping of the bodies of the dead awaiting burial or cremation;

**NCC** means the latest edition of the *National Construction Code* published from time to time by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with that Code;

**nuisance** includes the meaning given to it in section 182 of the Act;

**noise** has the meaning given to it by section 3 of the *Environmental Protection Act 1986*;

**occupier** has the meaning given to it in section 3 of the Act and includes a builder or contractor on land where the context permits;

**owner** has the meaning given to it in section 3 of the Act;

**public place** includes every place to which the public ordinarily have access, whether by payment of a fee or not;

**refuse** means any waste material including bricks, lime, cement, concrete, rubble, stones, iron, timber, tiles, bags, plastics, ashes, vegetation, timber, wood or metal shavings, sawdust, and waste food, and includes any broken, used, derelict or discarded matter;

**sanitary convenience** includes urinals, toilets, sinks, baths, wash troughs, apparatus for the treatment of sewage, or other receptacle for the deposit of faecal matter, or refuse, and all similar conveniences;

**Schedule** means a Schedule to this local law;

**set fee** means a fee –

- (a) as prescribed by legislation; or
- (b) in any other instance, as fixed by the local government from time to time under sections 6.16 to 6.19 of the *Local Government Act 1995*;

**sewage** means any kind of sewage, faecal matter or urine, and any waste composed wholly or in part of liquid;

**sewer** includes sewers and drains of every description, except drains to which the word “drain” as defined in the Act applies, also water channels constructed of stone, brick, concrete, or any other material, including the property of the local government;

**stormwater** means any naturally occurring water that results from rainfall on or around a site, or water flowing onto the site;

**street** includes any highway, and any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

**thoroughfare** has the meaning given to it by section 1.4 of the *Local Government Act 1995*;

**toilet** means a toilet bowl, or urinal and includes a room or cubicle in which one or more of these are located;

**townsite** means the townsites within the district excluding Yilliminning and Nomans Lake townsites, which are –

- (a) constituted under section 26(2) of the *Land Administration Act 1997*; or
- (b) referred to in section 37 of Schedule 9.3 of the *Local Government Act 1995*;

**urinal** may be –

- (a) an individual stall or wall hung urinal;
- (b) each 600 millimetres length of a continuous urinal trough; or
- (c) a toilet bowl used in place of a urinal;

**vectors of disease** means those pests as defined in clause 8.1;

**vermin** includes rats, mice, flies, fleas, mites, lice, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or likely to cause damage to human food, habitation or possessions;

**window** includes a glass panel, roof light, glass brick, glass louvre, glazed sash, glazed door, or other device which transmits natural light directly from outside a building to the room concerned when in the closed position; and

**written notice** means a notice issued in accordance with Part 14.

## PART 2 - SANITATION

### Division 1 – Sanitary conveniences

#### 2.1 Interpretation

In this Part, unless the context otherwise requires –

**event** includes a fair, function or festival;

**organiser** means a person –

- (a) to whom approval has been granted by an authorised person to conduct the event; or
- (b) responsible for the conduct of the event;

**public sanitary convenience** means a sanitary convenience to which the public ordinarily have access;

**receptacle for drainage** has the same meaning as in the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and includes the irrigation effluent disposal area of an aerobic treatment system; and

**temporary sanitary convenience** means a sanitary convenience, temporarily placed for use by –

- (a) patrons in conjunction with an event; or
- (b) employees at construction sites or the like.

## 2.2 Dwelling house

- (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet.
- (2) A room in which a toilet is located shall have adequate lighting and ventilation.

## 2.3 Premises other than a dwelling house

- (1) The owner of premises other than a dwelling house shall not use or occupy, or permit to be used or occupied, premises other than a dwelling house unless –
  - (a) the premises have sanitary conveniences in accordance with the NCC and this Part;
  - (b) the toilets required by this local law are situated within 90 metres and are easily accessible to the persons for whom they are provided; and
  - (c) the premises have hand wash basins –
    - (i) in accordance with the NCC;
    - (ii) for the use of persons employed or engaged on the premises;
    - (iii) provided with an adequate supply of water supplied by taps located over each hand wash basin;
    - (iv) separate from any trough, sink or basin used in connection with any process carried out on the premises; and
    - (v) situated within a reasonable distance of the sanitary conveniences and easily accessible to the person for whom they are provided.
- (2) The occupier of premises other than a dwelling house shall ensure that –
  - (a) clean toilet paper is available at all times in each cubicle;
  - (b) a sanitary napkin disposal facility is provided in each toilet provided for the use of females; and
  - (c) each hand wash basin is provided with –
    - (i) an adequate supply of soap or other hand cleaning substances; and
    - (ii) hand drying facilities, situated adjacent to and visible from the hand wash basin.

## 2.4 Events

The organiser of an outdoor event shall provide sanitary conveniences in accordance with the recommendations contained within the Department of Health's '*Guidelines for concerts, events and organised gatherings*'.

## 2.5 Toilets

- (1) Toilets on premises shall be maintained in accordance with the following requirements –
  - (a) the door to a toilet, other than an internal door, shall be properly screened to a continuous height of 1.8 metres from the floor;
  - (b) a toilet or its entrance, which is visible from overlooking windows, shall be properly screened;
  - (c) unless otherwise approved by an authorised person, a toilet shall not be directly accessible from a kitchen or a room where food is stored, prepared, served or consumed;
  - (d) the floor of any internal toilet shall be –
    - (i) of concrete or of other approved impervious material of an approved thickness; and
    - (ii) unless otherwise approved graded to a floor waste outlet and proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump; and
  - (e) the floor of any external toilet shall be –
    - (i) of concrete or of other approved impervious material of an approved thickness; and
    - (ii) graded to the door or alternatively an approved outlet.
- (2) Toilets on premises other than a dwelling house shall be maintained in accordance with the following additional requirements –



- (a) toilet for the exclusive use of males shall not adjoin any toilet for the exclusive use of females unless the toilets are separated by a wall extending from floor to ceiling and of sufficient density to have a sound transmission class of not less than 50 as required by AS/NZS ISO 717.1:2004; and
- (b) where more than one toilet is provided on the premises, the entrance to each toilet shall bear a suitable sign indicating for which sex its use is intended.

## **2.6 Temporary sanitary conveniences at temporary work sites**

A person who undertakes temporary work at any place shall ensure that every temporary sanitary convenience is –

- (a) installed and maintained in accordance with the requirements of the *Health (Temporary Sanitary Conveniences) Regulations 1997*; and
- (b) removed within 48 hours of completion of works.

## **2.7 Maintenance of sanitary conveniences and fittings**

- (1) The occupier of premises shall –
  - (a) keep clean, in good condition and repair; and
  - (b) whenever required by an authorised person, effectively disinfect and clean; all sanitary conveniences and sanitary fittings in or on the premises.
- (2) The owner of premises shall –
  - (a) keep or cause to be kept in good repair; and
  - (b) maintain an adequate supply of water to all sanitary conveniences including sanitary fittings in or on the premises.

## **2.8 Ventilation of toilets**

- (1) A toilet in any premises shall be ventilated in accordance with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* and the NCC.
- (2) A mechanical ventilation system provided under subclause (1) shall be maintained in good working order and condition.

## **2.9 Public sanitary conveniences**

- (1) A person shall not –
  - (a) foul;
  - (b) damage or vandalise; or
  - (c) write on or otherwise deface a public sanitary convenience or sanitary fittings on the premises in which the public sanitary convenience is located
- (2) A person shall not live or sleep in the premises in which a public sanitary convenience is located or use it for a purpose other than that for which it was intended.

## **2.10 Lighting**

The owner and occupier of premises in which a sanitary convenience or a public sanitary convenience is located shall provide and maintain adequate lighting for persons using the convenience.

## **2.11 Installation**

Every sanitary convenience shall –

- (a) be installed in accordance with the requirements of –
  - (i) the *Country Areas Water Supply Act 1947*; and
  - (ii) the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Wastes) Regulations 1974*; and
  - (iii) the *Water Services Act 2012*; and
- (b) have an adequate supply of water.

*Division 2 – Bathrooms, laundries and kitchens*

## **2.12 Bathrooms**

- (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that –
  - (a) is adequately lined with an impervious material and has a ceiling complying with the NCC;
  - (b) complies with the *Health Act (Laundries and Bathrooms) Regulations* and the NCC; and
  - (c) is equipped with –
    - (i) a hand wash basin; and
    - (ii) either a shower in a shower recess or a bath.
- (2) All baths, showers, hand wash basins and similar fittings shall be provided with an adequate supply of hot and cold water.
- (3) The floor of the bathroom shall be properly surfaced with and even fall to a floor waste otherwise approved, suitably trapped and discharging to –
  - (a) the sewer of a licensed water service operator; or
  - (b) an apparatus for the treatment of sewage approved by an authorised person.

### **2.13 Laundries**

- (1) A laundry shall comply with the requirements of the *Health Act (Laundries and Bathrooms) Regulations* and the NCC.
- (2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored, prepared, served or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling unless otherwise approved.
- (3) Where there is an opening between a laundry and a kitchen or other room where food is stored, prepared, served or consumed, the opening shall –
  - (a) not be more than 1220 millimetres wide; and
  - (b) have a door, which when closed shall completely fill the opening.
- (4) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a laundry that –
  - (a) is properly enclosed and roofed;
  - (b) is adequately lined with an impervious material;
  - (c) has a floor of concrete or other approved impervious material of an approved thickness;
  - (d) is properly surfaced, with an even fall to a floor waste unless otherwise approved, suitably trapped and discharging to –
    - (i) the sewer of a licensed water service operator; or
    - (ii) an on-site waste water disposal system of a type approved as approved by an authorised person; and
  - (e) is provided with adequate ventilation.
- (5) In the case of a single occupancy dwelling house, the laundry referred to in subclause (1) shall have –
  - (a) either –
    - (i) two wash troughs; or
    - (ii) a washing machine and either a wash trough or a sink; and
  - (b) a clothes drying facility comprising either –
    - (i) a mechanical clothes dryer; or
    - (ii) not less than 20 metres of clothes line erected externally.
- (6) All wash troughs, sinks and washing machines shall be –
  - (a) in a laundry and connected to an adequate supply of hot and cold water; and
  - (b) installed to manufacturer's specifications, and all wash troughs shall have a capacity of at least 36 litres.
- (7) Sole or multiple occupancy units, each being a separate dwelling house, shall have –
  - (a) laundry facilities for the exclusive use of the occupants of each unit; or
  - (b) a separate laundry, with communal laundry facilities for up to four sole occupancy units that do not have their own laundry facilities.

### **2.14 Washing or keeping of clothes in kitchens**

- A person shall not in any kitchen or other place where food is kept –
- (a) wash or permit to be washed any clothing or bedding; or
  - (b) keep or permit to be kept any soiled clothing or bedding.

## 2.15 Kitchens

- (1) In this clause –  
**cooking facility** includes a stove, oven, facility or appliance used for or in connection with the cooking of food.
- (2) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen which complies with the requirements of the NCC and which is equipped with –
  - (a) a cooking facility which is adequate in the opinion of an authorised person; and
  - (b) a sink which is adequate in the opinion of an authorised person and which has an adequate supply of hot and cold water.
- (3) The occupier of a dwelling house shall ensure that the stove, oven and sink are kept clean, in good order and repair and fit for use.
- (4) A cooking facility shall –
  - (a) be installed in accordance with the requirements of –
    - (i) the Department of Mines, Industry Regulation and Safety; and
    - (ii) the manufacturer's specifications; and
  - (b) not be installed or used in any room other than a kitchen.
- (5) Mechanical ventilation that is installed in a kitchen, shall be –
  - (a) carried to the outside air as directly as practicable unless adequately filtered for recirculation; and
  - (b) boxed throughout.
- (6) Mechanical ventilation shall be maintained in good working order and condition.

## PART 3 - HOUSING AND GENERAL

### *Division 1 – Maintenance of dwelling houses*

#### 3.1 Dwelling house maintenance

The owner or occupier of a dwelling house shall maintain the dwelling house and any appurtenant buildings, in sound condition and fit for use and, in particular, shall –

- (a) maintain all roofs, guttering and downpipes in a good state of repair, clean and free from obstructions;
- (b) maintain any footings, foundations and walls, either external or internal, in a sound condition;
- (c) replace any missing, broken, decayed or termite-eaten timber or other deteriorated material in any verandah, roof, walls, steps, handrails, floors or their supports with material of sound quality;
- (d) comply with any direction in writing given by an authorised person to treat the premises for the purpose of destroying any termites;
- (e) maintain any brick, stone, mortar or cement work in a sound condition;
- (f) maintain, repair or replace any flashings, damp proof course or ant caps, which are missing or defective;
- (g) maintain all ventilators in good order and repair;
- (h) maintain all floors even and level in surface and free from cracks and gaps;
- (i) maintain all ceilings, internal wall finishes, skirtings, architraves and other fixtures and fittings complete and with smooth unbroken surfaces;
- (j) maintain all doors and windows in good working order and weatherproof condition;
- (k) retain all natural lighting free from any obstruction which would reduce the natural lighting, below the ratio of 10% of the floor area;
- (l) maintain all pipes, fittings and fixtures connected with water supply, drainage or sewerage so that they comply in all respects with –
  - (i) the provisions of the *Water Services Act 2012*;
  - (ii) the NCC with regards to plumbing and relevant associated standards; and
  - (iii) any other legal requirements to which they are subject;
- (m) maintain all electric wiring, gas services and fittings to comply in all respects with the requirements of all relevant public authorities.

### *Division 2 – Ventilation of Dwelling houses*

### **3.2 Exemption for short term hostels and recreational campsites**

This Division shall not apply to short term hostels and recreational campsites referred to in Division 2 of Part 8.

### **3.3 Overcrowding**

The owner or occupier of a dwelling house shall not permit –

- (a) a room in the dwelling house that is not a habitable room to be used for sleeping purposes;
- (b) a habitable room in the dwelling house to be used for sleeping purposes unless –
  - (i) for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and
  - (ii) for every person between the ages of one and ten years there is at least eight cubic metres of air space per person; or
- (c) any structure classified as Class 10(a) under the NCC, including but not limited to a garage, shed or area under a verandah or patio to be used for sleeping purposes.

### **3.4 Calculated sufficient space**

For the purpose of clause 3.5, in calculating the space required for each person –

- (a) each room shall be considered separately and sufficient space shall be allowed in each room for the number of persons present in the room at any one time;
- (b) a deduction shall be made for the space occupied by furniture, fittings and projections of the walls into a room; and
- (c) the space required includes ceilings measured to up to a height of 2700 millimetres.

### **3.5 Ventilation**

- (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless the dwelling house is properly ventilated.
- (2) For the purpose of subclause (1) a dwelling house shall be deemed to be properly ventilated if it complies with the NCC, including the provision of –
  - (a) natural ventilation; or
  - (b) a mechanical ventilation or air-conditioning system.
- (3) The owner of a dwelling house provided with a mechanical ventilation or air-conditioning system as its only or prime means of ventilation shall ensure that the system is –
  - (a) maintained in good working order and condition; and
  - (b) in use at all times the building is occupied.
- (4) If a dwelling house is not properly ventilated, the owner of the dwelling house may be required by written notice given by an authorised person to undertake remedial actions including but not limited to –
  - (a) providing a different, or additional method of ventilation; or
  - (b) ceasing to use the dwelling house until it is properly ventilated.

### **3.6 Sub-floor ventilation**

The owner or occupier of a dwelling house shall make provision for any sub-floor ventilation by ensuring that air bricks and other openings are kept clear of refuse, vegetation, building materials, dirt and the like.

## *Division 3 – Water supply*

### **3.7 Water supply**

- (1) The owner of every dwelling house shall provide a continuous supply of drinking water, reticulated for use and obtained from –
  - (a) a licensed water service operator;
  - (b) an underground bore;
  - (c) a rainwater storage system; or
  - (d) an alternative supply approved by the Chief Health Officer.
- (2) The water supply shall at all times deliver an adequate supply of drinking water to each tap in the house.

- (3) The water supply to toilets or for garden use may be from an alternative source that is not necessarily drinking water but shall comply with the requirements of relevant legislation, codes of practice or guidelines where applicable.

### **3.8 Rain water tanks**

- (1) The owner or occupier of a dwelling house for which part of the drinking water supply is drawn from a rain water tank shall –
- (a) ensure that it is managed and maintained so as to meet the relevant standards in the *Australian Drinking Water Guidelines* developed by the National Health and Medical Research Council;
  - (b) maintain in a clean condition –
    - (i) the roof forming the catchment for the tank; and
    - (ii) the guttering and downpipes appurtenant to the roof; and
  - (c) ensure that each rain water tank is fitted with a tight fitting mosquito proof cover which shall not be removed at any time except for the purpose of cleaning, repairing or maintaining the tank.
- (2) The owner or occupier of a dwelling house for which its entire water supply is drawn from a rain water tank or tanks shall ensure that the storage capacity of the tank or tanks is not less than 120,000 litres.

### **3.9 Bores and wells**

The owner or occupier of any premises shall not use or permit for human consumption the use of the water of any bore or well unless the bore or well is –

- (a) at least 30 metres from any soak well or other possible source of pollution unless otherwise approved by the Chief Health Officer; and
- (b) covered with a tight-fitting cover without openings of any sort other than those essential for the insertion of a pump; and
- (c) compliant with the requirements of the *Health Act (Underground Water Supply) Regulations 1959*.

### **3.10 Pollution**

A person shall not deposit on or under any land, any sewage, offensive matter or any other thing which may pollute or render unfit for human consumption, water from a well or other underground source.

#### *Division 4 – Second-hand furniture, bedding and clothing*

### **3.11 Prohibition on sale**

A person shall not offer for sale or sell any second-hand furniture, bedding or clothing, which is filthy or infested with vectors of disease.

### **3.12 Prohibition of possession**

A dealer in second-hand furniture, bedding or clothing shall not have on any premises used for the operation of the business any second-hand furniture, bedding or clothing which is filthy or infested with vectors of disease.

## **PART 4 - LIQUID REFUSE AND WASTE, BUTCHERS' WASTE AND WASTE ENCLOSURES**

### *Division 1 – Liquid Refuse and Liquid Waste*

#### **4.1 Interpretation**

In this division, unless the context otherwise requires –

**liquid refuse** includes all washings from the commercial cleaning of vehicles, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges;

**liquid waste** means –

- (a) wastewater or any other waste in liquid form from domestic, industrial or commercial activities, other than effluent;
- (b) includes bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a

receptacle for drainage; and

- (c) includes waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser, solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater; and

**receptacle for drainage** has the same meaning as in the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

#### 4.2 Deposit of liquid refuse

- (1) A person shall not deposit or cause or permit to be deposited liquid refuse –
  - (a) on a street;
  - (b) in a stormwater disposal system; or
  - (c) on any land or place other than a place or depot duly authorised for that purpose.
- (2) Notwithstanding subclause (1), in the case of swimming pool back wash water, discharge is permitted –
  - (a) into soak wells of adequate capacity; or
  - (b) onto a road verge for the purpose of watering gardens or vegetation, without discharge onto a road or into a stormwater drain.
- (3) The owner or occupier of land on which a swimming pool is constructed shall ensure that backwash water is not permitted to discharge onto or run-off onto adjacent land or so as to cause a nuisance, or cause damage to any structures situated on adjacent land.

#### 4.3 Disposal of liquid waste

- (1) The owner or occupier of premises shall –
  - (a) provide, by one of the methods prescribed in this clause, for the disposal of all liquid waste produced on the premises; and
  - (b) at all times maintain in good working order and condition any apparatus used for the disposal of liquid waste.
- (2) Liquid waste shall be disposed of by one of the following methods –
  - (a) discharging it into the sewerage system of a licensed water service operator in a manner approved by the licensed water service operator;
  - (b) discharging it into an apparatus for the treatment of sewage and disposal of effluent and liquid waste approved by the Chief Health Officer or an authorised person; or
  - (c) collection and disposal at an approved liquid waste disposal site in a manner approved by the Chief Health Officer.

### *Division 2 – Transport of Butchers' Waste*

#### 4.4 Interpretation

In this division, unless the context otherwise requires –

**butchers' waste** includes animal skeletons and rib cages, from a boning room and the inedible products of an abattoir or a butcher's shop.

#### 4.5 Restriction of vehicles for transport of butchers' waste

- (1) A person shall not use, for the transport of butchers' waste –
  - (a) a vehicle used for the transport of food or drugs; or
  - (b) anything intended to be used for the packing or handling of food or drugs.
- (2) A vehicle used for the transport of butchers' waste shall not be used to transport any other item, substance or material which is not butchers' waste in the same compartment.

#### 4.6 Transport of butchers' waste

- (1) A person shall not transport butchers' waste other than in –
  - (a) a compartment complying with the following specifications –
    - (i) all internal surfaces to be constructed of an approved, smooth, impervious material;
    - (ii) all joints to be sealed and made watertight;
    - (iii) the loading doors, if any, to be water-tight and kept closed at all times except when loading or

- unloading; and
  - (iv) the top to be completely covered by a tarpaulin or other impervious material approved by an authorised person so as to keep the load out of sight of the public; or
  - (b) a container which is water-tight, durable and impervious and which is fitted with a lid, which can be tightly closed.
- (2) A person shall not transport any butchers' waste in a vehicle unless the vehicle and its fittings, including the compartment or container referred to in this clause, are –
- (a) maintained in good order and condition; and
  - (b) thoroughly cleaned at the conclusion of each day's work.
- (3) A person shall not load, transport, or unload butchers' waste in a manner that is or may be offensive due to –
- (a) the sight of animal skeletons, bones, offal or waste matter;
  - (b) the odour of putrefaction, offal or waste matter; or
  - (c) the presence of blood and particles of flesh or fat dropping onto the surface of the street pavement or ground.

### *Division 3 – Waste Receptacle Enclosures*

#### **4.7 Suitable enclosure for waste receptacles**

- (1) For the purposes of this clause, a "suitable enclosure" means an enclosure –
- (a) of sufficient size to accommodate all waste receptacles used on the premises but in any event having a floor area not less than a size approved by an authorised person;
  - (b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by an authorised person;
  - (c) having walls not less than 1.8 metres in height and having an access way of not less than 1 metre in width and fitted with a self-closing gate;
  - (d) containing a smooth and impervious floor –
    - (i) of not less than 75 millimetres in thickness; and
    - (ii) which is evenly graded to an approved liquid refuse disposal system;
  - (e) which is easily accessible to allow for the removal of the waste receptacles;
  - (f) provided with a ramp into the enclosure having a gradient no steeper than 1:8 unless otherwise approved by an authorised person; and
  - (g) provided with a tap connected to an adequate supply of water.
- (2) An owner or occupier of premises may be required by direction in writing given by an authorised person to provide a suitable enclosure on the premises for the storage and cleaning of waste receptacles, where the premises –
- (a) consists of more than 3 dwelling houses; or
  - (b) are used for commercial or industrial purposes; or
  - (c) are food premises.
- (3) An owner or occupier of premises required to provide a suitable enclosure under this clause shall keep the enclosure thoroughly clean and disinfected.

## **PART 5 - NUISANCES AND GENERAL**

### *Division 1 – Nuisances*

#### **5.1 Interpretation**

In this division, unless the context otherwise requires –

**car park** means premises, or any part of premises, set aside for parking of 3 or more motor vehicles;

**dust** means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

**fertiliser** includes manure;

**liquid waste** has the same meaning as in clause 4.1; and

**public vehicle** includes bus, taxi or any other public transport.

## 5.2 Public vehicles to be kept clean

The owner or person in control of a public vehicle shall –

- (a) maintain the vehicle at all times –
  - (i) in a clean condition; and
  - (ii) free from vectors of disease; and
- (b) whenever directed by written notice given by an authorised person, thoroughly clean and disinfect the vehicle as directed.

## 5.3 Prohibition against spitting

A person shall not spit on a footpath, street or public place.

## 5.4 Transportation, use and storage of offal, blood or other offensive material

A person shall not transport or store offal or blood, for the purpose of being used as manure, unless it has been sterilised by –

- (a) steam, and properly dried; or
- (b) some other effective method approved by an authorised person.

## 5.5 Use or storage of fertiliser

An owner or occupier of premises shall not use or keep for the purpose of use, as fertiliser any –

- (a) pig manure;
- (b) human faeces; or
- (c) urine.

## 5.6 Storage and dispatch of artificial fertiliser

An owner or occupier of premises where artificial fertiliser is stored in bulk for sale shall –

- (a) keep all artificial fertiliser in a building –
  - (i) of which all internal surfaces are constructed of durable and non-absorbent materials; finished internally with a smooth surface;
  - (ii) that protects it from the absorption of moisture; and
  - (iii) that is adequately ventilated;
- (b) take adequate measures to prevent the emission of dust or offensive effluvia from the building; and
- (c) ensure that all artificial fertiliser dispatched from the premises is handled and loaded in such a manner as to prevent any nuisance arising during transit.

## 5.7 Storage of fertiliser and compost

- (1) Subject to subclause (2) fertiliser and compost is not to be stored inside a dwelling house in a habitable room, kitchen, laundry, bathroom, living area, passage way or bedroom.
- (2) Fertiliser and compost may be stored –
  - (a) in a non-habitable building such as a shed, garage or storage room which is fully enclosed, well ventilated and separated from the habitable areas of the dwelling house; or
  - (b) in an outside area.
- (3) The owner or occupier of premises where fertiliser or compost is stored or used shall –
  - (a) take reasonable steps to prevent the escape of odours, dust or particles of fertiliser or compost;
  - (b) treat the fertiliser or compost in such a manner as to effectively prevent it attracting or being a breeding place for vermin; and
  - (c) store only such amounts of fertiliser or compost –
    - (i) as can be readily used within a reasonable period; or
    - (ii) as may be directed by written notice given by an authorised person.

## 5.8 Movement of commercial vehicles

(1) In this clause –

**light commercial vehicle** –

- (a) means a vehicle with a gross vehicle mass not greater than 4500 kg, constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a vehicle for the conveyance of passengers;



and

- (b) includes any vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

**commercial vehicle** means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4500 kg including –

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
  - (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).
- (2) A person shall not park a light commercial vehicle or commercial vehicle containing animals in a townsite for a period in excess of one hour, unless –
- (a) on land zoned as farming, rural residential, rural, special rural, industrial, light industry or general industry; and
  - (b) the vehicle is parked on that land more than 100 metres from any dwelling house.
- (3) A person shall not park a light commercial vehicle or commercial vehicle so as to create or be a nuisance to any person, by reason of the odour emanating from the vehicle where that vehicle contains or has been used for –
- (a) the carriage of animals;
  - (b) the transport of chemicals; or
  - (c) collection or disposal of any waste.
- (4) If a person parks a light commercial vehicle or commercial vehicle containing animals in a townsite in accordance with subclause (2) or with the approval of an authorised person, then the person does not contravene subclause (3).
- (5) A person shall not start or drive a commercial vehicle on land zoned, approved or used for residential purposes between the hours of 10.30 pm and 6.30 am on the following day without first obtaining the written consent of an authorised person.

### 5.9 Footpaths etc, to be kept clean

An owner or occupier of premises shall take reasonable steps to maintain any footpath, pavement, area or right of way immediately adjacent to the premises clear of any rubbish, matter or things coming from or belonging to the premises.

### 5.10 Disposing of disused refrigerators or similar containers

A person shall not place, leave or dispose of a disused refrigerator, ice chest, ice box, trunk, chest or other similar article having a compartment with a capacity of 0.04 cubic metres or more, on any land unless –

- (a) every door and lid and every lock, catch and hinge attached to a door or lid has been removed;
- (b) rendering every door and lid incapable of being fastened; and
- (c) refrigerant gas has been removed in accordance with the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (Commonwealth).

### 5.11 Storage of vehicles, vessels and machinery

- (1) In this clause –

**machinery** includes disused equipment;

**vehicle** means any motor vehicle, or part of a motor vehicle in a state of disrepair or in the process of being wrecked whether licensed or not;

**vessel** means any kind of vessel intended for navigation by water, or part of a vessel in a state of disrepair or in the process of being wrecked whether licensed or not; and

**wreck** includes the dismantling, breaking up, storage and disposal of vehicles.

- (2) The owner or occupier of land in a townsite shall not –

- (a) store, or allow to remain, in public view on any lot more than one vehicle, vessel or machinery (whether licensed or not) in a state of disrepair;
- (b) store, or allow to remain, in public view on any lot any vehicle, vessel or machinery in a state of disrepair for a period in excess of one month;
- (c) store, or allow to remain, in public view on any lot any vehicle, vessel or machinery parts (including tyres);

- (d) wreck, dismantle or break up any vehicle, part or body of a vehicle, vessel or machinery except where performed –
    - (i) inside a building; or
    - (ii) within an area enclosed by a fence or wall of not less than 1.8 metres in height and of such a nature as to screen all vehicles, parts or bodies of vehicles, vessels or machinery from the street and from adjoining properties; or
  - (e) wreck, dismantle or break up a vehicle, vessel or machinery so as to cause a nuisance.
- (3) Subclause (2)(a) to (d) does not apply where –
- (a) where the approval of an authorised person has been obtained; or
  - (b) on land that is zoned appropriately.

#### *Division 2 – Slaughter and disposal of dead animals*

##### **5.12 Slaughter of animals**

- (1) Subject to subclause (2) a person, shall not slaughter any animal within the district.
- (2) Subclause (1) does not apply to –
  - (a) euthanasia of animals by veterinarians or other duly authorised persons;
  - (b) persons who slaughter stock for their own consumption and who are exempted under Regulation 20 (2) of the *Food Regulations 2009*;
  - (c) slaughter of animals for the purposes of pet meat and game meat operations in accordance with Part 5 of the *Food Regulations 2009*; and
  - (d) slaughter of animals for human consumption in abattoirs, operating in accordance with clause 11.37.

##### **5.13 Disposal of dead animals**

- (1) An owner or operator of a veterinary practice where dead animals are kept for more than 12 hours, shall refrigerate the carcass prior to its removal and disposal, at an approved disposal site.
- (2) An owner or occupier of premises, other than a veterinary practice, on which there is a dead animal shall without delay remove the carcass for its disposal at an approved disposal site.
- (3) An owner, or a person having the care, of any animal that dies or is killed in a public or private place shall without delay remove the carcass and arrange for its disposal at an approved disposal site.
- (4) The requirements of subclauses (1), (2) and (3) shall not limit the practice by farmers, pastoralists and the like of disposing of carcasses on rural land in a manner that is not likely to pollute or be dangerous or injurious to health.

#### *Division 3 – Feedlots*

##### **5.14 Interpretation**

In this division, unless the context otherwise requires –

**feedlot** means a confined area with watering and feeding facilities where animals are held and fed for the purpose of weight gain;

**animal** includes cattle, sheep, goats, deer and the like; and

**sensitive land use** means land use sensitive to emissions from industry and infrastructure, and includes –

- (a) isolated rural residences;
- (b) residential developments;
- (c) hospitals, nursing homes, aged care facilities and the like;
- (d) hotels, motels, hostels, caravan parks and the like
- (e) schools, child care facilities and the like;
- (f) shopping centres;
- (g) playgrounds, public buildings and the like; and
- (h) commercial and industrial land uses which require a high level of amenity or are sensitive to particular emissions.

##### **5.15 Premises to be approved**

- (1) No premises shall be used as a feedlot unless approved with or without conditions by an authorised person.
- (2) In addition to clause 13.1 an application for approval under subclause (1) shall be accompanied by
  - (a) plans and specifications of the proposed feedlot;
  - (b) details of the approximate number of animals to be kept;
  - (c) details of the drainage and effluent disposal system to be installed; and
  - (d) details of the method by which cleanliness of the feedlot shall be maintained.
- (3) Notwithstanding subclause (1), a feedlot with more than 500 animals is to be registered under the *Environmental Protection Regulations 1987* –
  - (a) Schedule 1, Part 1 (Category 1); or
  - (b) Schedule 1, Part 2 (Category 68).

#### 5.16 Buffer distances for feedlots

- (1) Feedlots are to be sited so that every portion of the feedlot complies with the following minimum separation distances –

	1	2	3	4
	Feedlots and facilities for			
	more than 5000 animals	500-4999 animals	50-499 animals	less than 50 animals
Townsite boundaries	5000m	3000m	2000m	500m
Sensitive land use including isolated residences	1000m	1000m	1000m	1000m
Surface water supply catchments	Not permitted	Not permitted	Not permitted	Not permitted
Water courses, lakes or wetlands	300m	300m	300m	300m
Bores, wells, soaks for drinking water supply	300m	300m	300m	300m
Stock irrigation supply	300m	300m	300m	300m
Public roads, recreation areas	100m	100m	100m	50m
Neighbouring rural property boundaries	50m	50m	50m	50m

- (2) Sites unable to satisfy the separation requirements may be approved with or without conditions at the discretion of an authorised person, if the authorised person is satisfied that approval of the feedlot will not give cause to a health nuisance.

#### 5.17 Site requirements

- (1) The owner or occupier of an approved feedlot shall ensure that –
  - (a) the premises are sited in an area where the land slope is no greater than 1:20 but no less than 1:100;
  - (b) the premises are sited on sandy loam soils rather than coarse sand;
  - (c) the premises have a minimum groundwater clearance of 3 metres;
  - (d) drainage diverts all uncontaminated stormwater from the general waste stream;
  - (e) stock numbers per pen do not cause dust and effluvia to become a nuisance; and
  - (f) the premises have solid and liquid waste disposal arrangements that are not offensive or injurious to health.
- (2) The owner or occupier of the approved feedlot shall take effective measures to prevent the discharge of dust which may involve –
  - (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust;
  - (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
  - (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

### 5.18 Management of beef cattle feedlots

Beef cattle feedlots are to be operated and managed in accordance with the *Guidelines for the Environmental Management of Beef Cattle Feedlots in Western Australia (2004)*.

#### Division 4 – Piggeries

### 5.19 Interpretation

In this Division, unless the context otherwise requires –

**intensive piggery** means premises on which pigs are fed, watered and housed in pens;

**other piggery** means a piggery other than an intensive piggery;

**piggery** has the meaning given to it by section 3(1) of the Act; and includes any portion of premises to which pigs have access; and

**sensitive land use** has the meaning given to it in clause 5.14.

### 5.20 Premises to be approved

- (1) Premises shall not be used as a piggery unless approved with or without conditions by an authorised person.
- (2) An application for registration of a piggery shall be made in accordance with clause 13.1.
- (3) In addition to clause 13.1 an application for approval under subclause (1) shall be accompanied by –
  - (a) plans and specifications of the proposed piggery;
  - (b) details of the approximate number of pigs to be kept;
  - (c) details of the drainage and effluent disposal system to be installed; and
  - (d) details of the method by which cleanliness of the piggery shall be maintained.
- (4) Notwithstanding subclause (1), an intensive piggery is to be registered under the *Environmental Protection Regulations 1987* –
  - (a) Schedule 1, Part 1 (Category 2); or
  - (b) Schedule 1, Part 2 (Category 69).

### 5.21 Buffer distances for piggeries

- (1) Subject to subclause (2), no premises shall be approved as a piggery with or without conditions by an authorised person unless every portion of such piggery complies with the following minimum separation distances –

	1	2	3	4	5	6
	Piggeries and facilities for				Land used to dispose of raw or partly treated waste	Land used to dispose of effectively treated waste
	more than 5000 pigs	500-4999 pigs	50-499 pigs	less than 50 pigs		
Townsite boundaries	5000m	3000m	2000m	500m	1000m	200m
Sensitive land use including isolated residences	1000m	1000m	1000m	1000m	1000m	50m
Surface water supply catchments	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
Water courses, lakes or wetlands	300m	300m	300m	300m	300m	100m
Bores, wells, soaks for drinking water supply	300m	300m	300m	300m	300m	100m
Stock irrigation supply	300m	300m	300m	300m	300m	100m
Public roads, recreation areas	200m	150m	100m	50m	100m	20m
Neighbouring rural property boundaries	50m	50m	50m	50m	300m	20m

- (2) Sites unable to satisfy the separation requirements may be approved with or without conditions at the discretion of an authorised person, if the authorised person is satisfied that approval of the piggery will not give cause to a health nuisance.

### 5.22 Site requirements

- (1) The owner or occupier of premises shall take effective measures to prevent the discharge of dust, offensive fumes and effluent becoming a nuisance which may involve –
- (a) reducing the stock rate immediately to a level that does not cause the discharge of dust, odour or effluent; or
  - (b) stabilisation of the soil surface to a level that does not cause the discharge of dust, odour or effluent; or
  - (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

### 5.23 Sties, enclosures or sheds

- (1) The occupier of every piggery shall provide either –
- (a) sties and enclosures;
  - (b) enclosures; or
  - (c) sheds;
- within which pigs shall be kept.
- (2) Where sties and enclosures are provided –
- (a) the floor of every sty shall be properly paved with impervious materials, and every such floor shall have sufficient fall to a surface gutter, which shall –
    - (i) be constructed of similar materials;
    - (ii) be not less than 300 millimetres wide and 75 millimetres deep in the centre of its width;
    - (iii) extend the whole length of the sty; and
    - (iv) have sufficient fall so that it shall discharge all liquids falling upon the floor or upon the gutter into an impervious sump of sufficient capacity to receive at least one day's drainage; and
  - (b) the area of every enclosure appurtenant to a sty or group of sties shall be not less than 3 times the area of the sty or group of sties to which it is appurtenant.
- (3) Where enclosures only are provided, then the fences of such enclosures shall be –
- (a) movable; and
  - (b) moved and re-erected to enclose a new site whenever –
    - (i) the ground within a site is becoming offensive; or
    - (ii) the occupier is directed by written notice to do so by an authorised person.
- (4) Where one or more sheds are provided, then the floor of every shed shall –
- (a) comply with subclause 2(a);
  - (b) be maintained in a structurally sound and clean condition free of infestation with flies and other vectors of disease; and
  - (c) be effectively drained and effluent waste removed so as to prevent a nuisance occurring.

### 5.24 Management of piggeries

Unless otherwise provided for under this local law, piggeries are to be operated and managed in accordance with the –

- (a) *National Environmental Guidelines for Indoor Piggeries (2018)*; or
- (b) *National Environmental Guidelines for Rotational Outdoor Piggeries (2013)*.

### 5.25 Feed

The occupier of any piggery shall not –

- (a) receive, or allow to be received on such premises, any carcass or part of a carcass of a diseased animal;
- (b) feed the pigs upon the flesh or offal of diseased animals;
- (c) receive or suffer or permit to be received on the premises, putrid matter for any purpose; and
- (d) receive or suffer or permit to be received on the premises, any kitchen, slaughterhouse or butcher's wastes or other putrescible pig feed.

### 5.26 Fencing

The occupier of every piggery shall securely fence all the enclosures.

### 5.27 Water supply

The occupier of every piggery shall provide a sufficient and constant supply of clean water, which shall be properly protected against pollution and always available for cleansing purposes.

### 5.28 Feeding troughs

- (1) The occupier of every piggery shall –
  - (a) where sties and enclosures are provided under the provisions of clause 5.23(2), provide feeding troughs in every sty, situated near to the drainage gutter or positioned to be accessible to the pigs in two or more sties or enclosures;
  - (b) where enclosures are provided under the provisions of clause 5.25(3), provide feeding troughs in every such enclosure;
  - (c) cause all feeding troughs, other than those provided in connection with movable enclosures, to be fixed upon a cement or concrete floor extending 1.2 metres in all directions from such trough, and designed to permit ready drainage; and
  - (d) not permit pigs to be fed other than at the feeding troughs provided in accordance with this clause.
- (2) Notwithstanding the provisions of subclause (1), where pigs are kept continually confined in fully enclosed pens, floor feeding with pellets or dry meal shall be permitted, in which case feeding troughs are not required to be provided.

### 5.29 Slaughtering

The occupier of any piggery shall not permit any slaughtering of animals on the premises.

## *Division 5 – Bee keeping*

### 5.30 Interpretation

In this Division, unless the context otherwise requires –

**bee** means an insect belonging to any of the various *hymenopterous* insects of the super family *Apoidea* and commonly known as bee; and

**hive** means a moveable or fixed structure, container or object in which a colony of bees is kept.

### 5.31 Limitation on numbers of bee hives

- (1) A person shall not keep or permit the keeping of bees unless –
  - (a) on land having an area greater than 1000 square metres; or
  - (b) approval to do so has been given by an authorised person.
- (2) Subject to subclause (3), a person shall not keep or permit the keeping of bees in more than two hives on land within a townsite.
- (3) An authorised person may, upon written application, consent to a person keeping bees in more than two hives on a lot, with or without conditions.

### 5.32 Restrictions on keeping of bees

A person shall not keep or permit the keeping of bees on a lot unless, at all times –

- (a) an adequate and permanent supply of water is provided on the lot which is readily accessible to bees;
- (b) the hive is kept –
  - (i) outside, and at least 10 metres from, any building other than a fence;
  - (ii) at least 10 metres from any footpath, street, private street or public place; and
  - (iii) at least 5 metres from the boundary of the lot;
- (c) the person is registered as a beekeeper if required by the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

### 5.33 Bees which cause a nuisance not to be kept

A person shall not keep or permit the keeping of bees which cause a nuisance.

## PART 6 - ENVIRONMENT

### *Division 1 – Unightly Land and Disused Materials*

#### **6.1 Unauthorised storage of materials**

- (1) All construction materials shall be located on the building site or development site under construction, unless written approval has been given by an authorised person to store materials on another property (including a road reserve).
- (2) In addition to clause 13.1 an application for approval under subclause (1) shall be accompanied by the written approval of the landowner of the land on which materials are proposed to be stored.

#### **6.2 Removal of refuse and disused materials**

The owner or occupier of a lot shall not keep, or permit to remain on the lot, any refuse, rubbish or disused material of whatever nature or kind which in the opinion of an authorised person is likely to give the lot an unsightly appearance and does not conform with the general appearance of other land in that particular part of the district.

#### **6.3 Removal of unsightly overgrowth of vegetation**

The owner or occupier of a lot shall not permit to remain on a lot, any unsightly overgrowth of vegetation that gives the lot an untidy appearance.

### *Division 2 – Dust, Smoke, Fumes and Odours*

#### **6.4 Interpretation**

In this division, unless the context otherwise requires –

**dust** means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke; and

**liquid waste** means –

- (a) wastewater or any other liquid waste from domestic, industrial or commercial activities, other than effluent;
- (b) includes bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage; and
- (c) includes waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser, solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater.

#### **6.5 Dust management**

- (1) An authorised person may require an owner or occupier of land undertaking or intending to undertake any work involving the clearing of land, from which any sand or dust is likely to be released whether by means of wind, water or any other cause, to –
  - (a) submit to an authorised person a Dust Management Plan in accordance with “A guideline for managing the impacts of dust and associated contaminants from land development sites, remediation and other related activities (2011)” as produced by the Department of Water and Environmental Regulation, and amended from time to time; and
  - (b) obtain written approval of the Dust Management Plan from an authorised person before commencement of any work.
- (2) An owner and or occupier of land may be required by written notice to take effective measures including but not limited to –
  - (a) stabilise dust on the land;
  - (b) contain all liquid waste on the land;
  - (c) ensure no dust or liquid waste is released or escapes from the land whether by means of wind, water or any other cause; and

- (d) notify the owners or occupiers of adjoining land in writing at least 48 hours prior to the commencement of any activity that has the potential to cause the release or escape from the land of dust or liquid waste giving details of –
  - (i) the nature of the activity;
  - (ii) the proposed commencement time, frequency, duration time and location of the activity; and
  - (iii) the name of the person responsible for carrying out the activity and how and where that person may be contacted.
- (3) Where an authorised person is of the opinion that dust or liquid waste may be released or escape as a result of an activity which is likely to be carried on from any land, the authorised person may give to the owner or occupier written notice that the activity may only be carried on subject to conditions specified in the notice.

#### **6.6 Burning of cleared vegetation on building or development site prohibited**

An owner or occupier of any building site or development site within a townsite shall ensure that no vegetation or other material cleared from the site is burnt on the site unless authorisation in writing is given by an authorised person.

#### **6.7 Burning of rubbish, refuse or other material**

- (1) A person shall not on any land having an area of 4000 square metres or less within a townsite, set fire to rubbish, refuse or other materials unless –
  - (a) the material does not include any plastic, rubber, food scraps, green garden materials or other material likely to cause the generation of smoke or odour in such quantity as to cause a nuisance to other persons;
  - (b) a haze alert has not been issued by the Bureau of Meteorology for the period during which burning is to take place; and
  - (c) the burning complies with the *Bush Fires Act 1954*, any annual fire hazard reduction notice issued by an authorised person under that Act and any conditions of approval as determined by an authorised person.
- (2) Subclause (1) shall not apply to any barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic char or charcoal type fuel.
- (3) Subclause (1) is subject to any fire danger rating as determined by the Bureau of Meteorology.

#### **6.8 Escape of dust, smoke, fumes or odours**

An owner or occupier of land or premises shall not cause or permit the escape of dust, smoke, fumes or odours from the land so as to cause or to be a nuisance to any person.

### *Division 3 – Stormwater Management*

#### **6.9 Containment and disposal of stormwater**

- (1) The owner or occupier of a lot shall ensure that all stormwater received by any building, house, or other structure or any paved or sealed or other surfaced areas including any vehicle access ways on the lot is contained within the lot and is not permitted to discharge onto or run-off onto adjacent land so as to cause a nuisance, or cause damage to any structures situated on adjacent land.
- (2) Subclause (1) shall not prevent the discharge of stormwater from a lot into a local government approved stormwater drain or road.
- (3) The owner or occupier of a lot shall ensure that all stormwater drainage systems on the lot are maintained in a good state of repair and free from obstruction.

### *Division 4 – Light*

#### **6.10 Use of exterior lights**

An owner and or occupier of land on which floodlights, lighting installations or other exterior lights are erected or used shall not allow the floodlights or other exterior lights to shine directly onto an adjoining lot.

#### **6.11 Emission or reflection of light**



An owner or occupier of land shall ensure that –

- (a) artificial light is not emitted or reflected from anything on the land so as to illuminate premises outside the land at a level that interferes unreasonably with normal daily activities; and
- (b) natural light is not reflected from anything on the land so as to create or cause a nuisance to –
  - (i) the owner or occupier of any other premises; or
  - (ii) person lawfully using a street or thoroughfare.

## PART 7 - ANIMALS AND BIRDS

### *Division 1 – Keeping of animals and birds*

#### **7.1 Cleanliness**

An owner or occupier of premises in or on which a dog, cat or other animal or bird is kept shall –

- (a) maintain the premises free from excrement, filth, food waste and all other matters which is or is likely to become offensive or injurious to health or to attract rats or other vermin;
- (b) when so directed by written notice given by an authorised person, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free from flies or other vermin by spraying with a residual insecticide or other effective means.

#### **7.2 Nuisance caused by animals or birds**

An owner or occupier of land shall not keep any animal or bird which –

- (a) is or creates a nuisance; or
- (b) emits an unreasonable or constant noise.

#### **7.3 Animal and bird enclosures**

- (1) A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
- (2) An authorised person may give written notice to the owner or occupier of premises where animals or birds are kept to pave, grade and drain floors of all structures and the surface of the ground of all enclosures used for the keeping of animals or birds.

#### **7.4 Keeping of fauna**

(1) In this clause –

**fauna** means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
- (b) the eggs or larvae; or
- (c) the carcass, skin, plumage or fur unless it has been shed or discarded by the fauna in a normal or natural manner.

(2) Notwithstanding the provisions of Division 2 and Division 3 of this Part, a person may keep fauna for the period and under such conditions as may be authorised by the department of the Public Service principally assisting in the administration of the *Conservation and Land Management Act 1984*.

### *Division 2 – Keeping of Animals*

#### **7.5 Interpretation**

In this division, unless the context otherwise requires –

**approved animal** means a farm animal the subject of an approval by an authorised person;

**cow** includes an ox, calf or bull;

**farm animal** includes a horse, cow, pig, sheep, camel, alpaca, llama, deer, goat or other large animal; and

**horse** includes an ass, mule, donkey or pony.

## 7.6 Requirements for keeping approved animals

- (1) An owner or occupier of premises within a townsite shall not keep a farm animal without approval of an authorised person.
- (2) An owner or occupier of premises who has an approved animal shall ensure the premises has an area of not less than 2000 square metres for the exclusive use of the approved animal.
- (3) A person who keeps an approved animal or permits an approved animal to be kept shall ensure that –
  - (a) all approved animals are to be kept in a properly constructed and securely fastened structure or enclosure; and
  - (b) no approved animal is able to encroach within 15 metres of a dwelling house, public building, or premises where people are employed or premises where food is stored, prepared, manufactured or sold.
- (4) Subclauses (1) and (2) do not apply to premises used –
  - (a) for veterinary purposes;
  - (b) as a pet shop; or
  - (c) in accordance with clause 7.4(2).

## 7.7 Limitation on numbers of other animals

- (1) This clause does not apply to the keeping of –
  - (a) dogs;
  - (b) cats; or
  - (c) farm animals as defined by clause 7.5.
- (2) Without the approval of an authorised person, an owner or occupier of land in a townsite shall not keep more than 20 animals, including dogs and cats.
- (3) Notwithstanding subclause (2) an authorised person may require a reduction of the approved number of animals on premises within the district, or alternatively prohibit the keeping of animals on particular premises, if unreasonable noise or a nuisance is being caused.
- (4) Subclauses (2) and (3) do not apply to premises used –
  - (a) for veterinary purposes;
  - (b) as a pet shop; or
  - (c) in accordance with clause 7.4(2).

### *Division 3 – Keeping of Birds*

## 7.8 Interpretation

In this division, unless the context otherwise requires –

**poultry** includes fowls, peafowls, guinea fowls, turkeys, geese, ducks, chickens, bantams and other domestic fowls;

**pigeons** are birds that are classified within the family Columbidae and includes doves; and

**miscellaneous birds** means birds other than poultry and pigeons.

## 7.9 Commercial poultry establishments

Commercial poultry establishments are to manage operations in accordance with the *Environmental Code of Practice for Poultry Farms in Western Australia 2004* produced by the Western Australian Broilers Growers Association and Poultry Farmers Association of Western Australia.

## 7.10 Limitation on numbers of pigeons, poultry and miscellaneous birds

- (1) Without the approval of an authorised person, an owner or occupier of land in a townsite shall not keep a combined total of more than 20 poultry, pigeons and miscellaneous birds.
- (2) Notwithstanding subclause (1) an authorised person may require a reduction of the approved number of poultry, pigeons, or miscellaneous birds on premises within the district, or alternatively prohibit the keeping of poultry, pigeons, or miscellaneous birds on particular premises, if unreasonable noise or a nuisance is being caused.
- (3) Subclauses (1) and (2) do not apply to premises used –
  - (a) for veterinary purposes;
  - (b) as a pet shop; or

- (c) in accordance with clause 7.4(2).

#### **7.11 Requirements for keeping poultry**

- (1) A person who keeps poultry or permits poultry to be kept on land within a townsite shall ensure that –
  - (a) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
  - (b) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 15 square metres; and
  - (c) no poultry is able to approach within 15 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, an authorised person has approved a lesser distance.
- (2) A person who keeps poultry or permits poultry to be kept shall ensure no poultry is able to encroach –
  - (i) within 5 metres of any dwelling house on the land; or
  - (ii) within 15 metres of a neighbouring dwelling house, public building, or premises where people are employed or premises where food is stored, prepared, manufactured or sold.

#### **7.12 Roosters, geese, turkeys, peafowl, emu and ostrich**

Without the approval of an authorised person, an owner or occupier of premises in a townsite shall not keep on those premises –

- (a) a rooster;
- (b) a goose or gander;
- (c) a turkey;
- (d) a peacock or peahen;
- (e) guinea fowl;
- (f) an emu; or
- (g) an ostrich.

#### **7.13 Requirements for keeping pigeons**

- (1) An owner or occupier of land in a townsite shall not keep pigeons without the approval of an authorised person.
- (2) An authorised person may approve the keeping of pigeons, subject to conditions that may include but are not limited to –
  - (a) no pigeon is able to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
  - (b) except where homing pigeons are freed for exercise, the pigeons are kept in a properly constructed pigeon loft that is in a yard having an otherwise unobstructed area of at least 30 square metres; and
  - (c) pigeons are kept in accordance with the *Code of Practice for Pigeon Keeping and Racing in Western Australia*.

#### **7.14 Restrictions on pigeon nesting or perching**

An authorised person may give written notice to an owner or occupier of a house or other structure in or on which pigeons are, or are in the habit of, nesting or perching so as to create a nuisance to take adequate steps to prevent them continuing to do so.

#### **7.15 Restrictions on feeding wild birds**

- (1) A person shall not feed a pigeon, dove, seagull, ibis, raven or other wild bird –
  - (a) so as to cause a nuisance or be injurious or dangerous to health; or
  - (b) with a food or substance that is not a natural food of a bird.
- (2) Where an authorised person forms the opinion that a person has not complied with subclause (1) the authorised person may give a person written notice requiring the person to clean up and properly dispose of any feed or waste products specified in the notice.

## **PART 8 - PEST CONTROL**

### **8.1 Interpretation**

In this Part, unless the context otherwise requires –

**Argentine ant** means an ant belonging to the species *Limepithema humile* (formerly *Iridomyrmex humilis*);

**arthropod vectors of disease** includes –

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularius*);
- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus var. corporis*); and
- (e) head lice (*Pediculus humanus var. capitis*);

**cockroach** means any of the various orthopterous insects commonly known as cockroaches;

**European wasp** means a wasp *Vespula germanica*;

**flies** means any of the two-winged insects constituting the order *Diptera* commonly known as flies;

**mosquitoes** means any of the two-winged insects constituting the family *Diptera Culicidae* commonly known as mosquitoes;

**rodents** means those animals belonging to the order *Rodentia* and includes rats and mice but does not include native rodents, laboratory bred rats and mice or animals (other than rats) kept as pets in an enclosure designed for the purpose of keeping as pets animals of that kind.

## 8.2 Measures to be taken for control of flies

Owners and occupiers of any land within the district that is breeding flies, or that is likely to breed flies, are to comply with the requirements of the *Fly Eradication Regulations*.

## 8.3 Measures to be taken to prevent breeding of mosquitoes

- (1) An owner or occupier of premises shall take effective measures to ensure that the premises are kept free from possible mosquito breeding sites and shall –
  - (a) take all reasonable steps to –
    - (i) control the prevalence of mosquitoes;
    - (ii) eradicate mosquitos; and
    - (iii) effectively prevent the breeding of mosquitoes.
  - (b) assist an authorised person to locate any possible mosquito breeding sites that may be present in or about the premises.
- (2) An owner or occupier of premises shall –
  - (a) where water is kept in a horse trough, poultry drinking container or other receptacle –
    - (i) frequently change the water; and
    - (ii) keep the water clean and free from vegetable matter and slime;
  - (b) where a septic tank is installed shall ensure the fixture is in sound condition at all times, and mesh having openings not larger than 1.2 millimetres covers any vent to the tank;
  - (c) cause all drains and channels in or on the land to be kept in good order and free from obstruction;
  - (d) where any activity is undertaken on any land which creates an excavation likely to hold water and cause mosquito breeding shall as soon as practicable following the completion of the activity, and taking into consideration the purpose of the excavation, ensure that –
    - (i) the excavation is filled in with clean material and made level with the surrounding surface; or
    - (ii) alternatively treated with an approved pesticide to control mosquito breeding.
- (3) Where it appears to an authorised person that there is, on any premises, undergrowth or vegetation likely to harbour mosquitoes, the owner or occupier of the premises may be required by direction in writing given by an authorised person to cut down and remove within a specified time the undergrowth or vegetation.

## 8.4 Measures to be taken to eradicate rodents

- (1) An owner or occupier of premises shall at all times take effective measures to eradicate any rodents in or on the premises.
- (2) An owner or occupier of premises who keeps rodents shall –
  - (a) at all times ensure that all live rodents are kept in the effective control of a person or in locked cages; and
  - (b) if a rodent escapes, ensure that all reasonable steps are taken to destroy or recapture the rodent.

- (3) A person shall not store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or compartment.

#### **8.5 Measures to be taken to eradicate cockroaches**

An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.

#### **8.6 Measures to be taken to keep premises free from Argentine ants**

An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.

#### **8.7 Measures to be taken to keep premises free from European wasp nests**

An owner or occupier of premises shall –

- (a) ensure that the premises are kept free from European wasp nests;
- (b) without delay notify the local government of any wasp nest in, on or about the premises that is suspected to be a European wasp nest;
- (c) assist an authorised person, or his or her representative, to trace any nest that may be present in, on or about the premises.

#### **8.8 Measures to be taken to keep premises free from arthropod vectors of disease**

The owner or occupier of premises shall keep the premises and any person residing in or on the premises free from any arthropod vectors of disease.

### **PART 9 - INFECTIOUS DISEASES**

#### **9.1 Requirements for an owner or occupier to clean, disinfect and disinfest**

An authorised person may, by written notice, require an owner or occupier of premises, within the time and in the manner specified in the notice, to clean, disinfect and disinfest –

- (a) the premises; or
- (b) such things in or on the premises as are specified in the notice.

#### **9.2 Authorised person may disinfect or disinfest premises**

- (1) Where an authorised person is satisfied that any case of infectious disease has occurred on any premises, the authorised person may give written notice to disinfect or disinfest premises or any part of the premises and anything in or on the premises.
- (2) An owner or occupier of premises shall permit, and provide access to enable, an authorised person or other person to carry out the written notice given under subclause (1).

#### **9.3 Insanitary dwelling houses, premises and things**

- (1) An owner or occupier of any dwelling house or premises shall maintain the dwelling house or premises free from any insanitary condition or thing.
- (2) Where the Council resolves that a dwelling house is insanitary, an authorised person may give written notice to an owner of the dwelling house to destroy or amend the dwelling house.
- (3) Where an authorised person considers that a dwelling house or premises is not being maintained in a sanitary condition or any thing is insanitary, direction in writing may be given requiring –
  - (a) the owner or occupier of the dwelling house or premises to amend any insanitary condition; or
  - (b) the owner or occupier of the insanitary thing to destroy or amend it.

#### **9.4 Persons in contact with an infectious disease sufferer**

If a person in any dwelling house is, or is suspected of, suffering from an infectious disease, any occupant of the dwelling house or any person who enters or leaves the dwelling house may by direction in writing –

- (a) be removed to isolation in an appropriate place to prevent or minimise the risk of the infection spreading; and
- (b) if so removed, shall remain in that place until the authorised person otherwise directs in writing.

### 9.5 Declaration of infected dwelling house or premises

- (1) To prevent or check the spread of infectious disease, an authorised person may from time to time declare any dwelling house or premises to be infected.
- (2) A person shall not enter or leave any dwelling house or premises declared to be infected without the written consent of an authorised person.

### 9.6 Destruction of infected animals

An authorised person, upon being satisfied that an animal is or may be infected or is liable to be infected or to convey infection may, by written notice require –

- (a) that the animal be examined by a registered veterinary officer; and
- (b) all steps taken to enable the condition to be controlled or eradicated; or
- (c) the animal be destroyed and disposed of.

### 9.7 Disposal of a body

- (1) An occupier of premises in or on which is located the body of a person who has died of an infectious disease shall, subject to subclause (2), cause the body to be buried or disposed of in such manner, within such time and with such precautions as may be directed by written notice given by an authorised person.
- (2) A body shall not be removed from premises where death occurred except to a cemetery or morgue.

### 9.8 Disposal of used condoms

- (1) An occupier of premises on or from which used condoms are produced shall ensure that the condoms are –
  - (a) placed in a sealed impervious container and disposed of in a sanitary manner; or
  - (b) disposed of in such a manner as may be directed by written notice given by an authorised person.
- (2) A person shall not dispose of a used condom in a public place except in accordance with subclause (1).

### 9.9 Disposal of used needles

A person shall not dispose of a used hypodermic syringe or needle in a public place unless it is placed in an impenetrable, leak-proof container deposited in a refuse receptacle.

## PART 10 - LODGING HOUSES

### Division 1 – Registration

#### 10.1 Interpretation

- (1) In this Part, unless the context otherwise requires –
  - accommodation** means one or more buildings used for boarding purposes referred to in this Part;
  - bed and breakfast** means a dwelling house used by a resident of the dwelling house to provide short-term accommodation on a commercial basis for not more than four adults or one family, and contains not more than two guest bedrooms;
  - bunk** means a sleeping berth comprising one of two arranged vertically;
  - dormitory** means a building or room utilised for sleeping purposes at a short term hostel or recreational campsite;
  - Food Standards Code** means the Australian New Zealand Food Standards Code as defined in the Commonwealth *Food Standards Australia New Zealand Act 1991*;
  - holiday accommodation** excludes buildings on a caravan park, excludes a lodging house, and means a building where the period of occupancy of any lodger is not more than 14 consecutive days and includes a bed and breakfast, chalet, cottage or holiday house;
  - keeper** means a person whose name appears on the register of keepers, in respect of accommodation, as the keeper of that accommodation;
  - lodger** means a person who obtains, for hire or reward, board or lodging in accommodation;
  - lodging house** includes a recreational campsite, a serviced apartment and a short term hostel and has the same meaning as defined in Section 3 of the Act;

**manager** means a person duly appointed by the keeper in accordance with this Division to reside in, and have the care and management of accommodation;

**manufacturer's specifications** means a data sheet describing the technical characteristics of a product which is published by a manufacturer to help consumers use the product;

**recreational campsite** means a lodging house, including youth camps, youth education camps, church camps and riding schools but excluding a camp or caravan within the meaning of the *Caravan Parks and Camping Grounds Act 1995* –

- (a) situated on a campsite principally used for –
  - (i) recreational, sporting, religious, ethnic or educational pursuits; or
  - (ii) conferences or conventions; and

- (b) where the period of occupancy of any lodger is not more than 14 consecutive days;

**register of lodgers** means the register kept in accordance with section 157 of the Act and this Part;

**register of keepers** means a register by the local government in which is registered the names and residences of the keepers of all accommodation within its district and the situation of every such accommodation and the number of persons authorised to be resident therein;

**resident** means a person, other than a lodger, who resides in accommodation;

**serviced apartment** means a lodging house in which each sleeping apartment, or group of sleeping apartments in common occupancy, is provided with its own sanitary conveniences and may have its own cooking facilities;

**short term hostel** means a lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and shall include youth hostels and backpacker hostels; and

**sleeping apartment** means a room for lodgers to sleep in.

- (2) Where in this Part an act is required to be done or forbidden to be done in relation to any lodging house, the keeper of the lodging house has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

## 10.2 Accommodation not to be kept unless registered

A person shall not keep, cause or permit to be kept accommodation unless –

- (a) the accommodation is constructed in accordance with the requirements of this Part;
- (b) the accommodation is registered by the local government under clause 10(4)(1);
- (c) the names of the persons keeping or proposing to keep, and managing the accommodation is entered in the register of keepers in accordance with section 147 of the Act; and
- (d) in the case of holiday accommodation, when required by an authorised person, a management plan is approved by an authorised person that includes –
  - (i) a code of conduct detailing the expected behaviour and obligations of lodgers, which is also to be displayed within the premises;
  - (ii) details of lodger check-in and check-out procedures;
  - (iii) details of waste management procedures;
  - (iv) an emergency management plan; and
  - (v) the keeper and manager's mobile telephone numbers.

## 10.3 Application for registration

In addition to clause 13.1 an application for registration of accommodation shall contain the following details –

- (a) if the applicant is a body corporate, the name and position of the person having principal responsibility for the premises to be registered;
- (b) contact details of the applicant including –
  - (i) business, residential and email addresses; and
  - (ii) business, residential and mobile telephone numbers;
- (c) if the keeper is not to be resident at the lodging house, proposed arrangements for manager;
- (d) proposed classification as –
  - (i) a lodging house;
  - (ii) a short term hostel;
  - (iii) serviced apartments;

- (iv) recreational campsite; or
- (v) other classification;
- (e) type and number of rooms and facilities for private use;
- (f) type, number and area of rooms and facilities for use by lodger;
- (g) type, number and area of sanitary conveniences and facilities for each of male and female lodgers;
- (h) number, areas and details of equipment for laundry facilities;
- (i) if meals are to be provided by the manager; and
- (j) be accompanied by detailed plans and specifications of the lodging house.

#### **10.4 Determination of application**

- (1) An authorised person may approve, with or without conditions, an application under clause 10.3 by issuing to the applicant a certificate of registration of a lodging house in the form determined by the local government from time to time.
- (2) The certificate of registration is to include –
  - (a) classification as per clause 10.3(d);
  - (b) name of resident manager;
  - (c) name of owner if not resident;
  - (d) number of rooms for lodgers, and the number of lodgers permitted to in each sleeping apartment;
  - (e) number / type of rooms for lodger's use;
  - (f) conditions imposed, if any; and
  - (g) approved number of rooms and approved number of lodgers per room listed according to room.
- (3) The certificate of registration is to be displayed in the reception area accessible by lodgers.
- (4) The licence for a lodging house shall expire on 30 June following the date of its issue.

#### **10.5 Suspension or revocation of registration of a lodging house**

In accordance with Part 14, an authorised person may suspend or revoke a registration, including but not limited to the following grounds –

- (a) that the lodging house has not, to the satisfaction of an authorised person, been kept free from vectors of disease or in a clean, wholesome and sanitary condition;
- (b) that the keeper has –
  - (i) been convicted of an offence against this local law in respect of the accommodation;
  - (ii) not complied with a requirement of this Part; or
  - (iii) not complied with a condition of registration;
- (c) that the local government, having regard to a report from the Police, is satisfied that the keeper or manager is not a fit and proper person; and
- (d) that, by reason of alterations or additions or neglect to repair and renovate, the condition of the accommodation is such as to render it, in the opinion of an authorised person, unfit to remain registered.

#### *Division 2 – Construction and Use Requirements*

#### **10.6 General construction requirements**

The general construction requirements of accommodation shall comply with the NCC.

#### **10.7 Insect screening**

The keeper shall provide and maintain in good working order and condition on the premises windows and external doors that are screened with mesh having openings no larger than 1.2 millimetres.

#### **10.8 Sanitary conveniences**

- (1) A keeper of accommodation shall maintain in good working order and condition and in convenient positions on the premises –
  - (a) toilets; and
  - (b) bathrooms, each fitted with shower or a bath (or both) and hand wash basin and in accordance with the requirements of the NCC.
- (2) A bathroom or toilet, which is used as a private bathroom or toilet to the exclusion of other lodgers or



residents, shall not be counted for the purposes of subclause (1).

- (3) Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.
- (4) The walls of each shower and bath shall be of an impervious material to a minimum height of 1.8 metres above the floor level.
- (5) Each toilet and bathroom shall –
  - (a) be situated, separated and screened as to ensure privacy;
  - (b) be apportioned as to each sex;
  - (c) have a distinct sign displayed in a prominent position denoting the sex for which the toilet or bathroom is provided; and
  - (d) be provided with adequate lighting.
- (6) Subclauses (5)(b) and (c) do not apply to a serviced apartment.

#### **10.9 Laundry unit**

- (1) A laundry unit shall consist of –
  - (a) a washing machine with a capacity of not less than four kilograms of dry clothing;
  - (b) either an electric drying cabinet or not less than 30 metres of clothes line;
  - (c) one wash trough of not less than 45 litres capacity, connected to both hot and cold water; and
  - (d) A hot water system that –
    - (i) is capable of delivering an adequate supply of water at a temperature of at least 65 degrees Celsius for each washing machine and wash trough provided with the communal facilities; and
    - (ii) has a delivery rate of not less than five litres per minute for each washing machine or a higher delivery rate according to the manufacturer's specifications.
- (2) A keeper of a lodging house shall, subject to the satisfaction of an authorised person –
  - (a) provide on the premises a laundry unit for each 15 lodgers;
  - (b) at all times maintain each laundry unit in a proper sanitary condition and in good repair;
  - (c) provide an adequate supply of hot and cold water to each wash trough, sink and washing machine; and
  - (d) ensure that the floor area of each laundry unit is properly surfaced with an even fall to a floor waste.
- (3) An authorised person may approve the provision of a reduced number of laundry units if suitable equipment of a commercial type is installed.

#### **10.10 Kitchen**

The keeper of a lodging house shall provide in that lodging house a kitchen which complies with the relevant requirements of –

- (a) the *Food Act 2008*;
- (b) the *Food Regulations 2009*; and
- (c) *Standards 3.1.1, 3.2.2, and 3.2.3* of the *Food Standards Code* as determined by an authorised person.

#### **10.11 Cooking facilities**

The keeper of accommodation where meals are prepared shall provide a kitchen with cooking appliances of a number and type approved by an authorised person.

#### **10.12 Dining room**

The keeper of a lodging house shall provide in that lodging house a dining room which –

- (a) is located in close proximity to, or combined with, the kitchen;
- (b) has a floor area of which shall not be less than the greater of –
  - (i) 0.5 square metres per person; or
  - (ii) 10 square metres;
- (c) is adequately furnished to accommodate, at any one time, half of the number of lodgers; and
- (d) has a suitable floor covering.

#### **10.13 Lounge room**

The keeper of a lodging house shall provide in that lodging house a lounge room which –

- (a) has a floor area with a minimum of 13 square metres, and –
  - (i) where the lounge room is not combined with a dining room, is not less than 0.6 square metres per person; or
  - (ii) where the lounge room is combined with a dining room, is not less 1.2 metres per person; and
- (b) is adequately furnished to accommodate at any one time, half of the number of lodgers; and
- (c) has a suitable floor covering.

#### **10.14 Fire prevention and control**

(1) A keeper shall—

- (a) ensure smoke alarms complying with *AS 3786:2014* are installed on or near the ceiling in every bedroom and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building as required by the NCC;
  - (b) ensure that there is installed in each passage or corridor in the lodging house a smoke alarm incorporating evacuation lighting which is activated by the smoke alarm as required by the NCC;
  - (c) provide evacuation lighting if required by the NCC to be kept separate from the general lighting system and kept illuminated during the hours of darkness;
  - (d) provide an approved fire blanket positioned within two metres of the cooking area in each kitchen;
  - (e) if required by the NCC, ensure that illuminated exit signs are installed above exit doorways which comply with *AS 2293.1:2005* and which are maintained in good working order at all times; and
  - (f) provide firefighting equipment in accordance with the requirements of the NCC and ensure that the equipment is clearly visible, accessible and maintained in good working order at all times.
- (2) No person shall smoke in any dormitory, kitchen or dining room or other enclosed public place within a lodging house.
- (3) A keeper shall ensure that any items which are likely to cause a fire hazard are not located within bedrooms or dormitories of a lodging house.
- (4) The keeper of a lodging house which is a recreational campsite or short term hostel, but not a serviced apartment, shall ensure that –
- (a) materials used in bedrooms and dormitory area comply with *AS 1530.2:1993* and *AS 1530.3:1999* as follows –
    - (i) drapes, curtains and blinds – a maximum flammability index of 6;
    - (ii) flammable furniture, upholstery and beds –
      - (A) a maximum spread of flame index of 6; and
      - (B) a maximum smoke developed index of 5; and
    - (iii) floor coverings –
      - (A) a maximum spread of flame index of 7; and
      - (B) a maximum smoke developed index of 5; and
  - (b) fire retardant coatings used to make a material comply with these indices shall be –
    - (i) certified by the manufacturer as approved for used with the fabric to achieve the required indices;
    - (ii) certified by the manufacturer to retain its fire retardancy effect after a minimum of five commercial dry cleaning or laundering operations carried out in accordance with *AS 2001.5.4:2005*; and
    - (iii) certified by the applicator as having been carried out in accordance with the manufacturer's specifications.

#### **10.15 Obstruction of passages and stairways**

A keeper of a lodging house shall not place or permit to be placed furniture, fittings or other things in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging house, either temporarily or permanently, in or on –

- (a) a stairway, stair landing, fire-escape, window or common passageway; or
- (b) part of the lodging house in common use or intended or adapted for common use.

#### **10.16 Fitting of locks**

A person shall not fit, cause or permit to be fitted, to an exit door a lock or other device which prevents the door being opened from within a lodging house.

#### **10.17 Restriction on use of rooms for sleeping**

- (1) Subject to subclause (3) and clause 10.31, a keeper of a lodging house shall not use or permit to be used as a sleeping apartment a room in a lodging house –
  - (a) which contains food;
  - (b) which contains or is fitted with a cooking appliance or kitchen sink;
  - (c) which is used as a kitchen, scullery, store room, dining room, general sitting room, lounge room or for the preparation or storage of food;
  - (d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;
  - (e) which, except in the case of a short term hostel or a recreational campsite, contains less than five square metres of clear space for each lodger occupying the room;
  - (f) which is not naturally illuminated in accordance with the requirements of the NCC;
  - (g) which is not ventilated in accordance with the requirements of the NCC;
  - (h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;
  - (i) which is not free from internal dampness;
  - (j) of which any part of the floor is below the level of the adjoining ground; or
  - (k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by an authorised person.
- (2) For the purposes of this clause, two children under the age of 10 years shall be counted as one lodger.
- (3) Subclauses (1)(a), (b) and (c) shall not apply to a serviced apartment.

#### **10.18 Sleeping accommodation, short term hostels and recreational campsites**

- (1) A keeper of a short term hostel or recreational campsite shall provide clear floor space of not less than –
  - (a) 4 square metres per person in each dormitory utilising beds; or
  - (b) 2.5 square metres per person in dormitories utilising bunks.
- (2) The calculation of floor space in subclause (1) shall exclude the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.
- (3) The minimum height of any ceiling in a short term hostel or recreational campsite shall be –
  - (a) 2.4 metres in any dormitory utilising beds; or
  - (b) 2.7 metres in any dormitory utilising bunks.
- (4) The minimum floor area requirements in subclause (1) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the NCC.
- (5) The keeper of any short term hostel or recreational campsite shall provide –
  - (a) fixed outlet ventilation at a ratio of 0.15 square metre to each 10 square metres of floor area of the dormitories;
  - (b) each dormitory with direct ventilation to the open air from a point within 230 millimetres of the ceiling level through a fixed open window or vents, carried as direct to the open air as is practicable; or
  - (c) mechanical ventilation in lieu of fixed ventilation.
- (6) The keeper of any short term hostel or recreational campsite shall provide –
  - (a) beds with a minimum size of –
    - (i) in short term hostels – 800 millimetres x 1.9 metres; or
    - (ii) in recreational campsites – 750 millimetres x 1.85 metres; and
  - (b) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.
- (7) The keeper of any short term hostel or recreational campsite shall –
  - (a) ensure at all times there is a distance of 750 millimetres between beds and a distance of 900 millimetres between bunks;
  - (b) ensure that where bed or bunk heads are placed against the wall on either side of a dormitory, there is a passageway of at least 1.35 metres between each row of beds and a passageway of at

least two metres between each row of bunks and the passageway is kept clear of obstruction at all times;

- (c) ensure all light fittings and other ceiling and wall projections (including ceiling and wall fans) are provided with safety guards or positioned so as not to be a danger to any occupants to the satisfaction of an authorised person; and
- (d) ensure all doors, windows and ventilators are kept free from obstruction.

#### **10.19 Furnishing etc. of sleeping apartments**

A keeper of a lodging house shall, unless otherwise approved by an authorised person –

- (a) furnish each sleeping apartment with a sufficient number of beds and sufficient bed linen of good quality;
- (b) ensure that each bed –
  - (i) has a mattress and pillow;
  - (ii) is provided with a pillow case, two sheets, a blanket or rug and, in cold weather, not less than one additional blanket or rug; and
  - (iii) has a mattress and pillow protectors fitted;
- (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room; and
- (d) not cause or permit any tiered beds or bunks to be used in a sleeping apartment other than in a lodging house used exclusively as a short term hostel or recreational campsite.

#### **10.20 Ventilation**

If, in the opinion of an authorised person, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, the authorised person may give written notice to the keeper to provide a different or additional method of ventilation.

#### **10.21 Room identification**

- (1) A keeper shall number each room available to a lodger in a lodging house or provide an alternative means of identification approved by an authorised person.
- (2) The numbering system or alternative means of room identification is to be –
  - (a) legible and easily identified; and
  - (b) placed on or adjacent to each door to a habitable room.

### *Division 3 – Management and Care*

#### **10.22 Duties of keeper**

Whenever there are one or more lodgers in a lodging house, a keeper or manager shall –

- (a) reside continuously in the lodging house; and
- (b) not be absent from the lodging house unless arrangements for a reputable person to have the care and management of the lodging house have been made.

#### **10.23 Register of lodgers**

- (1) A register of lodgers shall be kept in accordance with section 157 of the Act and this clause.
- (2) A keeper shall keep a register of lodgers recording the following details –
  - (a) date of arrival;
  - (b) name;
  - (c) details sufficient to trace and contact each lodger should the need arise;
  - (d) room number; and
  - (e) date of departure.
- (3) The register of lodgers shall be –
  - (a) kept in the lodging house; and
  - (b) open to inspection at any time on demand by a police officer or by an authorised person.
- (4) The register shall be kept for a minimum of 3 years.

#### **10.24 Keeper report**

A keeper shall, whenever required by a police officer or an authorised person, provide a report containing the details of clause 10.23(2).

#### **10.25 Certificate in respect of sleeping accommodation**

- (1) An authorised person may issue to a keeper a certificate of sleeping accommodation, in respect of each room, which shall be in the form determined by the local government from time to time.
- (2) The certificate issued under subclause (1) shall specify the maximum number of persons who shall be permitted to occupy each room as a sleeping apartment at any one time.
- (3) The certificate of registration shall be displayed in the reception area accessible by those visiting the premises.
- (4) When required by an authorised person, a keeper shall exhibit the certificate issued under this clause in a conspicuous place in the room to which it refers.
- (5) A person shall not permit or allow to be permitted a greater number of persons than is specified on a certificate issued under this clause to occupy the room to which it refers.

#### **10.26 Duplicate keys and inspection**

A keeper and manager of accommodation shall –

- (a) retain possession of a duplicate key to the door of each room; and
- (b) when required by an authorised person, open the door of any room for the purposes of inspection by the authorised person.

#### **10.27 Room occupancy**

- (1) A keeper shall not –
  - (a) permit or allow to be permitted more than the maximum number of persons permitted by the certificate of registration of a lodging house issued under clause 10.4(1) to be lodged at any one time in the accommodation;
  - (b) place or permit to be placed or kept in any sleeping apartments –
    - (i) a larger number of beds; or
    - (ii) a larger quantity of bedding,than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and
  - (c) use or permit to be used for sleeping purposes a room that –
    - (i) has not been certified for that purpose; or
    - (ii) an authorised person has forbidden to be used as a sleeping apartment.
- (2) For the purpose of this clause, two children under 10 years of age shall be counted as one lodger.

#### **10.28 Maintenance of a room by a lodger or resident**

- (1) A keeper may permit, or contract with, a lodger or resident to service, clean or maintain the room or rooms occupied by the lodger or resident.
- (2) Where permission is given or a contract entered into under subclause (1), the keeper of a lodging house shall –
  - (a) inspect each room the subject of the permission or agreement at least once a week; and
  - (b) ensure that each room is being maintained in a clean and sanitary condition.
- (3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, shall maintain the room in a clean and sanitary condition.

#### **10.29 Cleaning and maintenance requirements**

A keeper shall –

- (a) maintain in a clean, sound and undamaged condition –
  - (i) the floor, walls, ceilings, woodwork and painted surfaces;
  - (ii) the floor coverings and window treatments; and
  - (iii) the toilets, including toilet seats, cisterns and associated plumbing;
- (b) maintain in a clean condition and in good working order –
  - (i) all fixtures and fittings; and
  - (ii) windows, doors and door furniture;

- (c) ensure that the internal walls of each bathroom and toilet are painted so as to maintain a smooth, impervious washable surface;
- (d) ensure that all floors are kept clean at all times;
- (e) ensure that –
  - (i) all bed linen, towels and house linen in use is washed at least once a week;
  - (ii) within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
  - (iii) a person does not occupy a bed, which has been used by another person, unless the bed has been provided with clean bed linen;
  - (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
  - (v) when any vectors of disease are found in a bed, furniture, room or sleeping apartment, effective action is taken to eradicate the vectors of disease without delay; and
  - (vi) a room, which is not free from vectors of disease, is not used as a sleeping apartment;
- (f) when so directed by written notice given by an authorised person, ensure that –
  - (i) a room, together with its contents and any other part of the lodging house, is cleaned and disinfected; and
  - (ii) a bed or other article of furniture is removed from the lodging house and properly disposed of;
- (g) ensure that the yard is kept clean at all times; and
- (h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting.

### **10.30 Responsibilities of lodgers and residents**

A lodger or resident shall not –

- (a) use any room available to lodgers –
  - (i) as a shop, store or factory; or
  - (ii) for manufacturing or trading services;
- (b) keep or store in or on the lodging house any goods or materials which are inflammable or offensive;
- (c) use a bath or hand wash basin other than for ablutionary purposes;
- (d) use a bathroom facility or fitting for laundry purposes;
- (e) use a sink installed in a kitchen or scullery for any purpose other than the washing and cleaning of cooking and eating utensils, other kitchenware or culinary purposes;
- (f) deposit rubbish or waste food other than into a proper rubbish receptacle;
- (g) in a kitchen or other place where food is kept –
  - (i) wash or permit the washing of clothing or bedding; or
  - (ii) keep or permit to be kept any soiled clothing or bedding;
- (h) subject to clause 10.31 –
  - (i) keep, store, prepare or cook food in any sleeping apartment; or
  - (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;
- (i) place or keep, in any part of a lodging house, any luggage, clothing, bedding or furniture that is infested with vectors of disease;
- (j) store or keep items other than personal effects –
  - (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
  - (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;
- (k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; and
- (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

### **10.31 Approval for storage and consumption of food**

(1) An authorised person may –

- (a) upon written application from a keeper of a lodging house, approve the storage of food within a

- refrigerator or sealed container in a sleeping apartment; and
- (b) withdraw the approval if a nuisance, vector of disease, vermin or infestation is found to exist in the lodging house.
- (2) The keeper of a serviced apartment may permit the storage and consumption of food within that apartment if suitable storage and dining facilities are provided.

### 10.32 Infectious disease

A keeper shall without delay after becoming aware that a lodger or resident is suffering from a notifiable infectious disease notify an authorised person.

## PART 11 - OFFENSIVE TRADES

### Division 1 – General

#### 11.1 Interpretation

In this Part, unless the context otherwise requires –

**offensive trade** means any trades as defined by section 186 of the Act, and includes –

- (a) establishments carrying out gut scraping or preparation of sausage skins;
- (b) knackeries;
- (c) laundromats and dry cleaning premises;
- (d) livestock saleyards;
- (e) establishments for caged poultry farming or poultry processing;
- (f) establishments for caged rabbit farming; and
- (g) establishments for shellfish and crustacean processing, excluding retail fish shop; and

**premises** means those premises in or upon which an offensive trade is carried on.

#### 11.2 Application to establish an offensive trade

- (1) A person seeking the consent of the local government under section 187 of the Act to establish an offensive trade shall –
- (a) advertise notice of his or her intention to apply for consent in accordance with clause 11.3; and
  - (b) lodge an application with the local government.
- (2) In addition to clause 13.1 an application for registration to establish an offensive trade shall include but is not limited to the addition following details –
- (a) description of proposed offensive trade;
  - (b) details of operations –
    - (i) days and times of operation;
    - (ii) quantities of materials – received and dispatched;
    - (iii) quantities of waste materials or products;
    - (iv) arrangements for disposal of waste materials or products;
  - (c) plans and specifications of the buildings proposed to be erected or used in connection with the proposed offensive trade are attached;
  - (d) details of advertising, notification to adjoining properties; and
  - (e) accompanied by the fee prescribed in the *Health (Offensive Trades Fees) Regulations 1976* as amended from time to time.

#### 11.3 Notice of application

A notice required under subclause 11.2(1)(a) shall –

- (a) contain the name and address of the person who intends to make the application;
- (b) contain a description of the nature of the offensive trade;
- (c) contain details of the premises in or upon which it is proposed to carry on the proposed trade; and
- (d) appear in a local newspaper at least two weeks but not more than one month before the application under clause 11.2(1)(b) is lodged with the local government.

#### 11.4 Registration of premises

Registration of premises for an offensive trade is to be in accordance with section 191 of the Act.

### **11.5 Certificate of registration of premises for offensive trade**

- (1) In addition to clause 13.2(3) a certificate of registration of premises for an offensive trade is to include the –
  - (a) name of business;
  - (b) address of approved offensive trade premises;
  - (c) type of offensive trade;
  - (d) name of owner;
  - (e) name of manager if the manager is not the owner;
  - (f) period of licence;
  - (g) conditions imposed, if any; and
  - (h) approved times of operation.
- (2) The certificate of registration shall be displayed in the reception area accessible by those visiting the premises.

### **11.6 Transfer of business premises**

- (1) Transfer of an offensive trade to alternative premises is subject to clauses 11.2 and 11.4.
- (2) For avoidance of doubt, registration of premises is specific to the premises registered, and is non-transferable.

### **11.7 Alterations to premises**

While any premises remain registered under this Division, a person shall not, without the written permission of an authorised person, make or permit any change or alteration to the premises, other than minor repairs, installations or interior refurbishment.

## *Division 2 – General duties of an occupier*

### **11.8 Interpretation**

In this Division, unless the context otherwise requires –

- premises** means those premises in or upon which an offensive trade is carried on; and
- vectors of disease** has the meaning given to it in clause 8.1.

### **11.9 Cleanliness of premises etc.**

The occupier shall –

- (a) keep or cause to be kept in a clean and sanitary condition and in a state of good repair the floors, walls and ceilings and all other portions of the premises;
- (b) keep or cause to be kept in a clean and sanitary condition and in a state of good repair all fittings, fixtures, appliances, equipment, implements, shelves, counters, tables, benches, bins, cabinets, sinks, drain boards, drains, grease traps, tubs, containers and other things used on or in connection with the premises;
- (c) keep the premises free from any unwholesome or offensive odour arising from the premises;
- (d) maintain in a clean and tidy condition all yards, footpaths, passage ways, paved areas, stores or outbuildings used in connection with the premises; and
- (e) clean daily and at all times keep and maintain all sanitary conveniences and all sanitary fittings and grease traps on the premises in a clean and sanitary condition.

### **11.10 Sanitary conveniences and hand wash basins**

The occupier shall provide on the premises in an approved position sufficient sanitary conveniences and hand wash basins, each with an adequate supply of hot and cold water for use by employees and by all other persons lawfully upon the premises.

### **11.11 Painting of walls etc.**

The occupier shall cause the internal surface of every wall, the underside of every ceiling or roof and all fittings in and on the premises to be cleaned and painted when directed by written notice given by an authorised person.



### **11.12 Effluvia, odours, gases or dust**

The occupier shall –

- (a) provide, use and maintain in a state of good repair and working order, appliances and preventive measures capable of effectively destroying or of rendering harmless all offensive effluvia, odours, dust or gases arising in any process of his or her business or from any material, residue or other substance which may be kept or stored upon the premises; and
- (b) manage and operate the premises such that odours emanating from the premises do not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person.

### **11.13 Receptacles for disposal of offensive material**

The occupier shall –

- (a) provide on the premises impervious receptacles of sufficient capacity to receive all offensive material and trade refuse produced upon the premises in any one day;
- (b) keep airtight covers on the receptacles, except when it is necessary to place something in or remove something from them;
- (c) cause all offensive material and trade refuse to be placed in the receptacles without delay;
- (d) cause the contents of the receptacles to be removed from the premises at least once per week or as directed by written notice given by an authorised person; and
- (e) cause all receptacles after being emptied to be cleaned with an efficient disinfectant without delay.

### **11.14 Storage of materials**

The occupier shall cause all material on the premises to be stored so as not to be offensive or injurious to health whether by inhalation or otherwise and so as to prevent the creation of a nuisance.

### **11.15 Sleeping on premises**

A person shall not use or permit any room in premises used for an offensive trade to be used for sleeping purposes.

### **11.16 Written notice**

An authorised person may give to the occupier written notice to prevent or diminish the offensiveness of a trade or to safeguard the public health.

## *Division 3 – Fat Rendering Establishments*

### **11.17 Interpretation**

In this Division, unless the context otherwise requires –

**fat rendering establishments** means premises where edible fats including suet, dripping or premier jus are rendered down by any heat processing method.

### **11.18 Ventilation**

The occupier shall provide and maintain –

- (a) a hood which shall –
  - (i) be of an approved design and construction;
  - (ii) be situated so as to arrest all effluvia, odours and smoke from the process of fat rendering; and
  - (iii) extend a minimum of 150 millimetres beyond the length of each appliance; and
- (b) an exhaust ventilation system –
  - (i) the point of discharge of which shall be at least one metre above the ridge of a pitched roof or three metres above a flat roof and shall not be located within six metres of an adjoining property or any fresh air intake; and
  - (ii) which shall discharge in such manner and in such a position that no nuisance is created.

### **11.19 Covering of apparatus**

External parts of the fat rendering apparatus shall be constructed or covered with smooth, noncorrosive and impervious material, devoid of holes, cracks and crevices.

### 11.20 Walls to be impervious

The occupier shall cause walls and ceiling within of three metres of the rendering apparatus or equipment to be a smooth, impervious surface to ceiling height, devoid of holes, cracks and crevices.

#### *Division 4 – Fish Premises*

### 11.21 Interpretation

In this Division, unless the context otherwise requires –

**appliance** includes a utensil, an instrument, a cover, a container or apparatus;

**fish** means fresh fish, frozen fish, chilled fish and cooked fish, whether cleaned, uncleaned or part cleaned and includes crustaceans and molluscs but does not include –

- (a) fish which has been cured, preserved, hermetically canned or treated to prevent putrefaction; or
- (b) cleaned fish supplied in cartons or packets by a packer and sold in such cartons or packets if they are at all times kept in a deep freeze refrigeration unit at a temperature not exceeding minus 15 degrees Celsius;

**fish premises** includes fish processing establishments, fish curing establishments and shellfish and crustacean processing establishments but does not include retail fish shops in which no significant fish processing occurs;

**fish transport vehicle** includes –

- (a) an appliance attached to, carried in or used in connection with a vehicle; and
- (b) a trailer and a portable box, used or designed to be used for the transport or storage of fish; and

**portable box** means a box for the transport or storage of fish and includes a fish transport vehicle.

### 11.22 Fish preparation room

- (1) The occupier of a fish premises which requires a fish processing or preparation room shall ensure that this room complies with the following requirements –
  - (a) the walls shall be a smooth, impervious surface to ceiling height, devoid of holes, cracks and crevices;
  - (b) the floor shall be a smooth, impervious and durable surface;
  - (c) the minimum floor area shall be nine square metres;
  - (d) the room shall be furnished with a hand wash basin connected to a piped supply of hot and cold water; and
  - (e) the room shall be fly-proofed and provided with adequate light and ventilation.
- (2) The occupier shall ensure that all fish are prepared in the fish processing or preparation room and that room shall be used solely for that purpose.
- (3) The occupier of a fish premises shall provide, in or easily accessible from each fish preparation room, cleaning facilities consisting of a double bowl stainless steel wash trough of adequate size to accommodate the equipment and utensils used on the premises, connected to a piped supply of hot and cold water.

### 11.23 Bench

The occupier of a fish premises shall provide and maintain on the premises a separate stainless steel bench for the handling of fish.

### 11.24 Disposal of waste

The occupier of a fish premises shall cause all offal and wastes, all rejected and unsaleable fish and any rubbish or refuse which is likely to be offensive or a nuisance to be –

- (a) placed in the receptacles referred to in clause 11.13 and disposed of in accordance with that clause; or
- (b) kept in a frozen state in an approved enclosure before its removal from the premises.

### 11.25 Fish containers

The occupier of a fish premises shall not allow any box, basket or other container used for the transport of fish to –

- (a) remain on the premises longer than is necessary for it to be emptied; or
- (b) be kept so as to cause a nuisance or to attract flies.

### 11.26 Cooking of fish

Where cooking of fish is carried out in a fish premises, the occupier shall provide and maintain –

- (a) a hood, which shall be of an approved design and construction in accordance with the requirements of AS 1668.2:2012 and so situated as to capture and remove all effluvia, odours and smoke from the process of cooking;
- (b) an exhaust ventilation system –
  - (i) the point of discharge of which shall be at least one metre above the ridge of a pitched roof or three metres above a flat roof and shall not be located within six metres of an adjoining property or any fresh air intakes; and
  - (ii) which shall discharge in such manner and in such a position that no nuisance is created.

### 11.27 Use of an approved portable box

An authorised person may permit an approved portable box to be used for the transport or storage of fish.

### 11.28 Fish transport vehicle

A person shall not use a fish transport vehicle for the transport or storage of fish unless it is so constructed, equipped and maintained that –

- (a) the frame is made of metal or other approved material;
- (b) all internal surfaces—
  - (i) are made of metal or approved impervious plastic substance, which may include stainless steel, aluminium, galvanised iron, fibreglass, or other material of similar strength and impermeable qualities;
  - (ii) are smoothly finished;
  - (iii) are rigidly secured with a solid backing; and
  - (iv) have floor and vertical angles coved with not less than a 9.5 millimetre radius, but, if all necessary floor joints are effectively sealed, the surface of the floor, or part of it, may be of an approved tread type track material;
- (c) internal horizontal joints made between metal sheeting are lapped from top to bottom and either—
  - (i) continuously welded; or
  - (ii) lapped with a minimum of 40 millimetres cover secured with blind rivets and sealed with a durable, non-absorbent sealing material;
- (d) the vehicle is effectively insulated with a stable insulating material;
- (e) the vehicle has, at the rear or side, doors that are made in the manner provided by paragraphs (a), (b), (c) and (d) of this clause, are close fitting, and have a suitable locking device fitted;
- (f) the vehicle is fitted with shelves and grids, made of impervious material, in such a manner that the shelves and grids may be easily removed;
- (g) any containers used in the vehicle for fish are made of stainless steel, fibreglass or approved impervious plastic; and
- (h) the vehicle is in good repair and condition and is thoroughly clean.

## *Division 5 – Laundries, dry cleaning establishments and dye works*

### 11.29 Interpretation

In this Division, unless the context otherwise requires –

**dry cleaning establishment** –

- (a) means premises where clothes or other articles are cleaned by use of solvents without using water; but
- (b) does not include premises in which perchlorethylene or arklone is used as dry cleaning fluid in a fully enclosed machine operating on a full cycle;

**dye works** means a place where articles are commercially dyed; but does not include dye works in which provision is made for the discharge of all liquid waste there from, into a public sewer;

**exempt laundromat** means premises in which –

- (a) laundering is carried out by members of the public using, machines or equipment provided by the owners or occupiers of those establishments;
- (b) laundering is not carried out by those owners or occupiers for or on behalf of other persons;
- (c) provision is made for the discharge of all liquid waste therefrom into a public sewer;

**laundromat** means a public place with coin operated washing machines, spin dryers or dry cleaning machines; and

**laundry** means any place where articles are laundered for the purpose of trade but does not include an exempt laundromat; and

**liquid waste** has the same meaning as in clause 4.1.

### **11.30 Receiving depot**

An owner or occupier of premises shall not use or permit the premises to be used as a receiving depot for a laundry, dry cleaning establishment or dye works except with the written permission of an authorised person who may at any time withdraw such permission in writing.

### **11.31 Reception room**

- (1) The occupier of a laundry, dry cleaning establishment or dye works shall –
  - (a) provide a reception room in which all articles brought to the premises for treatment shall be received and shall not receive or permit to be received any such articles except in that room; and
  - (b) cause such articles as may be directed by written notice given by an authorised person to be thoroughly disinfected.
- (2) A person shall not bring or permit food to be brought into the reception room referred to in this clause.

### **11.32 Walls and floors**

The occupier of a laundry, dry cleaning establishment or dye works shall cause –

- (a) the internal surfaces of all walls shall be a smooth, impervious surface to ceiling height;
- (b) the floor to be impervious, constructed of concrete or other material approved by an authorised person and finished to a smooth surface; and
- (c) every floor and wall of any building on the premises to be kept at all times in good order and repair, so as to prevent the absorption of any liquid which may be splashed or spilled or may fall or be deposited on it.

### **11.33 Laundry floor**

The occupier of a laundry shall provide in front of each washing machine a non-corrosive grating, at least 910 millimetres in width, so constructed as to prevent any person from standing in water on the floor.

### **11.34 Escape of dust**

The occupier of a dry cleaning establishment shall provide effective means to prevent the escape into the open air of all dust or other material from the premises.

### **11.35 Precautions against combustion**

The occupier of a dry cleaning establishment where volatile liquids are used shall take all proper precautions against combustion and shall comply with any written notice given by an authorised person for that purpose.

### **11.36 Trolleys**

The occupier of a dry cleaning establishment shall –

- (a) provide trolleys for the use of transporting dirty and clean linen; and
- (b) ensure that each trolley is –
  - (i) clearly designated to indicate the use for which it is intended;
  - (ii) lined internally with a smooth impervious non-absorbent material that is easily cleaned; and
  - (iii) thoroughly cleaned and disinfected on a regular basis.

## *Division 6 – Abattoirs*

### **11.37 Construction of abattoirs**

An abattoir shall conform to relevant standards as adopted under the *Food Act 2008* section 144(6) and the requirements of the *Food Regulations 2009*.

## **PART 12 - MORGUES**

### **12.1 Licensing of morgues**

- (1) All non-government morgues shall be licensed pursuant to the provisions of this Part.
- (2) The licence for a morgue shall expire on 30 June following the date of its issue.

### **12.2 Application for licence**

In addition to clause 13.1 an application for licencing of a morgue under clause 12.1(1) shall include a floor plan and specifications of the morgue containing the following details –

- (a) the use of each room;
- (b) the structural finish of each wall, floor and ceiling;
- (c) the position and type of each fitting and fixture; and
- (d) all ventilation inlets and outlets.

### **12.3 Decision on application for a morgue**

- (1) Subject to clause 13.2(2) a licence shall not be granted in respect of any premises unless –
  - (a) provision has been made for the keeping of the bodies of the dead at a temperature not exceeding zero degrees Celsius;
  - (b) the walls are constructed of stone or brickwork or other approved material;
  - (c) the interior surface of all walls shall be a smooth, impervious surface to ceiling height;
  - (d) all floors are constructed of impervious material, having a fall to an outlet discharging over a trapped gully; and
  - (e) the premises are adequately ventilated by direct communication with the outside air.

### **12.4 Duties of owner or occupier**

The owner or occupier of premises shall at all times maintain in good working order and condition the premises, all fixtures and fittings and any equipment.

## **PART 13 - LICENCING**

### *Division 1 – Applying for a licence*

### **13.1 Application for licence**

- (1) Where a person is required to obtain a licence under this local law, that person shall apply for the licence in accordance with subclause (2).
- (2) An application for a licence under this local law shall –
  - (a) be in the form determined by the local government;
  - (b) be signed by the applicant;
  - (c) provide the information required by the form;
  - (d) full name, contact details and residential address of owner;
  - (e) where appropriate, if owner is not to be the manager, proposed arrangements for manager;
  - (f) where appropriate, the address of premises to be registered; and
  - (g) be forwarded to the local government together with any set fee.
- (3) An authorised person may require an applicant to provide additional information reasonably related to an application before determining an application for a licence.
- (4) An authorised person may require an applicant to give local public notice of the application for a licence.
- (5) An authorised person may refuse to consider an application for a licence which is not in accordance with subclause (2) or where the requirements of subclause (3) or (4) have not been satisfied.

### **13.2 Decision on application for licence**

- (1) An application not complying with the local planning scheme will not be approved.
- (2) An authorised person may –
  - (a) approve an application for a licence unconditionally or subject to any conditions; or
  - (b) refuse to approve an application for a licence.
- (3) If an authorised person approves an application for a licence, the licence is to be issued to the applicant in the form determined by the local government.
- (4) If an authorised person refuses to approve an application for a licence, written advice of that refusal is to be given to the applicant.
- (5) An authorised person may, at any time, amend a condition of approval and the amended condition takes effect when written advice of it is given to the licensee.

### 13.3 General restrictions on grant of licence

- (1) An authorised person shall not grant a licence if there are reasonable grounds for believing that the provision of the activity to which the application relates would constitute a nuisance or unacceptable risk to the health or safety of the public.
- (2) An authorised person shall not grant a licence unless an authorised person is satisfied that –
  - (a) the applicant is capable of carrying on the activity in accordance with this local law and the terms and conditions of the licence;
  - (b) a licence or similar authority granted or issued to the applicant has not been revoked in the period of 5 years before the application is made; and
  - (c) the applicant is a fit and proper person to carry on the activity.

### 13.4 Examples of conditions

Examples of conditions that an authorised person may impose on a licence under clause 13.2(2)(a) or 13.7(1)(a) include but are not limited to –

- (a) the payment of a set fee;
- (b) compliance with a standard or a policy adopted by the local government;
- (c) restrictions on the erection or use of materials, external signs or decorations;
- (d) the duration and commencement of the licence;
- (e) the commencement of the licence being contingent on the occurrence of an event;
- (f) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (g) the approval of another application for a licence which may be required by the local government under any written law;
- (h) the area of the district to which the licence applies;
- (i) the obtaining of public risk insurance in an amount and on terms reasonably required by an authorised person.

### 13.5 Imposing conditions under a policy

- (1) In this clause –
 

**policy** means a policy made under section 2.7(2)(b) of the *Local Government Act 1995* containing conditions subject to which an application for a licence may be approved or varied under clauses 13.2(2)(a) or 13.7(1)(a).
- (2) Under clauses 13.2(2)(a) or 13.7(1)(a) an authorised person may approve an application subject to conditions by reference to a policy.
- (3) An authorised person is to give to the licensee a copy of the policy or the part of the policy which is relevant to the application for a licence, with the form of licence referred to in clauses 13.2(3) or 13.7(2).
- (4) An application for a licence is not to be taken to have been approved subject to the conditions contained in a policy until an authorised person gives the licensee a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act apply to a policy and, for that purpose, a policy is deemed to be information within section 5.94(u)(i) of the Act.

### 13.6 Compliance with conditions

Where an application for a licence has been approved or varied subject to conditions, the licensee shall comply with each of those conditions, as amended.

### **13.7 Variation of licence**

- (1) An authorised person may, by written advice given to the licensee, vary a licence –
  - (a) imposing any new condition; or
  - (b) change or remove any existing condition.
- (2) An amendment may be made on application made by the licensee or at the initiative of an authorised person.
- (3) An amendment will come into effect on the day that written advice is given to the licensee, or other date as specified in the notice.

## *Division 2 – Duration of licences*

### **13.8 Duration of licence**

- (1) A licence is valid for one year from the date on which it is issued, unless it is –
  - (a) otherwise stated in this local law or in the licence; or
  - (b) suspended or revoked under this Division.
- (2) Where a licence requires annual approval, a licensee shall pay to the local government the set fee for the annual licence on or before 30 June in each year.

### **13.9 Renewal of licence**

- (1) A licensee may apply to an authorised person for the renewal of a licence.
- (2) An application for renewal shall –
  - (a) be in the form determined by the local government;
  - (b) be signed by the licensee;
  - (c) provide the information required by the form;
  - (d) be forwarded to the local government no later than 28 days before the expiry of the licence, or within a shorter period that an authorised person in a particular case permits; and
  - (e) be accompanied by any set fee.
- (3) The provisions of this Part that apply to an application for a licence also apply to an application for the renewal of a licence as though it were an application for a licence.

### **13.10 Transfer of licence**

- (1) An application for the transfer of a valid licence is –
  - (a) to be made in writing;
  - (b) to be signed by the licensee and the proposed transferee of the licence;
  - (c) to include such information as an authorised person may require to enable the application to be determined;
  - (d) be forwarded to the local government no later than 28 days before the intended of the licence, or within a shorter period that an authorised person in a particular case permits; and
  - (e) to be forwarded to the local government together with any set fee.
- (2) An authorised person may approve an application for the transfer of a licence, refuse to approve it or approve it subject to any conditions.
- (3) Where an authorised person approves an application for the transfer of a licence, the transfer may be effected by an endorsement on the licence signed by an authorised person.
- (4) Where an authorised person approves the transfer of a licence, the local government is not required to refund any part of any set fee paid by the former licensee.

### **13.11 Surrender of licence**

A licensee may surrender the licence at any time by written advice to an authorised person.

## *Division 3 – Responsibilities of licensees and others*

### **13.12 Production of licence**

A licensee shall produce to an authorised person his or her licence when required to do so by that authorised person without delay.

### **13.13 Production of licence document for amendment**

If an authorised person amends or renews a licence, the licensee shall, if required by the authorised person, produce the licence document to the authorised person for amendment within the period specified by the authorised person.

### **13.14 False or misleading statement**

A person shall not make a false or misleading statement in connection with an application in respect of a licence under this local law.

## **PART 14 - GIVING OF NOTICE**

### **14.1 Notice to remedy non-compliance**

- (1) Where a breach of any provision of this local law has occurred, an authorised person may give written notice to the person alleged to be responsible for such breach.
- (2) A notice issued pursuant to subclause (1) shall –
  - (a) specify the provision of this local law which has been breached;
  - (b) specify the particulars of the breach;
  - (c) specify the manner in which the recipient is required to remedy the breach to the satisfaction of the authorised person; and
  - (d) specify the time period within which the work or action is to be undertaken.

### **14.2 Notice of proposed suspension of licence**

- (1) If an authorised person proposes to suspend a licence under clause 14.3(1), the authorised person is to give written notice to the licensee of the proposed suspension.
- (2) The notice shall –
  - (a) state that the authorised person proposes to suspend the licence;
  - (b) state the reasons for the proposed suspension; and
  - (c) inform the licensee that the licensee is entitled to make representation to the authorised person in respect of the proposed suspension within 7 days after the day on which the licensee is given the notice.
- (3) In considering whether to suspend the licence, the authorised person is to have regard to any representations made by the licensee within the period referred to in subclause (2)(c).
- (4) Notwithstanding subclause (2)(c) and (3) a suspension of a licence under clause 14.3(1)(c) may have immediate effect.

### **14.3 Notice of suspension of licence**

- (1) Subject to clause 14.2 an authorised person may by written notice to the licensee, suspend a licence if there are reasonable grounds for believing that –
  - (a) the licensee has contravened a term or condition of a licence;
  - (b) the licensee has contravened a provision of this local law; or
  - (c) the continued provision of the activity authorised by the licence constitutes or will constitute –
    - (i) a nuisance; or
    - (ii) an unacceptable risk to the safety, health or welfare of the public.
- (2) The suspension notice is to –
  - (a) specify the provision of this local law which has been breached;
  - (b) specify the particulars of the breach;
  - (c) specify the day, or the day and time, on or at which the suspension takes effect;
  - (d) specify the manner in which the recipient is required to remedy the breach to the satisfaction of an authorised person;
  - (e) specify the time period within which the work or action is to be undertaken; and
  - (f) inform the licensee that the licensee has a right to object or appeal the decision to suspend the licence.



- (3) The suspension of a licence has effect on the day, or the day and time, specified in the suspension notice until one of the following happens –
  - (a) the licence expires;
  - (b) the suspension is cancelled under clause 14.4;
  - (c) the licence is revoked under clause 14.6; or
  - (d) the licence is surrendered in accordance with the provisions of this local law.
- (4) Notwithstanding clause 14.2(c) a suspension of a licence under subclause (1)(c) may have immediate effect.

#### **14.4 Notice of cancellation of suspension of licence**

The authorised person is to by written notice given to the licensee cancel the suspension of a licence if the authorised person is satisfied that –

- (a) the steps specified in the suspension notice have been taken; or
- (b) it is appropriate to do so in the circumstances of a particular case.

#### **14.5 Notice of proposed revocation of licence**

- (1) If an authorised person proposes to revoke a licence under clause 14.6(1), the authorised person is to give written notice to the licensee of the proposed revocation.
- (2) The notice shall –
  - (a) state that the authorised person proposes to revoke the licence;
  - (b) state the reasons for the proposed revocation; and
  - (c) inform the licensee that the licensee is entitled to make representation to the authorised person in respect of the proposed revocation within 7 days after the day on which the licensee is given the notice.
- (3) In considering whether to suspend the licence, the authorised person is to have regard to any representations made by the licensee within the period referred to in subclause (2)(c).
- (4) Notwithstanding subclause (2)(c) and (3) a revocation of a licence under clause 14.6(1)(c) may have immediate effect.

#### **14.6 Notice of revocation of licence**

- (1) Subject to clause 14.5 an authorised person may by written notice to the licensee, revoke a licence if there are reasonable grounds for believing that –
  - (a) the licence was obtained improperly;
  - (b) the licensee has persistently or frequently contravened, whether or not the licence is or has been suspended on the grounds of a contravention of –
    - (i) a term or condition of the licence; or
    - (ii) a provision of this local law; or
  - (c) the continued provision of the activity authorised by the licence constitutes or will constitute –
    - (i) a nuisance; or
    - (ii) an unacceptable risk to the safety, health or welfare of the public.
- (2) The notice of revocation shall –
  - (a) specify the provision of this local law which has been breached;
  - (b) specify the particulars of the breach;
  - (c) specify the day, or the day and time, on or at which the revocation takes effect; and
  - (d) inform the licensee that the licensee has a right to object or appeal the decision to suspend the licence.
- (3) Notwithstanding clause 14.5(2)(c) revocation of a licence under subclause (1)(c) may have immediate effect.

#### **14.7 Local government may undertake requirements of notice**

- (1) If a person fails to comply with a written notice referred to in clauses 14.1 or 14.3(2)(d) or (e) the local government may –
  - (a) do or cause to be done, the thing specified in the written notice, including replace the property, or reinstate the property to the state it was in before the removal, damage or interference;
  - (b) execute the work required by the written notice; and

- (c) recover all costs from the person, as a debt, in addition to any penalty for which that person may be liable under this local law.
- (2) The local government is not liable to pay compensation or damages of any kind to the person referred to in subclause (1) in relation to any action taken by the local government under this clause, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.
- (3) The provisions of this clause are subject to –
  - (a) section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995*; and
  - (b) any power of entry exercised by the local government under this local law is subject to Part 3, Division 3 of the *Local Government Act 1995*.

## **PART 15 - OBJECTIONS AND APPEALS**

### **15.1 Objections and appeals**

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to grant, renew, vary, suspend or revoke a licence.

## **PART 16 - ENFORCEMENT**

### **16.1 Offences**

A person commits an offence who –

- (a) fails to do anything required or directed by written notice given by an authorised person to be done under this local law; or
- (b) fails to comply with a direction in writing given under this local law by an authorised person; or
- (c) fails to comply with the requirements of a written notice issued under this local law by an authorised person; or
- (d) does anything which under this local law that person is prohibited from doing.

### **16.2 General penalty**

- (1) A person who commits an offence under clause 16.1 is liable to a penalty which is not more than \$5000 and not less than \$1000.
- (2) If the offence is a continuing offence, an additional penalty not more than \$500 and not less than \$250 for each day or part of a day during which the offence has continued.

### **16.3 Modified penalties**

- (1) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

### **16.4 Form of infringement notices**

- (1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the *Local Government Act 1995* is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- (2) The form of the infringement notice referred to in section 9.16 of the *Local Government Act 1995* is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (3) The form of the infringement withdrawal given under section 9.20 of the *Local Government Act 1995* is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

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## **SCHEDULE – MODIFIED PENALTIES**

[cl.16.3]

Item	Clause No.	Nature of offence	Modified penalty \$
1	2.4	Failure to provide sanitary conveniences in accordance with the relevant Code	500
2	4.3(2)	Unauthorised disposal of liquid waste	500
3	6.5(1)	Failure to provide a dust management plan when required	500
4	7.1(b)	Failure to keep premises clean and disinfected when directed by an authorised person	500
5	7.4(2)	Keeping of fauna without approval of the relevant department	500
6	7.9	Failure to keep a commercial poultry establishment in accordance with the relevant Code	500
7	13.14	Providing false or misleading information	500
8	14.1(1)	Failure to comply with requirements of written notice	500
9	14.3(1)	Failure to comply with requirements of notice of suspension of licence	500
10	14.6(1)	Failure to comply with requirements of notice of revocation of licence	500
11	16.1(a), (b) (c) or (d)	All other offences not specified	200

Dated \_\_\_\_\_ 2021

The Common Seal of the Shire of Narrogin was affixed by authority of a resolution of Council in the presence of –

L.N. BALLARD, President

D.R. STEWART, Chief Executive Officer

**11. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING**

**13. CLOSURE OF MEETING**

There being no further business to discuss, the Presiding Member declared the meeting closed at \_\_\_ pm and, [pursuant to resolution 1020.012 of 27 October 2020](#), reminded Councillors of the next Ordinary Meeting of the Council, scheduled for 7.00 pm on Tuesday 22 September 2021, at this same venue.



Shire of  
**Narrogin**

*Love the life*

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