

ORDINARY COUNCIL MEETING MINUTES

12 APRIL 2017

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

7.35 pm – President Ballard declared the meeting open.

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

Elected Members

Mr L Ballard – Shire President
Cr T Wiese – Deputy Shire President
Cr C Ward
Cr N Walker
Cr P Schutz
Cr M Fisher
Cr C Bartron
Cr B Seale
Cr G Ballard

Staff

Mr A Awang – A/CEO & Executive Manager Development & Regulatory Services
Mr F Ludovico – Executive Manager Corporate & Community Services
Ms W Russell – Acting Executive Assistant

Apologies

Mr A Cook – Chief Executive Officer
Mr T Evans – Executive Manager Technical & Rural Services

Visitors

Mr N Mitchell – Merger Project Manager – Shire of Narrogin
Ms D Hughes Owen – ARtS Narrogin
Ms A Baxter – ARtS Narrogin
Mr Ned Crossley – ARtS Narrogin
Ms S Bicknell – ARtS Narrogin
Ms C Stewart – ARtS Narrogin
Mr P Denman – Denman Technical Solutions

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

Cr Wiese declared an interest in item 10.1.029. The nature of his interest was Financial.

Cr Seale declared an interest in item 10.1.034. The nature of his interest was Impartiality.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION 0417.033 AND OFFICER'S RECOMMENDATION

Moved: Cr Ward

Seconded: Cr Wiese

That Council:

Accept the minutes of the Ordinary Council Meeting held on 22 March 2017 and they be confirmed as an accurate record of proceedings.

CARRIED 9/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

DISCLAIMER READING

The person presiding will read the disclaimer to those present.

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Please note that this meeting is recorded for minute taking purposes.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

7.39 pm – Representatives from ARtS Narrogin presented to Council an overview of the role and functions of their organisation and the benefits they provide to the community.

7:53 pm – Presentation concluded.

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10.1 DEVELOPMENT AND TECHNICAL SERVICES

10.1.027 CEMETERY AMENDMENT LOCAL LAW 2017 – FINAL ADOPTION

File Reference:	13.5.7
Disclosure of Interest:	Nil
Applicant:	Nil
Previous Item Nos:	10.2.158 22 November 2016
Date:	24 March 2017
Author:	Niel Mitchel – Merger Project Manager
Authorising Officer:	Azhar Awang – Executive Manager Development & Regulatory Services

Attachments

Attachment 1 – Summary of submissions and comments received

Attachment 2 – Draft Cemetery Amendment Local Law 2017

Summary

To finalise the process of adoption of the Cemetery Amendment Local Law 2017.

Background

The purpose of this report is to –

- 1) consider the submissions received on the proposed local law and determine if any drafting amendment(s) are required as a result of the submissions received;
- 2) give notice of the purpose and effect of the local laws;
- 3) make the local law, incorporating all amendments as approved by Council;
- 4) authorise the affixing of the Common Seal to the local laws;
- 5) authorise the local laws publication in the *Government Gazette*; and
- 6) give local public notice, (after Gazettal), of the date the local laws will come into effect.

Comment

At its ordinary meeting held on the 20 December 2016 Council resolved to commence the process to make the Cemetery Amendment Local Law 2017.

- Purpose – to amend the requirements for plaques within the Cemetery.
- Effect – to ensure that plaques are of a consistent size and standard for the various monuments, memorials, niche wall etc.

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law.

An advertisement was placed in the West Australian on 11 January 2017 and the Narrogin Observer on 12 January 2017, with the submission period for public comment closing on 1 March 2017.

At the close of the submission period, submissions had been received from –

- Department of Local Government & Communities (DLGC)
- Shire of Narrogin

The Departmental submissions covered multiple areas. No substantive matters were raised, with the comments being of –

- minor editorial nature, and
- being of a context or technical nature, punctuation and grammar.

The Shire of Narrogin submission requested to reduce the size requirement for double plaques and also makes an alteration to the table of Contents as Gazetted.

Following closure of the public submissions period, Dawson's Funeral Home was also contacted for their specific input. After discussions the Executive Support Officer advised that several measurements could be reduced, resulting in improved consistency, and likely a small reduction in cost of plaques.

None of the suggested changes altered the intent of the provision amended nor placed additional obligations on the community. Accordingly, it is considered that the amendments are not of a significant nature that requires re-advertising.

The attached draft has been amended from the proposed local law advertised for public submissions, in accordance with the DLGC comments and Shire internal submission.

Once formally adopted by Council, the local laws –

- are to be published in the Government Gazette,
- local public notice is given of adoption of the local laws (separate to previous advertising of proposals),
- signed copies are to be sent to the Minister for Local Government, and
- copies sent to the Parliamentary Joint Standing Committee on Delegated Legislation together with other required documentation, within 10 days of publication in the Government Gazette.

It should be noted:

- disallowance of the local law may be made by Parliament, and could take some time depending on sitting days,
- takes effect on the day stipulated in the local law, generally 14 days after publication in the Government Gazette.

Consultation

- Wendy Russell – Executive Support Officer
- Josiah Farrell – Building Officer Trainee
- Dawsons Funeral Home
- Volunteers constructing niche wall

Statutory Environment

Local Government Act 1995, s.3.12 – Procedure for making local laws.
Cemeteries Act 1986

Policy Implications

Nil

Financial Implications

Cost of publication in Government Gazette and giving local public notice.

Strategic Implications

Nil

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Notes the submissions and comment received in relation to the proposed Cemetery Amendment Local Law 2017;
2. Adopts the Cemetery Amendment Local Law 2017 noted above as per the attached draft, incorporating amendments outlined by the Department of Local Government and Communities and Shire of Narrogin;
3. Authorise the President and CEO to sign and affix the Common Seal to the Local Law noted above;
4. Publish the Local Law noted above, in the Government Gazette and provide copies of the local law to the Minister for Local Government; and
5. Forward a copy of the Gazetted Local Law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review.

COUNCIL RESOLUTION 0417.034

Moved: Cr Shultz

**Seconded: Cr Walker
BY ABSOLUTE MAJORITY**

That Council:

1. Notes the submissions and comment received in relation to the proposed Cemetery Amendment Local Law 2017;
2. Adopts the Cemetery Amendment Local Law 2017 noted above as per the attached draft, incorporating amendments outlined by the Department of Local Government and Communities and Shire of Narrogin;
3. Authorise the President and CEO to sign and affix the Common Seal to the Local Law noted above;
4. Publish the Local Law as noted in point 2 above in the Government Gazette and provide copies of the local law to the Minister for Local Government; and
5. Forward a copy of the Gazetted Local Law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review

**CARRIED 8/1
Against Cr Seale**

Reason for change:

Resolution point 4, was amended to clarify the Local Law being referred to.

Commonly-used abbreviations:

CEO	Chief Executive Officer
DLGC	Department of Local Government and Communities
JSCDL	Joint Standing Committee on Delegated Legislation (WA Parliament)

Proposed Shire of Narrogin Cemetery Amendment Local Law 2017 – Summary of submissions received

Submissions received –

- Department of Local Government and Communities

Department of Local Government and Communities –

Item	Clause	Comment	Review Comment
1	3	Principal local law Clause 3 currently states that the principal local law was Gazetted on 8 July 2016. It appears this date is incorrect and should be replaced with “8 August 2016”.	Corrected
		Recommendation –	Amend as suggested
2	5	Clause 7.3 amended This clause states that subclause 7.2(3) is deleted. It appears that this reference should be changed to “clause 7.3(3)”.	Corrected
		Recommendation –	Amend as suggested
3	6	Proposed Clause 7.4 Proposed clause 7.4(1)(a)(iv) uses the phrase “all measurements +/- 5mm”. This phrase may be confusing to some readers. If the Shire intends to allow dimensions that fall within 5mm of the specific dimensions described in subclause (1), it is suggested that this be clarified in more detail. It is also suggested that proposed clause 7.4(3) be amended as follows: <ul style="list-style-type: none"> • The words “a variation to subclauses (1)(a)” should be replaced with “an exemption from any of the requirements of subclause (1)(a)”; and • The phrase “decision to permit a variation” should be replaced with “decision to permit an exemption”. 	Amended to read “all measurement to be within 5mm.” - Also amended were occurring elsewhere Amended as suggested Amended as suggested
		Recommendation –	Amend as suggested
4	7	Proposed clause 7.5 The issues noted in the previous comment also apply to proposed clause 7.5.	Amended to read “all measurement to be within 5mm.”
		Recommendation –	Amend as suggested
5	Various	Minor edits The following minor edits are suggested – <ul style="list-style-type: none"> • The symbol “x” should be replaced with “and”. For example, “70mm wide x 70mm long” should be replaced with “70mm wide and 70mm long”. • Proposed clause 7.5(3)(a) states that a memorial plaque should be 228m high. It appears that this is a typo and it should read “228mm”. This issue also applies to 	Amended

		subclause (6). <ul style="list-style-type: none"> Proposed clause 7.5(7) states that a person may be exempt from (3)(a), (4)(a) or (5)(a). The Shire should consider whether (6)(a) should be added to this list as well. 	Corrected in both Added
		Recommendation –	Amend as suggested

Shire of Narrogin –

Item	Clause	Comment	Review Comment
1	4	Table of Contents Alter for changes to clause 7.4 and 7.5 titles	Amended
		Recommendation –	Amend as suggested
2	7	Proposed Clause 7.5 Subclause (3)(a)(ii) – for double compartment – 381mm wide and 228mm high; or	Following a meeting with Dawsons Funeral Home, it is suggested that the width be reduced from 381mm to 350mm. The reduction still allows for adequate overlap around the outside of the niches to be covered.
		Recommendation –	Amend as suggested
3	7	Proposed Clause 7.5 Subclause (6)(a)(ii) – for double – 381mm wide and 228mm high; and	Although placed in a walkway or in the ground and therefore size is not an issue, it is suggested that the measurement be reduced for consistency with subclause (3)(a)(ii)
		Recommendation –	Amend as suggested

**CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995**

SHIRE OF NARROGIN

CEMETERY AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Cemeteries Act 1986* 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 Cemetery Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

- (a) In this local law, the *Shire of Narrogin Cemetery Local Law 2016* published in the *Government Gazette* on 8 August 2016 is referred to as the principal local law.
- (b) The principal local law is amended as follows.

4. Table of Contents amended

Delete reference to subclause 7.4 and 7.5, and insert

- 7.4 Specification for memorial plaque base
- 7.5 Specification for memorial plaque

5. Clause 7.2 amended

Delete subclause 7.2(3) and insert –

- (3) The provisions of clause 7.5 apply to plaques that are attached to a monument.

6. Clause 7.3 amended

Delete subclause 7.3(3) and insert –

- (3) The provisions of clause 7.5 apply to plaques that are attached to a headstone.

7. Clauses 7.4 and 7.5 amended

Delete clauses 7.4 and 7.5 and insert –

7.4 Specification for memorial plaque base

(1) A memorial plaque base shall –

(a) have the following dimensions –

- (i) at ground level of 85mm wide; and 105mm long;
- (ii) front elevation of 30mm;
- (iii) back elevation of 85mm; and
- (iv) all measurements to be within 5mm.

(b) be constructed of materials approved by the Board;

(c) be in a position approved by the Board; and

(d) have foundations as approved by the Board.

(2) The provisions of clause 7.5 apply to plaques that are attached to a memorial plaque base.

(3) Upon application, the Board may permit an exemption from any of the requirements of subclause (1)(a), but shall not delegate the decision to permit an exemption to the CEO.

7.5 Specification for memorial plaque

(1) A memorial plaque shall be made of –

- (a) admiralty bronze not exceeding 20mm in thickness;
 - (b) polished or brushed stainless steel not exceeding 8mm in thickness;
 - (c) stone, and –
 - (i) if placed upon a headstone, monument or memorial plaque base, shall not exceed 50mm in thickness; or
 - (ii) if it is not to be placed upon a headstone, monument or memorial plaque base, shall not be less than 100mm in thickness; or
 - (d) other material approved by the Board.
- (2) A memorial plaque placed on a monument, headstone, memorial plaque base or other item shall not extend beyond the physical dimensions of the monument, headstone, memorial plaque base or other item on which it is affixed.
- (3) A memorial plaque to be placed on a niche wall or other commemorative wall shall –
- (a) have the following dimensions –
 - (i) for single compartment – 228mm wide and 228mm high;
 - (ii) for double compartment – 350mm wide and 228mm high; or
 - (iii) if a plaque or backing plate with plaques attached to cover multiple compartments – overlap of 44mm from the outside extremities of the niche compartments and 228mm high; and
 - (iv) all measurements to be within 5mm; and
 - (b) be placed in such a manner and in a position approved by the Board.
- (4) A memorial plaque to be placed on a memorial plaque base shall –
- (a) have the dimensions not exceeding –
 - (i) single – 70mm wide and 80mm long; and
 - (ii) all measurements to be within 5mm; and
 - (b) be placed in such a manner and in a position approved by the Board.
- (5) A memorial plaque to be placed on an item other than on a monument, headstone, memorial plaque base, niche wall or other commemorative wall shall –
- (a) have the dimensions not exceeding –
 - (i) single – 140mm long and 115mm wide; or
 - (ii) double – 275mm long and 115mm wide; and
 - (iii) all measurements to be within 5mm; and
 - (b) be placed in such a manner and in a position approved by the Board.
- (6) A memorial plaque to be placed in a walkway or in the ground shall –
- (a) have the dimensions not exceeding –
 - (i) for single – 228mm wide and 228mm high; or
 - (ii) for double – 350mm wide and 228mm high; and
 - (iii) all measurements to be within 5mm;
 - (b) placed level with the surrounding surface, and
 - (c) be placed in such a manner and in a position approved by the Board.
- (7) Upon application, the Board may permit an exemption from any of the requirements of subclauses (3)(a), (4)(a), (5)(a) or (6)(a), but shall not delegate the decision to permit an exemption to the CEO.

Dated _____ 2017

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

A.J. COOK, Chief Executive Officer

10.1.028 LOCAL LAWS (2) – ADVERTISE OF INTENT TO ADOPT DRAFT BUSH FIRE BRIGADES LOCAL LAW 2017 DRAFT EXTRACTIVE INDUSTRIES LOCAL LAW 2017

File Reference:	19.6.4
Disclosure of Interest:	Nil
Applicant:	Nil
Previous Item Nos:	10.2.147 22 November 2016
Date:	2 April 2017
Author:	Niel Mitchell – Merger Project Manager
Authorising Officer:	Aaron Cook – Chief Executive Officer

Attachments

Attachment 1 – Draft Bush Fire Brigades Local Law 2017

Attachment 2 – Draft Extractive Industries Local Law 2017

Summary

The purpose of this report is –

- 1) To allow the Presiding Person to give notice to the meeting of the intention to make the proposed Local Laws as follows –
 - Draft Shire of Narrogin Bush Fire Brigade Local Law 2017
 - Draft Shire of Narrogin Extractive Industries Local Law 2017
- 2) For Council to give notice of the purpose and effect of the proposed local laws;
- 3) For Council to resolve intent to advertise the proposed local laws and
- 4) To allow for advertising of the proposed local law for public comment.

Background

Bush Fire Brigades Local Law

The draft local law is intended to ensure clear insurance coverage of all bush fire volunteers and compliance with the requirements of the *Bush Fires Act 1954* (BFA), as simply as possible with minimum administrative impact. A local law is necessary since –

- a) The BFA requires that brigades are established in accordance with the local government's local law and specifies a range of matters for inclusion,
- b) The BFA requires insurance of “volunteer fire fighters”. Accordingly, only one category of brigade membership is permitted, to avoid any possibility of misunderstanding,
- c) Insurance policies require that volunteer fire fighters that are to be covered are members of a brigade and
- d) The local law provides that volunteer fire fighters are not required to be involved in all normal brigade activities, allowing volunteers to be involved only in activities they feel is appropriate for them (such as communications or support functions), not necessarily on a fire front.

Extractive Industries Local Law

Purpose – to establish requirement and conditions which extractive industries within the Shire.

The provisions of the *Mining Act 1978* and the *Environment Protection Act 1986* both take precedence over the local law, and any commercial operation also has to comply with the requirements of licencing by the relevant agencies, not just the local law.

The local law will be supported by –

- a delegation to be made to the Chief Executive Officer (CEO), and
- a policy in relation to –
 - use of Restricted Access Vehicles,
 - requirements to be considered for agreements,
 - contributions to road construction, upgrade, maintenance etc and
 - contributions for community amenity.

Comment

Bush Fire Brigades Local Law 2017

- Purpose – to make provisions for establishment, management and administration of Bush Fire Brigades in accordance with the *Bush Fires Act 1954*.
- Effect – to align the requirements for Bush Fire Brigades with legislation and local practice.

The BFA is the only statute that requires a local government to adopt a local law.

The original draft Local Law of September 2016 was circulated to all Fire Control Officers (FCOs) without any feedback. It had also been discussed with the Chief Bush Fire Control Officer (CBFCO) prior to sending to the FCOs.

At its ordinary meeting held on the 22 November 2016, Council resolved to defer adoption of the draft Bush Fire Brigades Local Law, pending further clarification.

Since then, the draft has been further reviewed, and discussed on several occasions with the CEO, and in a number of meetings with Cr Walker.

Following those discussions, further changes were made to the draft, and it is now presented for consideration once again.

The changes made centre around –

- Removal of prescriptive requirements for the Brigades to hold meetings, and stipulating a consequential range of matters, such as notice of meetings, quorum, voting etc, leaving the arrangements for meetings up to the individual Brigade to manage as best suits their circumstances.
- The BFA requires Council to provide for the appointment or election of brigade officers and does not stipulate how the Brigade is to elect its office bearers and the shire is to be advised of the persons carrying out those functions are to be advised to the Shire.
- Removal of all references to Department for Fire and Emergency Services (DFES). Brigades are responsible directly to the Council, not to DFES. DFES are an important resource for a range of matters, such as advice, emergency support, administrative support, information etc. In some situations DFES does have the statutory right to override a Council's authority, or to act in some emergencies, but these are limited.

Matters remaining in the draft, include –

- Mandatory training of Fire Control Officers at least once every 5 years. The course is now only a one day course. Under the *Occupational Safety and Health Act 1984* (OSH Act) Council has an obligation to ensure adequate training, resources, and supervision is available to volunteers of all levels. By definition of the OSH Act, volunteers are to be considered as employees.

- Membership – volunteers are responsible under the BFA to Council. While Brigades have a large degree of autonomy, they are not independent. Accordingly, as with every other volunteer, it is appropriate that
 - membership applications be signed or accepted by an appropriately authorised senior officer of Council, and
 - that Council is also able to exercise control over member behaviour or actions through review, refusal, suspension, or termination of membership.

Following the meeting of Fire Control Officers on 30 March 2017, 2 additional amendments were made –

- Captain and First Lieutenant of each Brigade to be appointed by Council –
 - The Brigade may still make other appointments as appropriate
- Captain to be an FCO, and if other FCOs are within the Brigade area, one to be appointed as First Lieutenant
 - It was considered that this will remove most issues relating to chain of command, and whether an FCO has a higher authority (as provided by the Act) or the Captain.
 - The Act permits Council to appoint Brigade officers.

The proposed provision of mandatory training for FCOs at least once every 5 years was also raised, and no-one present raised any concern or expressed opposition to the proposal.

As there has been substantial changes to the original Bush Fire Brigades Local Law presented to Council, it is considered that the formal process be re-commenced, by advertising for public comment. As previously, a copy of the draft will be forward to each FCO for their review, and it is intended that the matter also be raised at a meeting of the FCO's planned for 30 March 2017.

Extractive Industries Local Law

- Purpose – to establish requirement and conditions which extractive industries within the Shire must comply
- Effect – to provide for the regulation, control and management of extractive industries

The draft local law provides for the management of extractive industries within the Shire, and provides for –

- application to existing extractive industries,
- notice of proposal to neighbours,
- details required of proposal,
- rehabilitation on completion of the extractive industry,
- security for rehabilitation of the site and road infrastructure maintenance,
- placement of conditions on any approval, including –
 - agreement for contribution for road upgrade, improvement and maintenance,
 - agreement for contribution to community amenity,
- transport routes to be agreed, and varied if necessary,
- annual renewal, variation, transfer, cessation or cancellation of licence and
- notices and penalties.

There are exclusions to some extractive industry activities, so not all fall within the control of this local law –

- very small areas of less than 2,000 m²,
- by a landowner for their own use and
- on Crown land, etc.

Conclusion

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. The drafts are also to be submitted to the relevant Ministers at this time, for review and comment. At the closure of the submission period, Council is to consider all submissions before making a local law.

Notices are to invite the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks. Internal submissions may also be made during this time.

The advertisement will be placed once Council has resolved its intent to make the local law.

After the submission period is closed, Council is required to consider any submissions received. Minor amendments not affecting the intent of the provisions can be made, but if significant changes are needed, the proposal must be readvertised.

If finally adopted, the proposed local law is then published in the Government Gazette, and comes into effect on the date specified. The Gazettal copy and other documentation is then sent to the Parliamentary Joint Standing Committee on Delegated Legislation to review, which may then disallow or require changes, even though having been Gazetted.

Consultation

- Aaron Cook – Chief Executive Officer
- Azhar Awang – Executive Manager Development & Regulatory Services
- Torre Evans – Executive Manager Technical & Rural Services
- Simon Vogel – Regional Officer, Department of Fire and Emergency Services
- Nathan Walker – Elected Member
- Richard Chadwick – Chief Bush Fire Control Officer
- Fire Control Officers Meeting, 30 March 2016

Statutory Environment

Local Government Act 1995 –

- *s 3.12 – Procedure for making local laws*
- *s.3.13 – Significant changes require recommencement of proposal*
- *s.3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal*
- *s.3.15 – local public notice of the final adoption/making of a local law to be given*

Bush Fires Act 1954 –

- *s.35A – volunteer fire fighter means a bush fire control officer, a person who is a registered member of a bush fire brigade established under this Act or a person working under the direction of that officer or member,*
- *s37 – local government to insure “volunteer fire fighters”, plant and appliances etc.*
- *s.41 – local government may establish brigades, and equip them in accordance with those local laws*
- *s.43 – a local government which establishes a bush fire brigade shall by its local laws provide for appointment or election of captain, a first lieutenant and other officers, and shall prescribe their duties*
- *s.62 – may make local law for –*
 - *appointment, duties etc. of fire control officers*
 - *organisation etc. of bush fire brigades*
 - *matters affecting the exercise of any powers or duties conferred by the Act*

Policy Implications

Nil

Financial Implications

Cost of giving State-wide and local public notice.

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.035 AND OFFICER'S RECOMMENDATION

Moved: Cr Ward

Seconded: Cr Wiese

That Council:

1. Pursuant to the *Local Government Act 1995, section 3.12(3) and (3a)*, and all other legislation enabling it, give Statewide and local public notice that it intends to make the following local laws –
 - Shire of Narrogin Bush Fire Brigade Local Law 2017;
Purpose – to make provisions for establishment, management and administration of Bush Fire Brigades.
Effect – to align the requirements for Bush Fire Brigades with legislation and local practice.
 - Shire of Narrogin Extractive Industries Local Law 2017;
Purpose – to establish requirement and conditions which extractive industries within the Shire must comply.
Effect – to provide for the regulation, control and management of extractive industries.
2. In accordance with the *Local Government Act 1995, section 3.12(3)* advise the Minister for Local Government and Minister for Emergency Services of the proposed local laws as appropriate.

CARRIED 9/0

Commonly-used abbreviations:	
BFA	Bush Fires Act 1954
CBFCO	Chief Bush Fire Control Officer
CEO	Chief Executive Officer
DFES	Department of Fire and Emergency Services
FCO	Fire Control Officer/s
OSH	Occupational Safety and Health

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF NARROGIN

BUSH FIRE BRIGADES LOCAL LAW 2017

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BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF NARROGIN

BUSH FIRE BRIGADES LOCAL LAW 2017

Under the powers conferred by the *Bush Fires Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of 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 Bush Fire Brigades Local Law 2017*.

1.2 Commencement

This local law will come into operation 14 days after its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires –

Act means the *Bush Fires Act 1954*;

bush fire brigade has the meaning given to it in section 7 of the Act;

bush fire brigade area has the meaning given to it in clause 2.2(b);

bush fire brigade member means a volunteer fire fighter having current membership of a bush fire brigade;

bush fire brigade officer means a person holding a position referred to in clause 3.3(1);

Bush Fire Operating Procedures means the Bush Fire Operating Procedures as may be adopted by the local government and amended from time to time;

Captain means the person holding or acting in that position in a bush fire brigade;

CBFCO means the Chief Bush Fire Control Officer;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

Lieutenant means the person holding that position in a bush fire brigade;

local government means the Shire of Narrogin;

normal brigade activities has the meaning given to it in section 35A of the Act;

President means President of the Council;

Regulations means Regulations made under the Act; and

volunteer fire fighter has the meaning given to it in section 35A of the Act.

PART 2 - ESTABLISHMENT OF BUSH FIRE BRIGADES

2.1 Establishment of a bush fire brigade

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

2.2 Name and area of bush fire brigade

On establishing a bush fire brigade under clause 2.1(1) the local government is to –

- (a) give a name to the bush fire brigade;
- (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities.

2.3 Objects of bush fire brigades

The objects of the bush fire brigade are to carry out –

- (a) the normal brigade activities; and
- (b) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.4 Chain of command during normal brigade activities

(1) Subject to the Act, the chain of command to apply during normal brigade activities is –

- (a) bush fire control officers in order of seniority;
- (b) bush fire brigade officers in order of seniority; and
- (c) all other volunteer fire fighters.

(2) The person in command has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the fire fighters, and may exercise all the powers and duties provided for by the Act.

2.5 Existing bush fire brigades

A bush fire brigade established prior to the day on which this local law comes into operation –

- (a) is to be taken to be a bush fire brigade established under and in accordance with this local law;
- (b) the provisions of this local law apply to the bush fire brigade save for clause 2.1; and
- (c) any rules governing the operation of the bush fire brigade are repealed and substituted with the provisions of this local law.

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 - ORGANISATION OF BUSH FIRE BRIGADES

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Appointment of bush fire control officers

- (1) The local government may appoint bush fire control officers in their absolute discretion, and apply conditions as considered appropriate.
- (2) Where only one person is appointed as a bush fire control officer, that person is the CBFCO for the purposes of this local law.
- (3) Where more than one person is appointed as a bush fire control officer, the local government shall determine seniority as CBFCO, Deputy CBFCO, and further seniority as is considered appropriate.
- (4) When considering the appointment of a person as a bush fire control officer, the local government is to have regard to the qualifications, training and experience which may be advisable to fill the position.

3.3 Appointment of bush fire brigade officers

- (1) The local government shall appoint the following bush fire brigade officers in their absolute discretion –
 - (a) a fire control officer from the bush fire brigade area to be Captain;
 - (b) where there is more than one fire control officer in a bush fire brigade area, a fire control officer from the bush fire brigade area as first lieutenant;
 - (c) where this is not more than one fire control officer in a bush fire brigade area, an appropriate person from the bush fire brigade area as first lieutenant; and
 - (d) if considered necessary, any additional officers as necessary for the effective management of normal brigade activities;
- (2) The local government may remove any appointed person from any position.
- (3) A bush fire brigade may make appointments to other positions as they see fit and as considered appropriate.
- (4) When considering the appointment of persons to the positions of Captain, Lieutenant or other position, the local government is to have regard to the qualifications, training and experience which may be advisable to fill each position.

3.4 Managerial role of CBFCO

Subject to any directions by the local government the CBFCO –

- (a) has primary managerial responsibility for the organisation and maintenance of bush fire brigades;
- (b) is to support Captains and bush fire brigade officers in their roles; and
- (c) where a vacancy in the position of Captain appointed under clause 3.3(1)(a), or in order of seniority, other appointed bush fire brigade officer willing to act in that position, the CBFCO is to act as Captain until an appointment is made by the local government to the position.

3.5 Duties of Captain and bush fire brigade officers

- (1) The duties of the Captain include –
 - (a) to provide leadership to bush fire brigades;
 - (b) to monitor bush fire brigades' resourcing, equipment and training levels;
 - (c) to liaise with the local government concerning –
 - (i) fire prevention or fire suppression matters generally;
 - (ii) directions to be issued by the local government to bush fire control officers (including those who issue permits to burn);
 - (iii) bush fire brigades; or
 - (iv) bush fire brigade officers;
 - (d) to ensure that lists of bush fire brigade members are maintained in accordance with clause 4.3(1);
 - (e) to report annually to the local government the office bearers of the bush fire brigade in the form of Form 12 of the Regulations;
 - (f) to report to the local government not later than 30 April each year, for consideration and appropriate provision being made in the next local government budget, the status of a bush fire brigade's –
 - (i) training and readiness;
 - (ii) protective clothing;
 - (iii) equipment; and
 - (iv) vehicles and appliances;
 - (g) to consider the nomination of persons to the local government for appointment as bush fire control officers by the local government;
 - (h) to arrange for normal brigade activities as authorised by the Act or by the local government;
 - (i) where a vacancy occurs in a position appointed under clause 3.3(1)(b) or (c), to –
 - (i) advise the CEO of the vacancy as soon as practicable,
 - (ii) make alternate suitable arrangements for that position until an appointment is made by the local government; and
 - (j) to make recommendations to the local government for endorsement prior to implementation.
- (2) The duties of other bush fire brigade officers are to support the CBFCO and Captain in their roles.

3.6 Training of bush fire control officers

- (1) The local government is to supply each bush fire control officer and captain with a copy of the Act, the

Regulations, any Bush Fire Operating Procedures adopted, this local law and any other written laws 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 a Bush Fire Control Officers course conducted by an organisation approved by the CEO, 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 a bush fire control officers course at least once every 5 years.

PART 4 - MEMBERSHIP

4.1 Types of membership of bush fire brigades

- (1) The membership of a bush fire brigade consists of volunteer fire fighters.
- (2) Registration as a volunteer fire fighter does not commit the person to participating in all normal brigade activities.

4.2 Membership applications

The decision on admission of member, with or without conditions or restrictions, may be made by –

- (a) either the Captain or CBFCO; jointly with
- (b) either the CEO or President.

4.3 Membership – review, refusal, suspension or termination

- (1) No later than 30 April in each year, the Captain is to review the membership and report to the CEO and CBFCO the name and contact details of each bush fire brigade member.
- (2) If circumstances warrant, membership of the bush fire brigade may be refused or suspended at any time for a period considered appropriate in the opinion of –
 - (a) either the Captain or CBFCO; jointly with
 - (b) either the CEO or President.
- (3) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the Captain or CEO;
 - (c) is permanently incapacitated by mental or physical ill-health,
 - (d) is no longer a resident or a landowner or occupier in the district, or for other sufficient reason,
- (4) A decision to terminate membership under subclause (3)(c) or (d) is to be made by –
 - (a) either the Captain or CBFCO; jointly with
 - (b) either the CEO or President.
- (5) Where a decision under subclause (2), (3)(c) or (3)(d) is unable to be agreed, the matter is to be referred to the local government.
- (6) The decision of the local government shall be final.
- (7) Members are eligible to reapply where membership has ceased for any reason.

4.4 Member has right to review

- (1) A bush fire brigade member may appeal to the local government, any –
 - (a) refusal of membership;
 - (b) suspension of membership; or
 - (c) termination of membership.
- (2) The decision of the local government shall be final.

4.5 Existing liabilities to continue

The resignation, suspension or termination of a member under clause 4.3 does not affect any liability of the bush fire brigade member arising prior to the date of resignation, suspension or termination of membership.

4.6 Disagreements

- (1) Any disagreement between bush fire brigade members regarding normal brigade activities may be referred to the Captain.

- (2) Where a disagreement in subclause (1) is considered by the Captain to be of importance to the interests of the bush fire brigade, then the Captain may refer the disagreement to the CBFCO or to the local government.
- (3) Where a disagreement is referred to the CBFCO, the CBFCO may –
 - (a) determine the disagreement; or
 - (b) refer the matter to the local government.
- (4) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement referred to it.

PART 5 - GENERAL

5.1 Administration

All administrative matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.

5.2 Finances

All financial matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.

5.3 Equipment

All equipment purchased by the local government is the property of, and shall be insured by, the local government.

5.4 Consideration in the local government budget

In addition to funding made available through emergency services grants, the local government may provide further funding depending upon the assessment of budget priorities for the year in question.

Dated _____ 2017

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

A.J. COOK, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

SHIRE OF NARROGIN

EXTRACTIVE INDUSTRIES LOCAL LAW 2017

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LOCAL GOVERNMENT ACT 1995

SHIRE OF NARROGIN

EXTRACTIVE INDUSTRIES LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of 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 Extractive Industries Local Law 2017*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

The provisions of this local law –

- (a) subject to paragraphs (b), (c), (d) and (e);
 - (i) apply and have force and effect throughout the whole of the district; and
 - (ii) apply to every excavation whether commenced prior to or following the coming into operation of this local law;
- (b) do not apply to the extraction of minerals under the *Mining Act 1978*;
- (c) do not apply to the carrying on of an extractive industry on Crown land; and
- (d) do not apply to the carrying on of an extractive industry on land by the owner or occupier of that land for use on that land.

1.4 Definitions

In this local law unless the context otherwise requires –

Act means the *Local Government Act 1995*;

carry on an extractive industry means quarrying and excavating for stone, gravel, sand and other material, and the transporting of the material off the site;

application for licence includes application to renew, transfer, vary or cancel a licence as the context requires;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

district means the district of the Shire of Narrogin;

excavation includes quarry;

infringement notice means the notice referred to in clause 10.4(a);

land, unless the context requires otherwise, means the land on which the applicant proposes carrying on the extractive industry to which the licence application relates, and includes adjoining lots or locations in the same occupation or ownership;

licence means a licence issued under this local law;

licensee means the person named in the licence as the licensee;

local government means the Shire of Narrogin;

local planning scheme means a planning scheme of the local government made under the *Planning and Development Act 2005*;

notice of withdrawal means the notice referred to in clause 10.4(b);

owner, has the meaning given to it in section 1.4 of the Act;

occupier has the meaning given to it in section 1.4 of the Act;

person does not include the local government;

planning approval means an approval for a development and/or a land use that is issued under a local

planning scheme administered by the local government;
Schedule means a schedule to this local law;
secured sum means the sum required to be paid or the amount of a bond, bank guarantee or other security under clause 3.7; and
set fee a fee determined by the local government in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*;
site means the land specified by the local government in a licence.
thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and
transferee means a person who applies for the transfer of a licence to her or him under clause 4.7.

PART 2 - REQUIREMENT FOR LICENCE

2.1 Extractive industries prohibited without licence

A person must not carry on an extractive industry –

- (a) unless the person is the holder of a valid and current licence; and
- (b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

PART 3 - APPLICATION REQUIREMENTS

3.1 Applicant to advertise proposal

- (1) Unless the local government first approves otherwise, a person seeking the issue of a licence shall, before making application for a licence –
 - (a) forward a notice to –
 - (i) the owners and occupiers of all land adjoining the land upon which it is proposed to excavate, or within an area determined by the local government as likely to be affected by the granting of a licence, and
 - (ii) every authority or person having control or jurisdiction over any of the things referred to in clause 3.3(1)(g) and (h) within 500 metres from the boundaries of the land, or within an area determined by the local government as likely to be affected by the granting of a licence; and
 - (b) as soon as practicable after complying with the requirements of paragraph (a) –
 - (i) forward a copy of the notice to the CEO; and
 - (ii) publish the notice in a newspaper circulating in the area in which the proposed excavation is located.
- (2) The information contained in the notice referred to in subclause (1) shall include but is not limited to –
 - (a) particulars of the proposed excavation;
 - (b) inviting objections or comments to be made to the CEO within 21 days of date of receipt of the notice.
- (3) The local government may undertake a public consultation process including but not limited to –
 - (a) provision of information by mail or similar;
 - (b) electronically through a website or similar; and
 - (c) public meetings.
- (4) The local government may, within 14 days after receiving a copy of a notice referred to in subclause (1), cause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices –
 - (a) in a form approved by the local government;
 - (b) the content, size, construction and position of which have been approved by the local government;
 - (c) specifying particulars of the proposed excavation; and
 - (d) inviting objections or comments within 21 days from the placement of the notice.

3.2 Application for licence

- (1) An application for a licence shall –
 - (a) be made in writing;
 - (b) state –
 - (i) name of person or company for whom the application is being lodged;
 - (ii) name of primary contact person for the company and in relation to the application;

- (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address.
- (c) be accompanied by –
- (i) the set fee;
 - (ii) a current certificate of currency for public liability policy in accordance with clause 7.1;
 - (iii) the consent in writing to the application from the owner of the excavation site; and
 - (iv) a copy of the planning approval for an extractive industry to be conducted on the land;
- (d) include any information that the local government may reasonably require; and
- (e) be signed by the applicant.
- (2) An application for a licence must be lodged with the local government together with details of the proposed excavation, including but not limited to –
- (a) a plan of the excavation site in accordance with clause 3.3;
 - (b) a works and excavation program in accordance with clause 3.4;
 - (c) a rehabilitation and decommissioning program in accordance with clause 3.5;
 - (d) evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public thoroughfare or such other land in the vicinity;
 - (e) a certificate from a licensed surveyor;
 - (f) evidence that the requirements of clause 3.1(1), (3) and (4) have been carried out;
 - (g) copies of all land use planning approvals required under any planning legislation;
 - (h) copies of any environmental approval required under any environmental legislation;
 - (i) copies of any geotechnical information relating to the excavation site;
 - (j) evidence that an application for a clearing permit has been lodged with the Department of Environmental Regulation if that is required under regulation 5 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; and
 - (k) any other information that the local government may reasonably require.
- (3) The application under subclause (1) and detailed information under subclause (2) shall consist of 1 signed paper copy; and an electronic copy.
- (4) The local government may exempt a person making application for a licence from supplying any of the data specified in subclause (2)(c), (d), (e) or (i), where –
- (a) the surface area is not to exceed 2000 square metres; and
 - (b) the material to be extracted from the proposed excavation is not to exceed 2000 cubic metres.

3.3 Plan of excavation site

- (1) The plan referred to in clause 3.2(2)(a) shall be in a scale of between 1:500 and 1:2000 showing –
- (a) the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;
 - (b) the land on which the excavation site is to be located;
 - (c) the external surface dimensions of the land;
 - (d) the location and depth of the existing and proposed excavation of the land;
 - (e) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
 - (f) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
 - (g) the location of existing infrastructure services including but not limited to powerlines and communication cables, and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
 - (h) the location of all existing bores, dams, watercourses, drains or sumps on or adjacent to the land;
 - (i) the location and description of existing and proposed fences, gates and warning signs around the land; and
 - (j) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;
- (2) All survey data supplied by an applicant for the purpose of subclause (1) shall comply with Australian Height Datum and Australian Map Grid standards.

3.4 Works and excavation program

The works and excavation program referred to in clause 3.2(2)(b) shall contain –

- (a) the nature and estimated duration of the proposed excavation for which the licence is applied;
- (b) the stages and the timing of the stages in which it is proposed to carry out the excavation;
- (c) details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
- (d) details of the depth and extent of the existing and proposed excavation of the site;
- (e) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
- (f) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
- (g) a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
- (h) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
- (i) a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
- (j) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
- (k) a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
- (l) a noise management plan, including a description of the measures to be taken to comply with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*;
- (m) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
- (n) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation;
- (o) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas; and
- (p) details of measures to reduce impact on the adjoining owners and occupiers, and the wider community.

3.5 Rehabilitation and decommissioning program

The rehabilitation and decommissioning program referred to in clause 3.2(2)(c) shall indicate –

- (a) the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
- (b) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
- (c) how any face is to be made safe and batters sloped;
- (d) the method by which topsoil is to be replaced and revegetated;
- (e) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
- (f) how rehabilitated areas are to be maintained; and
- (g) the program for the removal of buildings, plant, waste and final site clean up;

3.6 Certificate of a licensed surveyor

The certificate a licensed surveyor referred to in subclause 3.3(2)(e) shall certify the correctness of –

- (a) the datum peg and related point referred to in subclause 3.2(2)(d); and
- (b) the plan referred to in subclause 3.2(2)(a).

3.7 Security for restoration of excavation site and for road infrastructure

- (1) The local government may require that the licensee shall give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government, for the purposes of –
 - (a) ensuring that an excavation site is properly restored or reinstated, and

- (b) ensuring that road infrastructure is repaired and maintained to the standard agreed in accordance with subclauses 4.4(2) and (3).
- (2) The security required under subclause (1) may be required to be provided by the applicant to the local government –
 - (a) as a condition of a licence; or
 - (b) before the issue of a licence.
- (3) A bond required under subclause (1) is to be paid into a fund established by the local government for the purposes of this clause.
- (4) If a bank guarantee or other security required under subclause (1) ceases to be current, excavation is to cease until a further security in a form acceptable to the local government has been provided.

PART 4 - LICENCING

4.1 When an application may be determined

An application for a licence is not to be determined by the local government until –

- (a) the applicant submits proof of that the requirements for notices, public information and consultation have been undertaken in accordance with subclauses 3.1(1), (2) and (3);
- (b) the applicant has made an application for licence in accordance with subclause 3.2(1), (2) and (3);
- (c) the local government has considered any written submissions received within the time specified in subclauses 3.1(2)(b) and 3.1(4), and
- (d) planning approval for an extractive industry use of the land has been obtained.

4.2 Determination of application

- (1) Upon receipt of an application, the local government may –
 - (a) refuse the application; or
 - (b) approve the application –
 - (i) over the whole or part of the land in respect of which the application is made; and
 - (ii) on such terms and conditions, if any, as it sees fit.
- (2) The local government may refuse to consider an application for a licence that does not comply with the requirements of clause 3.2.
- (3) Where the local government approves an application for a licence, it shall –
 - (a) determine the licence period, not exceeding 21 years from the date of issue; and
 - (b) approve the issue of a licence in the form determined by the local government from time to time.
- (4) Where the local government approves the issue of a licence, the CEO shall issue the licence to the applicant upon receipt by the local government of –
 - (a) payment of the annual set fee;
 - (b) payment of the secured sum if any, imposed under clause 3.7;
 - (c) the documents, if any, executed to the satisfaction of the CEO, under clause 3.7; and
 - (d) a copy of the public liability insurance policy required under clause 7.1(1).

4.3 Conditions which may be imposed

Without limiting subclause 4.2(1), the local government may impose conditions in respect of the following matters, including but not limited to –

- (a) the orientation of the excavation to reduce visibility from other land;
- (b) the appropriate siting of access thoroughfares, buildings and plant;
- (c) the stockpiling of material;
- (d) the hours during which any excavation work may be carried out;
- (e) the hours during which any processing plant associated with, or located on, the site may be operated;
- (f) requiring all crushing and treatment plant to be enclosed within suitable buildings to minimise the emission of noise, dust, vapour and general nuisance to the satisfaction of the local government;
- (g) the depths below which a person shall not excavate;
- (h) distances from adjoining land or roads within which a person must not excavate;
- (i) the safety of persons employed at or visiting the excavation site;
- (j) the control of dust and wind-blown material;

- (k) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
- (l) the prevention of the spread of dieback or other disease;
- (m) the drainage of the excavation site and the disposal of water;
- (n) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
- (o) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
- (p) requiring the licensee to furnish to the local government a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation program;
- (q) requiring the licensee to enter into an agreement with the local government to pay a contribution in respect of thoroughfares in the district used by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence, in accordance with subclauses 4.4(2) and (3) –
 - (i) any extraordinary expenses incurred by the local government in
 - (ii) requirement for increased maintenance; and
 - (iii) repair of damage caused;
- (r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and
- (s) any other matter for properly regulating the carrying on of an extractive industry.

4.4 Transport of materials

- (1) The local government may, from time to time, prescribe by giving written notice to the licensee –
 - (a) determine routes to be taken by the licensee for the transport of materials from the site through the roads within the district, if the proposed routes are not suitable for the proposed haulage;
 - (b) the tonnage limits to be transported along a particular route; and
 - (c) the times during which materials from the site may be transported through the roads within the district.
- (2) If a road on a route prescribed under subclause (1) is inadequate for the transport of materials from the site, the local government may require the licensee to pay all or part of the costs or estimated costs, as determined by the local government, of upgrading the road to the standard required by the local government for these purposes.
- (3) The licensee must pay to the local government, as and when required by the local government, the costs or estimated costs, as determined by the local government, of repairs and maintenance to any road that are required as a result of the transport of materials from the site.
- (4) Each licence is to be taken to be subject to a condition requiring the licensee to comply with this clause.

4.5 Renewal of licence

- (1) An application to renew a licence is not to be determined by the local government until the applicant has complied with subclause 4.5(2).
- (2) An application to renew a licence shall –
 - (a) be made in writing;
 - (b) state –
 - (i) name of person or company for whom the application is being lodged;
 - (ii) name of primary contact person for the company and in relation to the application;
 - (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address.
 - (c) be accompanied by –
 - (i) the set fee;
 - (ii) by a copy of the current licence;
 - (iii) a current certificate of currency for public liability policy in accordance with clause 7.1;
 - (d) be lodged by the licensee at least 90 days before the date of expiry of the licence;
 - (e) include a plan showing the contours of the excavation carried out to the date of that application;

- (f) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in subclauses 3.2(2)(b) and (c); and
 - (g) submit any other things referred to in clauses 3.2 and 4.2.
- (3) The local government may waive any of the requirements specified in clause 4.5(2)(f) or (g).
 - (4) The applicant shall not be obliged, unless otherwise required by the local government to submit details of any of the things referred to in clauses 3.2 and 4.2 if –
 - (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
 - (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application.
 - (5) Upon receipt of an application for renewal of a licence, the local government may –
 - (a) refuse the application; or
 - (b) approve the application on such terms and conditions as it sees fit.
 - (6) Where the local government renews a licence under subclause (5), it shall notify the licensee in writing.

4.6 Variation of licence

- (1) An application to vary a licence is not to be determined by the local government until the applicant has complied with clause 4.6(2).
- (2) An application to renew a licence shall –
 - (a) be made in writing;
 - (b) state –
 - (i) name of person or company for whom the application is being lodged;
 - (ii) name of primary contact person for the company and in relation to the application;
 - (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address;
 - (c) be accompanied by –
 - (i) the set fee;
 - (ii) by a copy of the current licence; and
 - (iii) a current certificate of currency for public liability policy in accordance with clause 7.1;
 - (d) be lodged by the licensee at least 90 days before the date of expiry of the licence;
 - (e) include a plan showing the contours of the excavation carried out to the date of that application;
 - (f) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 3.2(2)(b) and (c); and
 - (g) any other things referred to in clauses 3.2 and 4.2.
 - (h) include any information that the local government may reasonably require; and
 - (i) be signed by the licensee and the owner of the excavation site (if different to the licensee);
- (3) The local government may waive any of the requirements specified in clause 4.6(2)(f) or (g).
- (4) The applicant shall not be obliged, unless otherwise required by the local government to submit details of any of the things referred to in clauses 3.2 and 4.2 if –
 - (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
 - (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application.
- (5) Upon receipt of an application for renewal of a licence, the local government may –
 - (a) refuse the application; or
 - (b) approve the application on such terms and conditions as it sees fit.
- (6) Where the local government approves a licence variation under subclause (5), it shall notify the licensee and owner of the excavation site in writing.

4.7 Transfer of licence

- (1) An application to transfer a licence is not to be determined by the local government until the applicant has complied with clause 4.7(2).
- (2) An application to renew a licence shall –
 - (a) be made in writing;

- (b) state –
 - (i) name of person or company for whom the application is being lodged;
 - (ii) name of primary contact person for the company and in relation to the application;
 - (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address.
 - (c) be accompanied by –
 - (i) the set fee;
 - (ii) a copy of the current licence;
 - (iii) a certificate of currency in the name of the proposed transferee for public liability policy in accordance with clause 7.1;
 - (iv) the consent in writing to the transfer from the owner of the excavation site;
 - (d) be lodged by the licensee at least 90 days before the date of proposed transfer of the licence;
 - (e) comply with and satisfy all conditions and requirements of the current licence;
 - (f) provide equivalent security under clause 3.7 as is required by the current licence; and
 - (g) include any information that the local government may reasonably require; and
 - (h) be signed by the licensee and the proposed transferee.
- (3) Upon receipt of an application to transfer a licence, the local government may –
- (c) refuse the application; or
 - (d) approve the application on such terms and conditions as it sees fit.
- (4) Where the local government approves the transfer of a licence under subclause (3), it shall notify the licensee and owner of the excavation site in writing.
- (5) Where the local government approves the transfer of a licence it shall not be required to refund any part of the fees and charges paid by the former licensee in respect of the transferred licence.

4.8 Cancellation of licence by the local government

- (1) The local government may cancel a licence where the licensee has –
- (a) ceased to substantially carry on the extractive industry for a period in excess of 12 months and not advised the local government of cessation of operations under clause 6.1 ;
 - (b) been convicted of an offence against –
 - (i) this local law; or
 - (ii) any other law relating to carrying on an extractive industry;
 - (c) failed to comply with –
 - (i) any of the conditions of an excavation licence;
 - (ii) any provisions of this local law; or
 - (iii) any term of an agreement made with the local government in accordance with this local law and default continues for a period of 14 days from service on the licensee of written notice of default;
 - (d) transferred or assigned or attempted to transfer or assign the licence without the consent of the local government;
 - (e) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this local law;
 - (f) failed to pay the annual licence fee under clause 7.3;
 - (g) failed to have a current public liability insurance policy under clause 7.1(1); or
 - (h) failed to provide a copy of the policy or evidence of its renewal as the case may be, under clause 7.1(2).
- (2) Where the local government cancels a licence under this clause –
- (a) the cancellation takes effect on and from the day on which the licensee is served with the notice, and
 - (b) the local government shall advise the licensee and owner of the excavation site in writing.
- (3) Where a local government cancels a licence under subclause (1), the local government shall not be required to refund any part of the fees and charges paid by the licensee in respect of the cancelled licence.

PART 5 - LIMITATIONS, OBLIGATIONS AND PROHIBITIONS ON LICENSEE

5.1 Obligations of the licensee

A licensee shall –

- (a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorised entry;
- (b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign –
 - (i) is not more than 200 metres apart;
 - (ii) is not less than 300 mm high and not less than 450 mm wide;
 - (iii) the top of the sign is between 1.2 metre and 1.8 metres above ground level; and
 - (iv) bears the words “DANGER EXCAVATIONS – KEEP OUT”;
- (c) except where the local government approves otherwise, drain and keep drained to the local government’s satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;
- (d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation program approved by the local government;
- (e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and
- (f) comply with the conditions imposed by the local government in accordance with clause 4.3.

5.2 Limits on excavation near boundary

Subject to any licence conditions imposed by the local government, a person shall not, without the written approval of the local government, excavate within –

- (a) 500 metres of any residence unless with the consent of the adjoining neighbours;
- (b) 50 metres of any bore, watercourse, wetland, swamp or other water reserve; or
- (c) 50 metres of any thoroughfare;
- (d) 20 metres of the boundary of any land on which the excavation site is located;
- (e) 20 metres of any land affected by a registered grant of easement;
- (f) 2 metres of the estimated maximum groundwater level as determined from time to time by the Department of Water or otherwise as adopted by the local government.

5.3 Prohibitions

A licensee shall not –

- (a) remove any trees or shrubs within 40 metres of the boundary of any thoroughfare on land in respect of which a licence has been granted without written permission from the local government and if required, the Department of Environmental Regulation, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the local government and subject to any conditions which the local government may impose in accordance with clause 4.3;
- (b) store, or permit to be stored, except in the case of approved rock quarry sites, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Mines and Petroleum; or
- (c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation program approved by the local government.

5.4 Blasting

- (1) A person shall not carry out or permit to be carried out any blasting in the course of excavating unless –
 - (a) the local government has otherwise given approval in respect of blasting generally or in the case of each blast;
 - (b) subject to subclause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;
 - (c) the blasting is carried out in strict accordance with the *Mines Safety and Inspection Act 1994*, the *Environmental Protection Act 1986*, and all relevant local laws of the local government; and

- (d) in compliance with any other conditions imposed by the local government concerning –
 - (i) the time and duration of blasting;
 - (ii) the purposes for which the blasting may be used; and
 - (iii) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.
- (2) A person shall not carry out or permit to be carried out any blasting on a Saturday, Sunday or public holiday except with the prior approval of the local government.

PART 6 - CESSATION OF OPERATIONS

6.1 Notice of cessation of operations by licensee

- (1) A notice of cessation shall –
 - (a) be made in writing;
 - (b) state –
 - (i) name of person or company for whom the application is being lodged;
 - (ii) name of primary contact person for the company and in relation to the application;
 - (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address;
 - (c) be accompanied by –
 - (i) by a copy of the current licence; and
 - (ii) a current certificate of currency for public liability policy in accordance with clause 7.1;
 - (d) advise if the cessation is to be ;
 - (i) temporary and expected duration or circumstances for re-commencement; or
 - (ii) permanently,
 - (e) detail arrangements for meeting any ongoing liabilities or environmental obligations –
 - (i) name of person or company to whom matters are to be referred;
 - (ii) name of primary contact person for the company;
 - (iii) telephone, mobile phone and email contact details; and
 - (iv) postal and street address;
 - (f) be lodged by the licensee as soon as cessation of operations has been determined by the licensee and not more than 7 days after the operations have ceased in any event;
 - (g) include a plan showing the contours of the excavation carried out to the date of that application;
 - (h) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 3.2(2)(b) and (c);
 - (i) any other things referred to in clauses 3.2 and 4.2.
 - (j) include any information that the local government may reasonably require; and
 - (k) be signed by the licensee.
- (2) Upon notice of cessation of operations, the local government shall –
 - (a) acknowledge the notice of cessation of operations; and
 - (b) confirm the acceptability or otherwise of the arrangements for the cessation of operation.

6.2 Cessation of operations – permanent

- (1) Where a licensee has given written notice to the local government of the intention to permanently cease carrying on an extractive industry on the site to which the licence applies the licence is deemed to have expired on the date such cessation is so notified.
- (2) The permanent cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any licence fee.

6.3 Cessation of operation – temporary

- (1) Where a licensee has given written notice of temporary cessation of operations, then on or before the annual licence date each year, the licensee shall –
 - (a) confirm to the local government the matters in subclauses 6.1(1)(d) and (e); and
 - (b) provide a copy of the current public liability certificate required under clause 7.1.

- (2) For the duration of the cessation –
 - (a) contributions or payments agreed under subclauses 4.3(q) or (r) are suspended until such time as operations are resumed, but all other conditions and obligations remain in place; and
 - (b) the annual licence fee under clause 7.3 is suspended.
- (3) The licence granted under clause 4.2 shall remain valid for the term of the licence and shall not be extended by the duration of cessation of operations.
- (4) The permanent or temporary cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any licence fee.

6.4 Works to be carried out on cessation of operations

Where the carrying on of an extractive industry on the site permanently ceases or on the expiration or cancellation of the licence applicable to the site, whichever first occurs, the licensee shall, as well as complying with the provisions of clause 6.1 –

- (a) restore and reinstate the excavated site in accordance with the proposals approved by the local government or in such other manner as the local government may subsequently agree in writing with the licensee;
- (b) ensure that any face permitted to remain upon the excavation site is left safe with all loose materials removed and where the excavation site is –
 - (i) sand, the sides are sloped to a batter of not more than 1:3 (vertical : horizontal); and
 - (ii) limestone or material other than sand, the sides are sloped to a batter which, in the opinion of the local government, would enable the site to be left in a stable condition;
- (c) ensure that the agreed floor level of the excavation is graded to an even surface or is otherwise in accordance with the rehabilitation and decommissioning program approved by the local government;
- (d) ensure that all stockpiles or dumps of stone, sand or other materials are left so that no portion of that material can escape onto land not owned or occupied by the licensee nor into any stream, watercourse or drain that is not wholly situated within the land owned or occupied by the licensee;
- (e) erect retaining walls where necessary to prevent subsidence of land in the vicinity of any excavation;
- (f) remove from the site all buildings, plant and equipment erected, installed or used for or in relation to the carrying on of an extractive industry on the site and fill all holes remaining after such removal to the level of the surrounding ground and compact such filled holes sufficiently to prevent settling; and
- (g) break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment were erected or installed and all areas which were used for stockpiling unless otherwise specified under this local law.

PART 7 - MISCELLANEOUS

7.1 Public liability

- (1) A licensee shall have at all times a current public liability insurance policy naming the local government and indemnifying the licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.
- (2) The licensee shall provide to the local government a copy of the policy taken out under subclause (1), within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.

7.2 Mines Safety and Inspection Act 1994 and Environmental Protection Act 1986

- (1) In any case where the *Mines Safety and Inspection Act 1994* or the *Environmental Protection Act 1986* applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site shall –
 - (a) comply with all applicable provisions of that Act or those Acts; and
 - (b) provide to the local government within 14 days full particulars of any inspection or report made under that Act or those Acts.
- (2) In this clause, the *Mines Safety and Inspection Act 1994* and the *Environmental Protection Act 1986* include all subsidiary legislation made under those Acts.

7.3 Annual licence fee

On or before 30 June in each year, a licensee must pay to the local government the set fee for the annual licence.

7.4 Use of secured sum by the local government

- (1) If a licensee fails to pay any fees and charges or carry out or complete the restoration and reinstatement works required by the licence conditions either –
 - (a) within the time specified in those conditions; or
 - (b) where no such time has been specified, within 60 days of the completion of the excavation or portion of the excavation specified in the licence conditions, then; subject to the local government giving the licensee 14 days' notice of its intention to do so—
 - (i) the local government may carry out or cause to be carried out the required work or so much of that work as remains undone; and
 - (ii) the licensee shall pay to the local government on demand all costs incurred by the local government or which the local government may be required to pay under this clause.
- (2) The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 3.7 towards its costs under this clause.
- (3) The liability of a licensee to pay the local government's costs or any outstanding fees and charges under this clause is not limited to the amount, if any, secured under clause 3.7.
- (4) For avoidance of doubt, the local government's powers under this clause are in addition to its other enforcement powers under this local law.

PART 8 - NOTICES

8.1 Notice to remedy non-compliance

Where any thing is required to be done or not permitted to be done by this local law, an authorised person may give the licensee a notice in writing requiring the licensee to comply with the requirements of this local law.

8.2 Notice requirements

A notice given must –

- (a) be in writing;
- (b) specify the reason for giving the notice, the work or action that is required to be undertaken; and
- (c) the time within which the work or action is to be undertaken.

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,
- (a) take whatever remedial action it considers appropriate and which would have been if the breach or failure had not occurred; and
- (b) recover all costs from the licensee, as a debt.

8.4 Offence to fail to comply with notice

A person who fails to comply with a notice given under this local law commits an offence.

PART 9 - OBJECTIONS AND REVIEW

9.1 Objection and review rights

The provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply when the local government makes a decision as to whether it will –

- (a) grant a person a licence under this local law; or
- (b) renew, vary, or cancel a licence that a person has under this local law.

PART 10 - OFFENCES AND PENALTIES

10.1 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

10.2 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

10.3 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 Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

10.4 Forms

For the purposes of this local law –

- (a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Schedule – Prescribed offences

[clause.10.3]

Item	Clause	Nature of offence	Modified penalty \$
1	2.1(a)	Excavate without a licence	500
2	2.1(b)	Carry on an extractive industry not in accordance with conditions of licence	500
3	4.4(1)	Failure to comply with notice regarding transport of materials.	500
4	5.1(a)	Failure to securely fence or keep gateways locked	500
5	5.1(b)	Failure to comply with boundary signage requirements	500
6	5.1(c)	Failure to provide adequate drainage	500
7	5.1(d)	Failure to restore and reinstate site in accordance with approved plan	500
8	5.1(e)	Failure to control dust, noise, vibration and other nuisances	500
9	5.1(f)	Failure to comply with conditions of licence	500
10	5.2(a)	Excavate within 500 metres of a residence without approval	500
11	5.2(b)	Excavate within 50 metres of a bore, watercourse, wetland swamp or other water reserve without approval	500
12	5.2(c)	Excavate within 50 metres of a thoroughfare without approval	500
13	5.2(d)	Excavate within 20 metres of the boundary of any land on which the excavation is situated without approval	500
14	5.2(e)	Excavate within 20 metres of land affected by a registered grant of easement without approval	500

15	5.2(f)	Excavate within 2 metres of estimated maximum groundwater level without approval	500
16	5.3(a)	Removal of trees or shrubs within 40 metres of any boundary with a thoroughfare reserve without approval	500
17	5.3(b)	Store or permit to be stored explosives or explosive devices without approval	500
18	5.3(c)	Fill or excavate other than in accordance with the conditions of licence	500
19	5.4(1)(a)	Carry out or permit to be carried out blasting without approval	500
20	5.4(1)(b)	Carry out or permit to be carried out blasting outside the hours approval be the local authority	500
21	5.4(1)(d)	Failure to comply with conditions relating to blasting imposed by the local government	500
22	5.4(2)	Carry out or permit to be carried out blasting on a Saturday, Sunday or public holiday without approval	500
23	6.1(1)	Failure to provide notice of cessation of operations	500
24	6.3(1)	Failure to provide annual confirmation of details during period of temporary cessation of operations	500
25	6.4	Failure to undertake restoration and reinstatement as required on cessation of operations	500
26	8.4	Failure to comply with requirements of notice	500
27	10.1	Other offences not specified	500

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

A.J. COOK, Chief Executive Officer

8:14 pm – Cr Wiese declared an interest in the following item and left the meeting.

10.1.029 DELEGATION – MEAT INSPECTION

File Reference: 24.3.1
Disclosure of Interest: Nil
Applicant: Nil
Previous Item Nos: Nil
Date: 28 March 2017
Author: Niel Mitchell – Merger Project Manager
Authorising Officer: Azhar Awang – Executive Manager Development & Regulatory Services

Attachments

Attachment 1 – Natasha Reynolds – Statement of Results (completion of Certificate IV in Meat Processing)

Attachment 2 – Draft Delegation *18.4 Food Act 2008*– Meat Inspection

Attachment 3 – Department of Health – Appointment of Authorised Officers as Meat Inspectors

Summary

Council to consider the appointment of Natasha Reynolds as a meat inspector at the Narrogin Agricultural College.

Background

The Food Regulations 2009 require meat in an abattoir be inspected and certified as being fit for human consumption.

Comment

Prior to the merger, the Narrogin Agricultural College utilised the services of the Environmental Health Officer (EHO) contracted to the former Shire for meat inspection. Since July 2016, the role has been performed by the merged Shire's EHO, Shiralee Magor.

After discussion between the EHO and the College, it was ascertained that one of their employees, Ms Natasha Reynolds, Technical Officer, has the appropriate qualifications for meat inspection, holding a Certificate IV in Meat Processing (Meat Safety) in excess of the minimum Certificate III requirement.

With the consent of Ms Reynolds and the College, Council is requested to consider appointment of Ms Reynolds as an authorised person for the purposes of meat inspection at the College.

The appointment will mean a small cost saving for the College, equivalent to the loss of fees charged by the Shire for meat inspection, and also frees up some time for the EHO to undertake other duties.

As a non-employee, the Chief Executive Officer (CEO) does not have delegated authority to make the appointment.

If approved, a Certificate of Appointment will be issued.

Consultation

- Aaron Cook – Chief Executive Officer
- Azhar Awang – Executive Manager Development & Regulatory Services
- Shiralee Magor – Environmental Health Officer
- Department of Health
- Narrogin Agricultural College

Statutory Environment

Food Act 2008

Food Regulations 2009

Policy Implications

Nil

Financial Implications

Small reduction of income as a result of reduced meat inspection fees.

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.036 AND OFFICER'S RECOMMENDATION

Moved: Cr Fisher

Seconded: Cr Ward

That Council:

1. Appoints Ms Natasha Reynolds, Technical Officer Narrogin Agricultural College, as an authorised person for meat inspection in accordance with the provisions of the Food Act 2008 and Regulations 2009, subject to the following conditions –
 - (a) for meat inspection at the Narrogin Agricultural College only,
 - (b) the meat is for the use of the Narrogin Agricultural College only,
 - (c) is valid only for the duration of her employment at the Narrogin Agricultural College and
 - (d) compliance with any directions or instructions of the Chief Executive Officer, Executive Manager Development & Regulatory Services, or Environmental Health Officer.
2. Approves the draft Delegation *18.4 Food Act 2008 – Meat Inspection* as attached.

CARRIED 8/0

Commonly-used abbreviations:
CEO Chief Executive Officer
EHO Environmental Health Officer

Training Solutions Australia

Registered Training Organisation

PO Box 415 Bunbury, Western Australia 6230

Statement of Results This is a Statement that

Natasha Reynolds

*has achieved the following units of competency in completion of
MTM402II Certificate IV in Meat Processing*

MTMCOR201A	Maintain personal equipment	MTMCOR202A	Apply hygiene and sanitation practices
MTMCOR204A	Follow safe work policies and procedures	MTMCOR205A	Communicate in the workplace
MTMCOR206A	Overview the meat industry	MTMCOR401C	Manage own work performance
MTMCOR402C	Facilitate Quality Assurance process	MTMCOR403A	Participate in OHS risk control process
MTMCOR404A	Facilitate hygiene and sanitation performance	MTMP3003A	Handle animals humanely while conducting ante-mortem inspection
MTMP3071C	Perform ante-mortem inspection and make disposition	MTMP3072C	Perform post-mortem inspection and make disposition
MTMP3073B	Implement food safety program	MTMP408A	Inspect transportation container/vehicle
MTMPSR203A	Sharpen knives	BSBFLM312C	Contribute to team effectiveness
FDFAU4001A	Assess compliance with food safety programs	FDFAU4002A	Communicate and negotiate to conduct food safety audits
MTMP3042C	Prepare head for inspection	MTMP3046A	Prepare and present viscera for inspection
MTMP3074B	Perform carcase Meat Hygiene Assessment	MTMP3075B	Perform process monitoring for Meat Hygiene Assessment
MTMP403B	Oversee plant compliance with the Australian Standards for meat processing	MTMP414A	Oversee humane handling of animals
MTMPS415A	Conduct an internal audit of a documented program	MTMPSR405C	Build productive and effective workplace relationships
MTMPSR413A	Participate in ongoing development and implementation of a HACCP and Quality Assurance system	MTMCOR203A	Apply Quality Assurance practices

Training Solutions Australia
Contact Details:

T: (08) 9726 1104
F: (08) 9797 0443
E: tsa@loadednet.com.au

18.4 Food Act – Meat Inspection at Narrogin Agricultural College

Statutory context	Food Act 2008 - s.122 – appointment of authorised persons Food Regulations 2009 – - r.18 – adoption of Australian Standards for meat products for human consumption - r.21 – inspection of animals and carcasses
Corporate context	None
Primary delegation	Natasha Reynolds Technical Officer Narrogin Agricultural College
Secondary delegation	Not permitted
Permitted to (Refer Part C)	None
Formal record of use	File copy of meat inspection records
File number	_____
History	Adopted _____

Functions to be performed

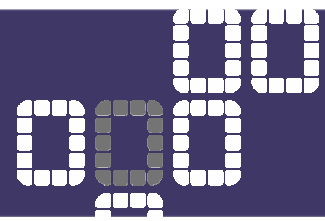
1. Ms Natasha Reynolds is delegated authority as an authorised person for meat inspection in accordance with the provisions of the Food Act and Regulations, subject to the following conditions –
 - a) for meat inspection at the Narrogin Agricultural College only, and
 - b) the meat is for the use of the Narrogin Agricultural College only,
2. The appointment Ms Reynolds is valid only for the duration of her employment at the Narrogin Agricultural College.
3. The delegation is to be exercised in compliance with any directions or instructions of the –
 - a) Chief Executive Officer,
 - b) Executive Manager Development & Regulatory Services, or
 - c) Environmental Health Officer.

– End of Delegation

Notes

A file copy of all meat inspections by Ms Reynolds is to be submitted to the EHO.

Refer also Department of Health – Guideline on the Appointment of Authorised Officers as Meat Inspectors



Guideline on the Appointment of Authorised Officers as Meat Inspectors

Food Unit / Version 01 / 09 December 2010

1.0 OBJECTIVE

Regulation 21 of the *Food Regulations 2009* (the Regulations) requires ante-mortem and post-mortem inspection of animal carcasses by an 'authorised officer'. This guideline provides enforcement agencies with guidance on the appointment of an 'authorised officer' as a meat inspector, in accordance with Part 10 Division 3 section 122 of the *Food Act 2008* (the Act).

Meat inspectors do not have to be an employee of the enforcement agency.

2.0 GUIDELINES

An enforcement agency may appoint a person to be an 'authorised officer' for the purposes of inspection of animals before and after slaughter as per regulation 21 of the Regulations (Inspection of animals and carcasses at abattoirs).

The Chief Executive Officer (CEO) of the Department of Health (DOH) may issue guidelines in accordance with Part 10 Division 3 section 122 (2) on appropriate qualifications and experience to perform the functions of an 'authorised officer' as a meat inspector under the Act. The CEO of DOH has determined 'appropriate qualifications' to mean:

For the inspection of sheep, cattle and pigs if –

- The person holds a Certificate III in Meat Processing (Meat Safety); or

For the inspection of game meat and ratites if –

- The person holds a Certificate IV in Meat Processing (Meat Safety)

3.0 CERTIFICATES OF AUTHORITY

In approving an 'authorised officer' as a meat inspector, an enforcement agency must issue a 'Certificate of Authority' that meets the conditions of Part 10 section 123 of the Act.





The enforcement agency will be responsible for establishing application processes, verifying qualifications, appointing an authorised officer and limiting authorisation specifically to ante-mortem and post-mortem inspection of animal carcasses. This should be reflected in the 'Certificate of Authority' issued to the meat inspector by the enforcement agency.

4.0. ACCOUNTABILITY

The enforcement agency must prepare and maintain a list of 'authorised officers' appointed by the agency. The maintenance of a list of 'authorised officers' as meat inspectors and compliance with appointment guidelines will form part of the local governments annual reporting requirements to the CEO of the DOH.

5.0 REFERENCES/ RELATED DOCUMENTS

The *Food Act 2008*

http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_3595_homepage.html (external site)

The *Food Regulations 2009*

http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11233_homepage.html (external site)

SIGNED

Jim Dodds

Director Environmental Health Directorate

Public Health Division

As delegate of the Chief Executive Officer

13 December 2010

8:25 pm – Cr Wiese returned to the meeting.

10.1.30 ARTS NARROGIN ELDER'S PROJECT REQUEST FOR FUNDS

File Reference: 26.3.7
Disclosure of Interest: Nil
Applicant: ARtS Narrogin
Previous Item Nos: Nil
Date: 4 April 2017
Author: Susan Guy – Manager Leisure and Culture
Authorising Officer: Azhar Awang – Executive Manager Development & Regulatory Services

Attachments

Nil

Summary

Council is requested to consider and approve the balance of \$10,000 from a \$20,000 allocation in the 2016/17 financial year's budget be released to ARtS Narrogin for a proposed community capacity building arts project.

Background

ARtS Narrogin has advised that it is preparing an application to Country Arts WA's Project Fund for a community arts project entitled 'Talk From the Town: The Narrogin Elder's Project'. (Elder's Project) and in order to proceed with the project, ARtS Narrogin was seeking cash support from the Shire in the amount of \$10,000. The Shire financial support would be used to pay wages to artists from the theatre company 'The Kabuki Drop', who would travel to Narrogin to orchestrate the project. ARtS Narrogin requests the release of these funds so it can make this application.

ARtS Narrogin works closely with Country Arts WA to source funding to deliver touring programs, arts development programs and strategic projects. Under a program known as Core Arts Funding, Country Arts WA manages devolved funding on behalf of the State and Federal Governments – this includes funding for arts projects, support for key regional arts organisations, regional artists, Aboriginal arts, and culture and youth specific programs.

In negotiation with Country Arts WA, ARtS Narrogin planned to apply for \$40,000 of what is termed "Peak" funding from the Country Arts WA's Core Arts Funding Program. At that time this funding allowed for up to \$40,000 per calendar year for a three-year contract period. It supports larger organisations with strong management and a proven record in successful arts program delivery.

A condition of Peak funding requires that it's matched with an equal amount of cash funding. With the intention of applying and receiving Peak funding, ARtS Narrogin requested \$20,000 from Council to match the \$20,000 of Peak funding for the first six months of the 2017 calendar year and this was included in the 2016/17 budget.

At the time ARtS Narrogin requested this \$20,000 from Council, it was in receipt of \$11,000 from another Core Arts Funding Program termed "Key" funding. This provided up to \$15,000 a year for a three-year contract period. In effect ARtS Narrogin was moving up a band in the Core Arts Funding Program by planning on applying for \$40,000 per annum from the Peak category of funding and this move was encouraged by Country Arts WA.

Unfortunately following a Department of Culture and the Arts (DCA) Devolved Funding Review, DCA made the decision to extend existing contracts for an additional 12 months, rather than initiate a new triennial application process late in 2016. This meant ARtS Narrogin would only receive another \$11,000 for the 2017 calendar year under the Key funding program. (ARtS Narrogin is waiting on advice as to whether Peak Funding is to be instigated for the calendar years 2018-2020).

In the 2016/17 financial year, ARtS Narrogin has received from Council \$10,000 of the \$20,000 allocated to the budget and this has supplemented the \$11,000 of Key funding.

The estimated total cost of the Elder's Project is \$34,400 to be met through ticket sales, in-kind contributions, the Country Arts WA grant of \$17,000 and the Shire's financial support of \$10,000.

Comment

The Elders Project aims to explore the regional identity of our local community, engender respect for our seniors and encourage wider community engagement with the arts. The proposal includes the participation of the Narrogin Repertory Club so as to build capacity building and it is expected there will be enduring benefits for the Club through enhancing community arts skills for future projects and enhancing work being undertaken by the Library and Museum.

The Shire's Manager of Library Services has shown strong interest in this project, indicating the strong synergies between an oral history project the Library is managing and the proposed Elders Project.

Country Arts WA has been highly complementary of ARtS Narrogin's high quality project management skills. It recently posted the following on its website in reference to the Stories off the Wall project which saw the mural painted in Park Street.

- "Arts Narrogin's high quality project management skills and strong partnership-building ensured the positive outcomes of the mural project were broad and long-lasting. The project attracted community members who had not previously been involved in arts projects, and the place-making nature of the mural has generated conversations with both locals and visitors."
- "Stories off the Wall! also created economic outcomes, with the project engaging many local businesses for project materials and services, and ongoing evidence that town visitors have been drawn to Narrogin for the purpose of viewing the eye-catching mural."

ARtS Narrogin's proposed Elder's Project presents as a very exciting and unusual proposal with a range of potential benefits including raising awareness and insights into the pressing need to value and cultivate the oral history of our district and to enhance and expand the social record.

ARtS Narrogin provide energetic and skilful input into community based arts projects. The Shire has forged a strong working relationship with ARtS Narrogin to build the district's economic, cultural and social capital through innovative and creative approaches that celebrate our community's unique identity. This partnership is aimed at achieving mutual goals for our community and region.

CEO Comment: In addition to the comments provided within this report, additional clarification is provided to ensure that Council has all relevant information for consideration, in that the funding that was allocated within this budget, for ARtS Narrogin, was done so with the understanding that the grant would provide for local ongoing employment for the duration of the grant term, being a period of three years. Although this request does provide for employment it is to engage an external service provider to facilitate a project which was not the original intent.

Consultation

- Aaron Cook – Chief Executive Officer
- Deborah Hughes – Owen, Chair, ARtS Narrogin
- Kay Weaver – Manager Library Services

Statutory Environment

Nil.

Policy Implications

Nil

Financial Implications

ARtS Narrogin is requesting the balance of \$10,000 from the \$20,000 allocated to it, to assist with administrative costs and matching funding in the 2016/17 budget, be released to support its grant application to Country Arts WA for the Elders Project. In the 2015/16 financial year, the Shire provided \$5,000 to assist ARtS Narrogin in its management of the Narrogin Exhibition Space (NEXIS). This was increased to \$10,000 in the 2016/17 financial year and Council retains the remaining \$10,000 that can be reallocated.

Strategic Implications

Community Strategic Plan 2012 – 2022:

Key Objective 2 – Community Development Services

2.6 Encourage and assist Local Arts Groups to facilitate the development of the arts culture in Narrogin.

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.037 AND OFFICER'S RECOMMENDATION

Moved: Cr Bartron

Seconded: Cr Fisher

That Council:

Approve the balance of \$10,000 from a \$20,000 allocation in the 2016/17 financial year's budget be released to ARtS Narrogin for a proposed community capacity building arts project "Talk from the Town: Elders Project".

CARRIED 9/0

Commonly-used abbreviations:

CEO	Chief Executive Officer
DCA	Department of Culture and the Arts

10.1.031 LOCAL EMERGENCY EVACUATION PLAN

File Reference:	9.8.4
Disclosure of Interest:	Nil
Applicant:	Local Emergency Management Committee
Previous Item Nos:	10.1.142 22 November 2016
Date:	5 April 2017
Author:	Azhar Awang – Executive Manager Development & Regulatory Services.
Authorising Officer:	Aaron Cook – Chief Executive Officer

Attachments

Attachment 1 – Local Emergency Evacuation Plan

Summary

Council's consideration is requested to formally endorse the Local Emergency Evacuation Plan documentation for the Shire of Narrogin.

Background

Under the *Emergency Management Act 2005*, local governments have a responsibility to prepare and maintain the Local Emergency Evacuation Plan.

The preparation of the Local Emergency Evacuation Plan forms a sub plan of the Local Emergency Management Arrangements which was previously adopted by the Council at its meeting held on 22 November 2016. The Aim of the Local Emergency Evacuation Plan is to provide a Hazard Management Agency planning an evacuation within the Shire of Narrogin with the tools and information that may be required to effect an evacuation.

The purpose of the plan is to:

- Identify State legislation that may affect evacuations;
- Identify State Emergency Management Policies affecting evacuation;
- Identify responsible agencies for evacuation;
- Outline the relationship between this plan (evacuation) and other local state and State Emergency Management Plans; and
- Outline the relationship between this plan and the Shire of Narrogin Local Emergency Management Arrangements.

The Local Emergency Evacuation Plan has been referred to the Local Emergency Management Committee and there was no further additions or amendments to be made to the documentation.

Comment

In accordance with the recently adopted Local Emergency Management Arrangements, it is recommended that the Council adopt the Shire of Narrogin Local Emergency Evacuation Plan.

Consultation

- Local Emergency Management Committee
- Aaron Cook – Chief Executive Officer
- Torre Evans – Executive Manger Technical and Rural Services
- Frank Ludovico – Executive Manager Corporate and Community Services

Statutory Environment

The *Emergency Management Act 2005* stipulates that Local Governments have a responsibility to their community to prepare arrangements for hazards that may affect the local area.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.038 AND OFFICER'S RECOMMENDATION

Moved: Cr Bartron

Seconded: Cr Schultz

That Council:

1. Adopt the attached Local Emergency Evacuation Plan for the Shire of Narrogin.
2. Authorise the Chief Executive Officer and the Chairperson of the Local Emergency Management Committee to sign the endorsed Local Emergency Evacuation Plan.

CARRIED 9/0



Local Emergency Evacuation Plan

SHIRE OF NARROGIN

**SHIRE OF NARROGIN
EMERGENCY EVACUATION PLANNING ARRANGEMENTS**

This plan forms a sub-plan to the Shire of Narrogin Local Emergency Management Arrangements. They 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).

.....
CEO
Shire of Narrogin

.....
Date

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Amendment Record

No.	Date	Amendment Details	By
1	2011	Draft	LEMA
2	07 / 2015	Review draft	LEMA
3	01/2017	Update and review	LEMA
4			
5			
6			
7			
8			
9			
10			
11			
12			

Introduction

Context for Emergency Evacuation in Western Australia

“Evacuation is a risk management strategy which may be used as a means of mitigating the effects of an emergency or disaster on a community. It involves the movement of people to a safer location. However, to be effective it must be correctly planned and executed. The process of evacuation is usually considered to include the return of the affected community.” [Australian Institute for Disaster Resilience, Handbook 4 ‘Evacuation Planning’](#)

The Western Australia Emergency Management Framework details specific roles and responsibilities in order to effect an evacuation of a community. Essentially the Controlling Agency is responsible for all aspects of evacuation. The Controlling Agency may task other agencies to carry certain aspects of the evacuation on their behalf.

It is not possible to develop a ‘tactical’ evacuation plan prior to the onset of a hazard due to the variables involved. Considerations at the time may include; the nature and extent of the hazard, the anticipated speed and direction of the onset of the hazard, the number and category of people needing to be evacuated, evacuation priorities and the availability of resources at the time.

Whenever evacuation is being considered the Department for Child Protection & Family Support must be contacted as early as possible and involved in the process. This is because they have the mandated role of receiving evacuees at a welfare centre and providing welfare support. The agency will need a lead time to make the necessary arrangements for this to occur.

Authority to Plan

This Plan has been prepared in accordance with s. 41(1) of the Emergency Management Act 2005 and endorsed by the Shire of Narrogin Local Emergency Management Committee. This Plan forms a sub-plan to the Shire of Narrogin Local Emergency Management Arrangements.

Aim

The aim of the Local Emergency Evacuation Planning Arrangements is to provide a Controlling Agency planning an evacuation within the Shire of Narrogin with the tools and information that may be required to effect an evacuation. The Narrogin LEMC is an advisory Committee and is non operational and not active during an evacuation or an incident.

Purpose

The purpose of this Plan is to;

- Identify State legislation that may affect evacuations

- Identify State Emergency Management Policies affecting evacuation
- Identify responsible agencies for evacuation
- Outline the relationship between this plan (evacuation) and other local and State Emergency Management Plans.
- Outline the relationship between this plan and the Shire of Narrogin Local Emergency Management Arrangements.

Scope

This Plan is to ensure there is a comprehensive local understanding of evacuation arrangements within the Shire of Narrogin. Furthermore;

- This Plan applies to the local government district of the Shire of Narrogin
- This Plan must be read in conjunction with the documents outline in 'Related Documents and Arrangements'
- This Plan is designed to enable a Hazard Management Agency with the framework to develop a tactical evacuation plan in the event of an emergency.

Related Documents & Arrangements

This Local Emergency Evacuation Plan must be read in conjunction with the following documents;

1. Shire of Narrogin Local Emergency Management Arrangements
2. Shire of Narrogin Local Welfare Plan
3. Shire of Narrogin Local Recovery Management Plan
4. State Emergency Management Plan
5. State Emergency Management Policy
6. State Emergency Management Procedures

Reference Material

Refer to [Australian Institute for Disaster Resilience, Handbook 4 'Evacuation Planning'](#) and /or the Officer of Emergency Management [Western Australian Community Evacuation in Emergencies Guideline](#) for further reference information.

Evacuation Process

The evacuation process consists of 5 stages of;

1. Decision to evacuate
2. Warning
3. Withdrawal
4. Shelter
5. Return

Diagrammatically this is shown as;

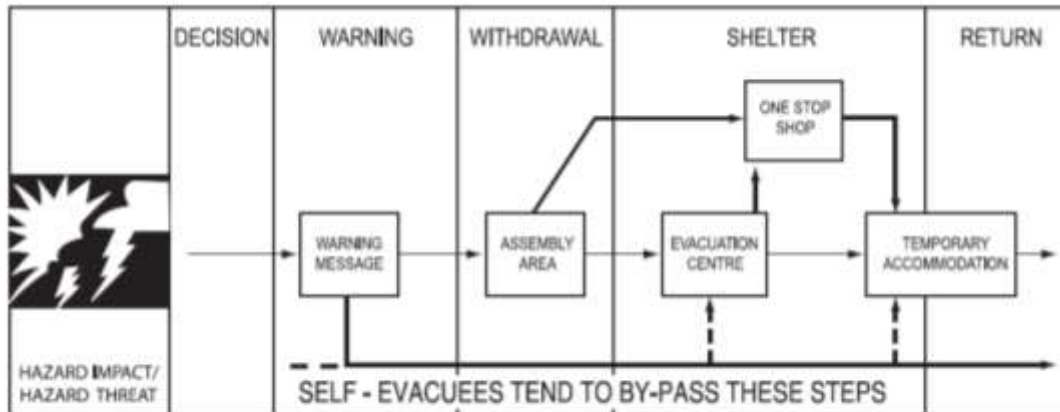


Figure 2:1—The Evacuation Process EMA Manual 11 'Evacuation'

Alternative to Evacuation

Although evacuation is considered an important element of emergency response which may be effective in many situations, there will be occasions when it may be assessed that people would be safer to stay and shelter in place. Depending on the nature of the hazard, measures such as closing windows, isolation of air conditioning systems and listening to the radio and/or TV to receive information can be taken to reduce vulnerability. [Australian Institute for Disaster Resilience, Handbook 4 'Evacuation Planning'](#)

Roles and Responsibilities

Controlling Agency

The overall responsibility for any evacuation rests with the Controlling Agency. This encompasses the risk assessment and decision arising that evacuating a community represents the best option available for community safety and ensuring that appropriate action is taken across all phases to meet the evacuees' needs.

Hazard Management Agency (HMA)

Where an evacuation is being undertaken for a hazard which is prescribed under the *Emergency Management Regulations 2006*, the Regulations also prescribe an agency or individual as the HMA for that hazard. In these circumstances, the HMA can access powers to direct the movement of people and animals contained in the EM Act if they make a formal declaration of an emergency situation. An emergency situation can also be declared for any hazard by the State Emergency Coordinator (SEC). In most circumstances, the HMA will be same as the Controlling Agency for an emergency arising from that hazard.

State Emergency Coordinator

Should the Minister declare a state of emergency, those persons appointed as Authorised Officers by the Commissioner of Police, as SEC, may access Part 6 powers, including the further powers, set out in the EM Act.

Western Australia Police

WA Police are commonly requested to assist a Controlling Agency with an evacuation, ranging from undertaking specific activities during the withdrawal phase of an evacuation, to undertaking the full operational evacuation planning process on behalf of the Controlling Agency. It should be noted that WA Police may not always be in a position to assist. In some more remote regions impacted by cyclones, for example, volunteers with the State Emergency Service of DFES or other group may be more effectively placed.

Main Roads WA

MRWA have an important role to play in any traffic management plan for the withdrawal phase, through the provision of information about road networks and infrastructure capabilities, staffing and/or contractors to assist with vehicle control points or undertaking detailed traffic management plans for extended emergencies.

The Department for Child Protection and Family Support (CPFS)

CPFS is a crucial partner in the shelter phase of an evacuation process, as they will coordinate welfare and support for evacuees at agreed evacuation centres by accessing a number of organisations and volunteer groups. The operational details that relate to the welfare function are available in the State Emergency Welfare Plan.

Of these, Red Cross has a key role with regard to the provision of a registration and reunification service, where requested by CPFS. This may include the use of the Register. Find. Reunite System.

The Department of Health (WA Health)

Health will coordinate medical support, including the services of organisations such as St John Ambulance and the Royal Flying Doctor Service, for those evacuees requiring medical care, in accordance with the State Health Emergency Response Plan.

Department of Defence (Defence)

In certain circumstances, i.e. where the capabilities of agencies are insufficient or unavailable, the Department of Defence may provide assistance in accordance with State EM Policy Section 5.10 and State EM Plan Section 5.6.

Annex 1 sets out further details of the roles and responsibilities of the above and additional agencies

Part 2: Evacuation Planning Considerations

Evacuation is a complex process that has a potential to place a number of people at risk during the implementation cycle. Proper planning can reduce these risks.

Authority to Evacuate

The legal standing for a controlling agency to implement an evacuation must be clearly understood. This will establish the parameters for the planning to occur. This is further discussed in Part 3.

Self Evacuation

When threatened by a hazard many people will make their own decision to self evacuate if given good information of the impending hazard. There are benefits to self evacuation such as reduced pressure on resources and being able to focus on other areas such as special needs groups. Proactively publicizing suitable routes and encouraging people to go of their own accord should be considered, however there will be some cases where people will be safer from a hazard by sheltering in place. In this case this message needs to be clearly communicated.

Community Education & Awareness

Consider any education or awareness that may have been conducted in the community prior to the event. This may have an impact – positive or negative – on the community's willingness and understanding to evacuate.

Risk to Emergency Workers

In cases where emergency workers are conducting evacuations close to the hazard – such as door knocking – consider the risk they may be exposed to and consider alternative methods such as Emergency Alert to reduce the risk.

Security of the Evacuated Area

Security of a persons place after they have left may concern some people and influence their decision/actions. Communications may include statements about securing the area before / after the passage of the hazard until the return of evacuees.

People Relocating Under Stress

Evacuation planners should take into account people acting in stressful situations may not respond as anticipated. In these cases people need to be treated with compassion and understanding. Clear instructions and guidance will help with this issue.

Coordination and Communication

Conducting the evacuation process may need resources from different agencies working together. In these cases clear communication and coordination guidelines need to be issued. A separate communications plan may be a useful tool.

Media Management

The Controlling Agency is responsible for managing all aspects of the media. A tactical evacuation plan may include a section how the media is going to be kept informed / used, by who and if this requires a specialist.

Special Needs Groups

Within a community there may be a number of special needs groups such as schools, day care centres, nursing homes or culturally and linguistically diverse (CaLD) communities. These are identified in the Shire of Narrogin Local Emergency Management Arrangements. These groups will require special consideration and assistance with evacuation.

Time Management

Large populations, rural areas and others may require more time to evacuate than closely populated areas. Similarly the effect of masses of people leaving an area may cause traffic congestion increasing the time taken. During the planning phase consideration should be given to time as a factor effecting evacuation. This may require the process to be staged or a different approach taken. Hazard specific time critical information must be considered. For example the 'Rate of Spread' of a bushfire may determine how much time is available to conduct an evacuation.

Welfare Centre Locations

Consider the location and suitability of welfare centres. The Department for Child Protection & Family Support should be involved in determining the most appropriate centre for the number of evacuees. The Shire of Narrogin Local Emergency Management Arrangements and Local Welfare Plan contain the specific details.

Resources

Consider the resources required to conduct what is being planned. A list of local resources is available from the Shire of Narrogin Local Emergency Management Arrangements however this is a separate document held by each office.

Part 3: Decision to Evacuate

Authority to Evacuate

Controlling Agencies making the decision to evacuate a community should be aware of the legislation that gives them the authority to act. Various agencies hazard specific legislation may provide certain powers under certain circumstances.

In some cases the Emergency Management Act 2005 may provide some powers for evacuation if an emergency situation has been declared. In summary this allows;

- Pursuant to section 50, an emergency situation may be declared by the Hazard Management Agency
- The Hazard Management Agency must appoint Hazard Management Officers under section 55
- Pursuant to section 67 a Hazard Management Officer may direct any person, animals or vehicles.

NOTE:

1. A Hazard Management Agency declaring an Emergency Situation must follow the procedures set out under the [State Emergency Management Procedures Manual](#) 'Emergency Situation Declaration' and use the associated forms.
2. A Hazard Management Agency appointing a Hazard Management Officer must follow the procedures set out under the [State Emergency Management Procedures Manual](#) 'Appointment of Hazard Management Officers' and use the associated forms.
3. A Hazard Management Officer issuing directions must follow the procedures set out under the [State Emergency Management Procedures Manual](#) 'Direction Concerning Movement or Evacuation in an Emergency Situation'

Risk Management

Consideration needs to be given to exposing people evacuating to any risks during the movement of people out of the area. For example are they going near the fire or smoke, will there be traffic management issues. A risk assessment of the plan should occur on completion of the plan developed to ensue the plan does not expose people to a greater risk.

Available Lead Time

Consider the time frame to conduct the evacuation and how will this impact on the methods used. Consider the elderly and disabled within the community, if there is time for a door knock approach or will radio and State Alert be more suitable or safer.

Time and Resources

Consider the time the evacuation will take and the resources required. Conducting an evacuation is time consuming and resource dependant. The movement of

evacuees may also have secondary effects such as blocking road networks for personnel dealing with the hazard.

Egress Routes

Carefully consider the routes people will be taking away from the hazard. Are the roads suitable road surfaces, bridge loadings etc. Are there any potential 'choke points' where traffic will become congested? Will there be any other issues such as smoke or water across the road. **REFER** to the Main Roads WA contingency plans.

Safety of Emergency Workers

Will sending emergency workers into an area to conduct an evacuation put them at risk from the hazard or will the movement of evacuees cause safety issues?

Available Resources

Will the resources required to conduct an evacuation be available. Is there a need to re-consider the evacuation plan dependant on resource availability? Refer to the Local Emergency Management Arrangements for this information.

Available Information

Are the evacuation decisions being made on the best and most timely and accurate available information?

Area of Evacuation

Is the area residential / densely populated or rural and sparsely populated. If door knocking an area consider the time and resources it will take to move through an area.

Special Needs Groups

The Shire of Narrogin has Special Needs Groups including Karinya, Narrogin Homecare, the hospital , Schools, daycare centres, CaLD groups and Aboriginal Corporations which are to be considered in an evacuation. Refer to the Local Emergency Management Arrangements for this information.

Part 4: Warnings

The message warning of the evacuation that goes to the community must be structured to provide timely and effective information. All warnings should give as much time as possible for people to leave the hazard impact area.

Roles and Responsibilities

The Controlling Agency is responsible for creating and disseminating all communications via the media, especially dealing with evacuation. The Incident Controller should authorize the release of any messages.

Warning Messages

When creating any messages warning the community of any impending evacuation consider the following;

- Authority – who is issuing the message
- Consistency – using the same format for the message if it is repeated
- Accuracy – information must be accurate and timely. Errors in information can cause people to doubt subsequent warnings.
- Clarity – the message must be clear and in simple language
- Level of Certainty – the message must be delivered with confidence in the message being given.
- Level of Detail – the message must contain sufficient information for people to action
- Clear Guidance – the message must give people clear instruction on what is needed to be done.
- Repetition of Warnings – if possible repeat the message and if possible use more than one delivery method (eg Emergency Alert & ABC Radio). This can increase the effectiveness of the message
- Impact Areas – clearly state the affected area.
- Methods of Information Dissemination – There are several methods of disseminating information. Refer to the Local Emergency Management Arrangements for this information
- Information Dissemination for Special Needs Groups – The Local Emergency Management Arrangement detail Special Needs Groups within the local government area. Ensure you have effective communication with these groups. This may require additional resources such as interpreters.

Some communication methods such as Emergency Alert have pre-determined messages. When required the details of the incident and actions required are inserted into the message. Each Hazard Management Agency has internal procedures for accessing State Alert.

Part 6: Withdrawal

The withdrawal stage of the evacuation process involves the removal of people from the hazard impact zone to a safer area.

Roles & Responsibilities

The Controlling Agency is responsible for managing the withdrawal stage however this section may have been delegated to another organisation. If this is the case, the Incident Controller must ensure this has been documented and clearly been communicated to all people involved in managing the evacuation.

Control and Coordination

The agency that has control for and is coordinating the evacuation must be communicated to all parties involved in the evacuation process.

Evacuation Priorities

While planning the evacuation consider the available lead time, available resources and any special needs groups (identified in the Local Emergency Management Arrangements). Which areas need to be evacuated as priority then second priority etc.

Resources

Consider the available resources such as vehicles, communications, man-power, time – limited resources may necessitate a more self-reliant evacuation and use of private transport. A list of resources is contained in the Local Emergency Management Arrangements.

Access / Egress Routes

Suitable routes need to be identified, clearly marked and communicated. Consider items such as the movement of the hazard, traffic choke points, suitability of road surface conditions and bridge loads.

Phasing

To avoid congestion and clear special needs groups is there a need to stage/phase the evacuation. You could phase by area, street or suburb.

Assembly Area / Staging Area

In some cases there may be a need to have people gather in a certain location before moving them on to another location. There can be several reasons for this such as easing/controlling traffic or the use of resources such as buses.

Part 6: Shelter

During the planning phase the Hazard Management Agency should have had close liaison with the Department for Child Protection & Family Support. This is because the DCPFS should be able to advise the most suitable location for a welfare centre to be opened.

Arrangements should have been made to open a suitable venue and enact the Local Welfare Plan and other relevant section of the Local Emergency Management Arrangements to fulfill the 'shelter' section of the evacuation process.

Part 7: Return

Return is the final stage of the evacuation process. It involves the safe return of evacuees to their place of origin. The return process is closely linked to the recovery process. This section must also be read in conjunction with the Shire of Narrogin Local Recovery Management Plan.

Roles & Responsibilities

The Controlling Agency is to determine when and how the evacuees are to be returned.

Considerations for a Safe Return

Returning evacuees to an affected area should occur as soon as practical so the recovery process can begin however prior to allowing evacuees to return to an affected area the following should occur;

Affected Area Assessment

A detailed assessment of the affected area must be completed. The assessment may consider;

- If any hazard exits
- If the hazard may return
- Safety of structures, trees etc
- Availability of suitable facilities such as
 - Accommodation
 - Utilities
 - Hygiene facilities

Evacuees Return Criteria

The following items should be considered prior to allowing the return of evacuees;

- The mental state of evacuees –are they prepared for what is going to come
- The physical state of evacuees – are they able to physically cope with a changed environment
- Time away from the impacted area – have evacuees decided to ‘move on’
- The distance from temporary shelter –should they return directly or in stages

Support Services

Before evacuees should be returned an assessment of the availability of support services and essential infrastructure should be considered, such as;

- The management of unsafe structures
- Provision of temporary shelter
- Provision of essential services (power, water, sewage, communications)
- Provision of welfare services including counseling and health services

- Financial services including insurance issues, government support
- A publicized communication strategy – how are people going to be kept informed during recovery.
- Continued counseling
- Social needs or Spiritual needs.

Annex 1: Glossary of Terms

Terminology used throughout this document shall have the meaning as prescribed in Section 3 of the EM Act or as defined in the State EM Glossary.

At Risk Persons: Anyone who may have difficulty either receiving or responding to emergency public information, e.g. those with physical or intellectual disabilities or other health related issues, children, the aged, those who are socially isolated and those from remote or culturally and linguistically diverse communities.

Evacuation: The planned relocation of persons from dangerous or potentially dangerous areas to safer areas and eventual return..

Immediate Evacuation: This results from a hazard impact that forces immediate action, thereby allowing little or no warning and limited preparation time (e.g. hazardous materials emergencies, air crashes, bushfires or earthquakes).

Pre-warned Evacuation: This follows receipt of sufficient and reliable information that prompts a decision to evacuate ahead of a hazard impact (e.g. cyclones and storm surges).

Controlled Evacuation: A recommended or directed evacuation, where a Controlling Agency is undertaking specific activity to manage the withdrawal of people from an area that is at risk, or subject to the effects of, a hazard.

Directed Evacuation: A Controlling Agency may issue a direction for members of a community to evacuate with which they are obliged to comply in circumstances where it is believed there is an imminent and real threat to life should they remain.

Recommended Evacuation: A controlled evacuation whereby a Controlling Agency provides advice to members of a community that they evacuate, when the Incident Controller believes this represents the best option to mitigate the effects of an emergency on a community, based on the agency's risk assessment at that time, but where the risk is not perceived as extreme/imminent.

Self-Evacuation: The voluntary evacuation of community members who have assessed their risk and have decided to move to a safer place, either a place established for the hazard or a place of their opinion.

Evacuee: A person who has withdrawn or been removed from a place of danger.

Immediate Sheltering: Includes shelter in place, assembly areas and places of last resort.

Place of Last Resort: A place where members of a community can go/be taken at the last minute to seek shelter from an imminent threat when it is too late to evacuate. It should only be used when all other plans have failed and no other option exists. This may be a shed, area of the home, swimming pool, dam or other place appropriate to the hazard.

Protect in Place: May be used instead of shelter in place, but may be seen as implying that protective action is undertaken to reduce the risk of remaining in place (e.g. the issuing of personal protective equipment where there is no time to evacuate safely for a hazardous materials emergency).

Relocation: A term sometimes used in place of self-evacuation. It can also be used to refer to an individual's choice to move to a location of reduced risk of an emergency occurring under certain conditions even before an emergency has occurred (e.g. on a day where a catastrophic fire weather danger rating has been issued).

Safest Route: The route that evacuees take that presents the safest way to move away from the threat to a place of safety or 'safer place', sometimes known as the recommended egress for evacuation.

Shelter: A dynamic social process providing for the temporary respite of evacuees, including immediate sheltering, temporary sheltering and temporary housing.

Specialist facilities: May be required when evacuees are unable to care for themselves or require additional care (e.g. hospitals, aged care or similar facilities, and disability care).

Temporary accommodation: Accommodation provided over an extended period of days, weeks or months, for individuals or families affected by an emergency. It is different from emergency shelter.

Temporary sheltering: Includes family, friends or commercial accommodation outside the impact zone, refuge sites, evacuation centres and specialist facilities.

Annex 2: Roles and Responsibilities

ORGANISATION	RESPONSIBILITIES
<p>CONTROLLING AGENCY:</p> <p>(Usually the HMA)</p>	<ul style="list-style-type: none"> • Maintains overall responsibility for the evacuation and ensuring appropriate agencies are engaged in the process. • Ensure the combat agency undertaking the evacuation is aware of the level of evacuation, the legislative power for evacuation, and the preferred action to be taken if people refuse to evacuate. • Public Information and media management.
<p>WA POLICE</p>	<ul style="list-style-type: none"> • Support the Controlling Agency in the evacuation process once the decision is made to conduct evacuations. • Where tasked as the combat agency for an evacuation, clarify if this is to carry out specific activities set out in the Controlling Agency's Operational Evacuation Plan or includes developing the plan on the Controlling Agency's behalf. • Establish and maintain an appropriate cordon to the affected area as requested. • Support the orderly evacuation of persons to the nominated evacuation centre(s). • Maintain road safety in the access and egress routes for the withdrawal and around the evacuation centre. • Assist with security of the evacuated area as requested.
<p>MAIN ROADS WA</p>	<ul style="list-style-type: none"> • Assist the Controlling Agency and/or WA Police with the development of Traffic Management Plan and/or activities supporting its implementation, as requested.
<p>DEPARTMENT FOR CHILD PROTECTION AND FAMILY SUPPORT</p>	<ul style="list-style-type: none"> • During an incident determine the number and location of evacuation centres to be opened in consultation with the Controlling Agency and consideration of available resources. • Provide for reception of evacuees at evacuation centres and appropriate resources and welfare support. • Provide and/or facilitate services to victims of the emergency to help them cope with the effects of the emergency. • Arrange for a registration and reunification services to be established if required.
<p>DEPARTMENT OF HEALTH</p>	<ul style="list-style-type: none"> • Coordinate the medical evacuation of severely injured persons to major medical centres in rural areas or the Perth Metropolitan Area as appropriate. • Assist welfare agencies in crisis counselling and critical stress management.
<p>LOCAL GOVERNMENT</p>	<ul style="list-style-type: none"> • In consultation with the Controlling Agency, make available suitable municipal buildings to be established as evacuation centres by Department for Child Protection and Family Support, to coordinate welfare support

	<p>during the emergency.</p> <ul style="list-style-type: none"> • Establish additional facilities where those with animals may evacuate to, if animals cannot be received at the evacuation centre, with appropriate resources to manage. • Provide relevant local information with regard to the communities at risk. • Keep informed during the response phase in order to effect a smooth transition to recovery when appropriate.
<p>DEPARTMENT OF EDUCATION</p>	<ul style="list-style-type: none"> • Liaise with the Department for Child Protection and Family Support and relevant Local Governments in relation to the use of educational facilities as evacuation centres during an emergency. • Provide up to date information about schools in the affected area to be available to Controlling Agencies and WA Police, including appropriate contact information. • Ensure evacuation plans are in place for each which extend beyond the car park.
<p>ORGANISATIONS RESPONSIBLE FOR EDUCATIONAL AND CARE FACILITIES AND OTHER SPECIALIST SITES FOR AT RISK PERSONS</p>	<ul style="list-style-type: none"> • Provide up to date information about their location and appropriate contact information to the appropriate governing body and/or Local Government. • Ensure evacuation plans are in place which extend beyond the car park for any emergency. This may include reciprocal arrangements with other like facilities for accommodation and should transportation arrangements.

Annex 3: Decision to Evacuation Considerations

Decision to Evacuate Considerations (HMA)

Factor	Considerations	Actions	Responsible Authority	Completion By	Complete
Threat	What is the threat?				
Authority	Who has the authority to make the decision and have legal ramifications been considered?				
Numbers Effected	How many people may be required to evacuate and from what areas/suburbs?				
	What will the impact be to business/ tourism?				
Secondary Risks	What is the risk to the evacuees during movement?				
Staging/ Assembly	Do evacuated people require staging/assembly areas?				
Transport	What transport resources and routes are available to move the evacuees?				
Security	How will the evacuated area be secured?				
Community Preparedness	What is the state of readiness or preparedness in the community for an evacuation?				
	What arrangements/policy exists relating to the particular threat				
	Is evacuation absolutely necessary or is it safer for people to shelter at home?				

Factor	Considerations	Actions	Responsible Authority	Completion By	Complete
Time Restraints	Is there time available to organise and safely carry out the evacuation?				
Persons with Special Needs	What are the risks to the emergency responders be while carrying out the evacuation				
Risk to responders	What are the risks to the emergency responders while carrying out the evacuation				
Shelter	Do all evacuees require shelter?				
Resources	What resources are required and are there sufficient to carry out the evacuation in a safe and timely manner?				

Annex 4: Warning Considerations

Factor	Considerations	Actions	Responsible Authority	Completion By	Complete
Authorization of warning	Who authorizes the issue of a warning and who authorizes the content?				
Methods to inform	What media sources or other methods will be used to inform the public and do you have current contacts?				
	What resources/personnel are needed for an effective warning – door knock?				
	Who is responsible for sending the message and activating the warning system?				
Special needs	Which special needs groups will need to be warned & who is responsible for the warning?				
	Where can interpreters be found if needed				
	How many persons to be warned				
	What transport is available for those without, and where can they obtain it?				
	What access/egress routes are they to use/follow				
Pets	What are the arrangements for pets/other animals?				
Instructions	What instructions for home and personal property? Consider: not to use phones, turn off gas/electricity, secure property.				
	What are they to take/not take? Consider: vehicles, pets, clothing, blankets, food, medical supplies, battery operated radio?				

Annex 5: Withdrawal Considerations

Considerations	Actions	Responsible Authority	Completion By	Complete
Who is to control/coordinate the withdrawal stage?				
What public information has/will been given on the Evacuation and the Welfare Centres				
What resources are available/required? Consider: PA Systems, transport including ambulances/ motor/trucks/buses/aircraft, interpreters.				
What access/egress routes are to be used				
Can the routes be properly controlled and are they clearly defined?				
Do you intend registering all those leaving?				
Can breakdowns and other blockages along the route be quickly cleared?				
Who is responsible for assisting with any special needs groups				
What checks are to be made on premises to ensure all persons have evacuated?				
Has security for the evacuated area been arranged?				
What arrangements have been made for pets/other animals left behind				
Can vehicle parking at Assembly Areas/Welfare Centres be controlled				
What arrangements for the National Registration Inquiry System implementation.				

Annex 6: Shelter Considerations

Factor	Considerations	Actions	Responsible Authority	Completion By	Complete
	Has Department of Child Protection been notified?				
	Is the Welfare Centre Register up-to-date?				
Which Centres	Which of the Welfare Centres will be opened				
	Can the Centres cope with the expected number of evacuees and if not what are the options?				
Centre Management	Who is to activate/manage /staff the Welfare Centre				
	Are those persons likely to be available at short notice				
Duration	How long are the evacuees likely to need to use the Centre				
Facilities	What facilities are likely to be needed? Considerations: toilets, cooking, sleeping accommodation, facilities for the very young, aged or disabled, vehicle parking, heating/cooling, medical triage				
	Can families remain together?				
Welfare arrangements	What are the catering and welfare arrangements and can they cope?				
	Are foodstuffs/clothing readily available				
Other services	What other services may be required? Considerations: information services, communication with relatives?				
Heads up to agencies	Have relevant welfare agencies been informed of evacuation?				
	If evacuees are to be registered at the centre, who is responsible for activating process				
Pets	What will you do with pets that are brought to the Centre?				

Annex 7: Return Considerations

Factor	Considerations	Actions	Responsible Authority	Completion By	Complete
Authority	Who has the authority to order a return				
	Who controls/co-ordinates the return?				
Staggered Return	Will the return be staggered?				
Safety	Can the people safely return?				
	Has an 'affected area assessment' been completed per Part 7				
Transport	What transport is available to return the people?				
	Are utilities available to support the community?				
	Have relevant support/welfare agencies been notified of the order to return?				
Ongoing support	Can people return to homes to clean up/assist but then return to Welfare Centres for food and sleep?				

Annex 8: Operational Evacuation Plan Template

<p>N.B. All aspects of evacuation are the responsibility of the Controlling Agency's Incident Controller – Another agency/person may assist if requested and appropriate. This MAY include developing an evacuation plan AND/OR undertaking activities in support of the plan. This template can be used to develop a plan or documenting decisions and strategies from another agency where time permits – or as an aide-memoire where action needs to be taken urgently.</p>				
This document compiled by:	Name:	Position:		
Time:	Date:	Signature:		
Are details of the evacuation entered on a crisis information management system (e.g. WebEOC)? <i>Please specify?</i>			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Incident Name / Reference				
Situation				
<i>Briefly describe the situation or emergency which has, or may cause, a recommendation to an affected community to evacuate:</i>				
Summary of key risks				
Issue(s)	Likelihood	Consequences	Mitigation Strategy	
	low/med/high	low/med/high		
	low/med/high	low/med/high		
Mission				
<i>Briefly describe the Mission in this evacuation or potential evacuation:</i>				
<i>Specified Objectives:</i>				

Execution	
Key Roles	
HMA/Controlling Agency and Incident Controller:	
Agency:	Incident Controller:
Contact Number(s):	Email:
Operational Area Manager (if appointed) :	
Agency:	Operational Area Manager:
Contact Number(s):	Email:
Police Commander :	
Agency: WA Police	Name:
Contact Number(s):	Email:
Emergency Coordinator(s): <i>(Local Officer in Charge and/or District Superintendent perform whole of government coordination function at local and/or district levels)</i>	
Agency: WA Police	Local Emergency Coordinator:
Contact Number(s):	Email:
Agency: WA Police	District Emergency Coordinator:
Contact Number(s):	Email:
Evacuation Manager: <i>(Where appointed - this position will generally sit under Operations in the incident management system (e.g.AIIMS))</i>	
Agency:	Name:
Contact Number(s):	Email:
Other:	
Major Facilities	
Location of the Incident Control Centre:	
Name of ICC:	Location:
Contact Number(s):	Email:

Location of the Incident Control Point/Forward Control Centre (if applicable):	
Name of ICP:	Location:
Contact Number(s):	Email:
Location of the Incident Support Group (if activated):	
Name of ISG site:	Location:
Contact Number(s):	Email:
Location of the Operational Area Support Group (if activated):	
Name of OASG site:	Location:
Contact Number(s):	Email:
Location of the Primary Evacuation Centre: (if activated)	
Name of Centre:	Location:
Contact Name:	Capacity:
Contact Number(s):	Facilities:
Location of the Secondary Evacuation Centre: (if activated)	
Name of Centre:	Location:
Contact Name:	Capacity:
Contact Number(s):	Facilities:
Other	

Decision Phase: that getting people out is best	
<i>The decision to recommend the evacuation of a community is the responsibility of the Controlling Agency's Incident Controller. The decision may be made in consultation with:</i>	
<input type="checkbox"/> Controlling Agency	<input type="checkbox"/> WA Police
Name(s)	Name(s)

<input type="checkbox"/> Other Experts		
Name(s)/Agency(ies)		Name(s)/Agency(ies)
Name(s)/Agency(ies)		Name(s)/Agency(ies)
Does the person making the decision to recommend evacuation have the legislated authority:		<input type="checkbox"/> Yes <input type="checkbox"/> No/Unknown
If yes, give details:		If No/Unknown, state reasons:
Relevant issues to this evacuation/potential evacuation and affecting decision:	Yes	No
Time pressure	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Information source / validity	<input type="checkbox"/>	<input type="checkbox"/>
Competing tasks	<input type="checkbox"/>	<input type="checkbox"/>
Ability / risk to evacuate	<input type="checkbox"/>	<input type="checkbox"/>
Safety of community	<input type="checkbox"/>	<input type="checkbox"/>
Safety of vulnerable and other at-risk persons	<input type="checkbox"/>	<input type="checkbox"/>
Staffing (resourcing)	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Community preparedness	<input type="checkbox"/>	<input type="checkbox"/>
Communication processes	<input type="checkbox"/>	<input type="checkbox"/>
Sufficient shelter provisions	<input type="checkbox"/>	<input type="checkbox"/>
Safety of emergency responders	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (please specify)</i>	<input type="checkbox"/>	<input type="checkbox"/>
Trigger Points - Are there identified trigger points for evacuation to be recommended or commenced? If Yes, specify below:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Trigger Point	Activity	

Alternatives - By necessity, are there any alternatives to an evacuation:	Yes	No
Shelter in place	<input type="checkbox"/>	<input type="checkbox"/>
Identified community refuge	<input type="checkbox"/>	<input type="checkbox"/>
Private shelter	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other</i>	<input type="checkbox"/>	<input type="checkbox"/>

Warning Phase: telling people of the need to go

The issuing of a warning/recommendation to those affected by an impending emergency is the responsibility of the Controlling Agency's Incident Controller. Where the Incident Controller has requested assistance with related tasks for a community evacuation, e.g. for door knocks, they are to advise who is to facilitate provision of required information.

Actual messaging to contain the following information:	Yes	No
Identification of the HMA/Controlling Agency	<input type="checkbox"/>	<input type="checkbox"/>
Location of area affected	<input type="checkbox"/>	<input type="checkbox"/>
Predicted impact time	<input type="checkbox"/>	<input type="checkbox"/>
Predicted severity	<input type="checkbox"/>	<input type="checkbox"/>
How people should respond	<input type="checkbox"/>	<input type="checkbox"/>
Where to get further information	<input type="checkbox"/>	<input type="checkbox"/>

If you answered No to any of the above, please enter reason(s):

Other information to include (if appropriate):	Yes	No
Instructions for vulnerable and other at-risk persons	<input type="checkbox"/>	<input type="checkbox"/>
Ancillary issues, such as domestic pets, medications, identification	<input type="checkbox"/>	<input type="checkbox"/>

Limitations on possession. e.g. oversize items, livestock	<input type="checkbox"/>	<input type="checkbox"/>
Recommended personal items. e.g. toiletries, clothing, baby formula	<input type="checkbox"/>	<input type="checkbox"/>
Recommended transport routes and/or transport options	<input type="checkbox"/>	<input type="checkbox"/>
Security of evacuated areas (assurance patrols or similar if safe to do so)	<input type="checkbox"/>	<input type="checkbox"/>
Advice on utilities and air conditioning. e.g. switch off gas, electricity	<input type="checkbox"/>	<input type="checkbox"/>
Advise to inform relatives / friends on your intentions / destination	<input type="checkbox"/>	<input type="checkbox"/>
Information about 'Register. Find. Reunite' system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
Methods available to facilitate public warnings (consider resources, specialist support and emergency responder safety):	Yes	No
Media (television)	<input type="checkbox"/>	<input type="checkbox"/>
Media (radio)	<input type="checkbox"/>	<input type="checkbox"/>
Telephone contact	<input type="checkbox"/>	<input type="checkbox"/>
Short Message Service (SMS)	<input type="checkbox"/>	<input type="checkbox"/>
Emergency Alert	<input type="checkbox"/>	<input type="checkbox"/>
Standard Emergency Warning Signal	<input type="checkbox"/>	<input type="checkbox"/>
Door knocks	<input type="checkbox"/>	<input type="checkbox"/>
Verbal messages	<input type="checkbox"/>	<input type="checkbox"/>
Community meetings	<input type="checkbox"/>	<input type="checkbox"/>
Sirens	<input type="checkbox"/>	<input type="checkbox"/>
Public address systems	<input type="checkbox"/>	<input type="checkbox"/>
Agency websites	<input type="checkbox"/>	<input type="checkbox"/>
Email	<input type="checkbox"/>	<input type="checkbox"/>
Social networking sites	<input type="checkbox"/>	<input type="checkbox"/>
Print material	<input type="checkbox"/>	<input type="checkbox"/>

<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
Withdrawal Phase: getting people out		
<i>The responsibility for evacuating a community remains with the Controlling Agency's Incident Controller. The Incident Controller may request assistance with specific activities as part of their (documented) evacuation strategy or the development/execution of an evacuation strategy may be delegated by agreement. Where this plan is completed by another agency, appointment of an Evacuation Manager from that agency is recommended and the resultant evacuation strategy should be endorsed by the Incident Controller where practicable. Consultation with Main Roads WA, resources available, specialist support, personnel safety and possible exclusions to evacuation direction are key considerations.</i>		
Key components of an evacuation strategy to consider:	Yes	No
Does a plan already exist for all or part of the affected area?	<input type="checkbox"/>	<input type="checkbox"/>
Sectorising of the affected area and phased evacuation activity	<input type="checkbox"/>	<input type="checkbox"/>
Vulnerable at other at risk	<input type="checkbox"/>	<input type="checkbox"/>
Consideration of assembly areas if required	<input type="checkbox"/>	<input type="checkbox"/>
Evacuation centre(s) identified (with CPFS – welfare support)	<input type="checkbox"/>	<input type="checkbox"/>
Forecast need for registration and reunification	<input type="checkbox"/>	<input type="checkbox"/>
Identify transport options	<input type="checkbox"/>	<input type="checkbox"/>
Develop traffic management plan	<input type="checkbox"/>	<input type="checkbox"/>
Multi agency communications arrangements / plan	<input type="checkbox"/>	<input type="checkbox"/>
Any use of flagging of evacuated properties	<input type="checkbox"/>	<input type="checkbox"/>
Security of evacuated area	<input type="checkbox"/>	<input type="checkbox"/>
Actions on persons declining to evacuate	<input type="checkbox"/>	<input type="checkbox"/>
Other considerations (not identified)	<input type="checkbox"/>	<input type="checkbox"/>
Outline of evacuation strategy		
<i>Does a plan already exist:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Sectorise / Phase the affected area if appropriate:</i>		

<i>Vulnerable and other at risk persons (aged, CALD, children, walking wounded, people with disability, etc.):</i>
<i>Consider assembly areas, if required:</i>
<i>Evacuation centre(s) identified (CPFS to coordinate welfare support on request):</i>
<i>Forecast need for registration and reunification (Register, Find, Reunite):</i>
<i>Identify transport options (including by land, sea or air, as applicable):</i>
<i>Develop traffic management plan (consider ingress and egress routes, sole use of route for evacuees/emergency responders, welfare/first aid enroute as applicable, etc):</i>
<i>Identify multi agency communications arrangements/plan:</i>
<i>Flagging of evacuated properties (any scheme in place for flagging by residents or responders):</i>
<i>Security of evacuated area:</i>
<i>Actions on persons declining to evacuate (e.g. possibility of registration/list of premises). Note: Unaccompanied children should be evacuated to CPFS centre.</i>

<i>Other considerations:</i>		
Shelter Phase: where people can go and providing support		
<i>The Controlling Agency's Incident Controller is responsible for ensuring evacuated persons are appropriately provided for. Identification of a suitable evacuation centre and coordination of community welfare is supported by the Department for Child Protection(CPFS) and Family Support on request. Where this plan has been delegated, confirm whether CPFS have been activated by the Controlling Agency or this is a task requested as part of the delegation of the planning. In addition, if facilities are required that will accept animals, Local Government should be able to provide advice.</i>		
Considerations of evacuation centre:	Yes	No
Safe location	<input type="checkbox"/>	<input type="checkbox"/>
Effective shelter from elements	<input type="checkbox"/>	<input type="checkbox"/>
Toilets / Showers	<input type="checkbox"/>	<input type="checkbox"/>
Provisions for people with disabilities (access, eating, toileting, transferring, bathing and dressing).	<input type="checkbox"/>	<input type="checkbox"/>
Heating / Cooling	<input type="checkbox"/>	<input type="checkbox"/>
Private areas / space	<input type="checkbox"/>	<input type="checkbox"/>
Kitchen (food / water / dining)	<input type="checkbox"/>	<input type="checkbox"/>
Sleeping areas	<input type="checkbox"/>	<input type="checkbox"/>
Car parking	<input type="checkbox"/>	<input type="checkbox"/>
Registration facilities	<input type="checkbox"/>	<input type="checkbox"/>
Re-union location	<input type="checkbox"/>	<input type="checkbox"/>
General information / updates	<input type="checkbox"/>	<input type="checkbox"/>
Financial assistance	<input type="checkbox"/>	<input type="checkbox"/>
Insurance enquiries	<input type="checkbox"/>	<input type="checkbox"/>
Counselling	<input type="checkbox"/>	<input type="checkbox"/>
First aid	<input type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>
Child minding / personal support	<input type="checkbox"/>	<input type="checkbox"/>

Interpreters	<input type="checkbox"/>	<input type="checkbox"/>
Entertainment	<input type="checkbox"/>	<input type="checkbox"/>
Cleaning / rubbish removal	<input type="checkbox"/>	<input type="checkbox"/>
General security	<input type="checkbox"/>	<input type="checkbox"/>
Traffic management plan	<input type="checkbox"/>	<input type="checkbox"/>
Have the following actions been taken:	Yes	No
Registration and reunification process (Register, Find, Reunite) access requested / delivered - CPFS	<input type="checkbox"/>	<input type="checkbox"/>
Welfare response requested (through CPFS)	<input type="checkbox"/>	<input type="checkbox"/>
Other resources are in position to commence registration of evacuees (pre Red Cross attendance)	<input type="checkbox"/>	<input type="checkbox"/>
Recommended Appendices:	Yes	No
Incident Management Team (IMT) contact list	<input type="checkbox"/>	<input type="checkbox"/>
Residents contact list	<input type="checkbox"/>	<input type="checkbox"/>
Record of warning messages (date / time / method)	<input type="checkbox"/>	<input type="checkbox"/>
Risk assessment matrix	<input type="checkbox"/>	<input type="checkbox"/>
Traffic management plan	<input type="checkbox"/>	<input type="checkbox"/>
Maps	<input type="checkbox"/>	<input type="checkbox"/>
Record of advice provided to affected areas / persons	<input type="checkbox"/>	<input type="checkbox"/>
List of vulnerable and other at risk people / locations	<input type="checkbox"/>	<input type="checkbox"/>
Return Phase: allowing people back and supporting their return		
<i>The decision to allow a community to return and planning for this phase is the responsibility of the Controlling Agency's Incident Controller, along with providing accurate and timely information to the displaced community. Where other agencies are assisting, it is important that this is confirmed and decisions swiftly disseminated to relevant personnel.</i>		
Key considerations:	Yes	No
The affected area being declared safe	<input type="checkbox"/>	<input type="checkbox"/>
Crime scene preservation	<input type="checkbox"/>	<input type="checkbox"/>
Availability of health and welfare services and support mechanisms	<input type="checkbox"/>	<input type="checkbox"/>

Availability of services and utilities (gas, electricity, roads)	<input type="checkbox"/>	<input type="checkbox"/>
Evacuees' psychological and physical health	<input type="checkbox"/>	<input type="checkbox"/>
Transport for people with a disability or other special needs	<input type="checkbox"/>	<input type="checkbox"/>
Economic factors involved in the return of evacuees	<input type="checkbox"/>	<input type="checkbox"/>
Possible need for a phased return / traffic management / permit system	<input type="checkbox"/>	<input type="checkbox"/>
Local Recovery Coordinator / Coordinating Committee included in planning	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
Informing other stakeholders of the decision:	Yes	No
Community representatives	<input type="checkbox"/>	<input type="checkbox"/>
Department for Child Protection and Family Support	<input type="checkbox"/>	<input type="checkbox"/>
Department of Agriculture and Food WA	<input type="checkbox"/>	<input type="checkbox"/>
Department of Fire and Emergency Services	<input type="checkbox"/>	<input type="checkbox"/>
Department of Health	<input type="checkbox"/>	<input type="checkbox"/>
Department of Parks and Wildlife	<input type="checkbox"/>	<input type="checkbox"/>
Department of Environment Regulation	<input type="checkbox"/>	<input type="checkbox"/>
Department of Mines and Petroleum	<input type="checkbox"/>	<input type="checkbox"/>
Department of Transport	<input type="checkbox"/>	<input type="checkbox"/>
Local Government	<input type="checkbox"/>	<input type="checkbox"/>
Main Roads WA	<input type="checkbox"/>	<input type="checkbox"/>
Utility Companies	<input type="checkbox"/>	<input type="checkbox"/>
Water Authorities	<input type="checkbox"/>	<input type="checkbox"/>
WA Police	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other (specify):</i>	<input type="checkbox"/>	<input type="checkbox"/>

Verification of Return Process - The decision to allow return is:			
Authorised by:	(name/title)	at on (time)	hours (date)
Organisation:			
ADMINISTRATION & LOGISTICS			
Communications			
Safety			
Records Management			
Transport			
Equipment			
Medical			
Meals			
Other (specify):			
Other (specify):			
Other (specify):			
Other (specify):			

10.1.032 LOCAL RECOVERY MANAGEMENT PLAN

File Reference:	9.8.4
Disclosure of Interest:	Nil
Applicant:	Local Emergency Management Committee
Previous Item Nos:	10.1.142 22 November 2016
Date:	5 April 2017
Author:	Azhar Awang – Executive Manager Development & Regulatory Services
Authorising Officer:	Aaron Cook – Chief Executive Officer

Attachments

- Attachment 1 – Local Recovery Management Plan

Summary

Council's consideration is requested to formally endorse the Local Recovery Management Plan documentation for the Shire of Narrogin.

Background

Under the *Emergency Management Act 2005*, local governments have a responsibility to prepare and maintain the Local Recovery Management Plan.

The preparation of the Local Recovery Management Plan forms part of the Local Emergency Management Arrangements which was previously adopted by the Council at its meeting held on 22 November 2016. The objectives of the Local Recovery Management 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 operations; and
- Provide guidelines for the operation of the recovery management arrangements.

The Local Recovery Management Plan has been referred to the Local Emergency Management Committee and there was no further additions or amendments to be made to the documentation.

Comment

In accordance with the recently adopted Local Emergency Management Arrangements, it is recommended that the Council formally adopt the Shire of Narrogin Local Recovery Management Plan.

Consultation

- Local Emergency Management Committee
- Aaron Cook – Chief Executive Officer
- Torre Evans – Executive Manager Technical & Rural Services
- Frank Ludovico – Executive Manager Corporate & Community Services

Statutory Environment

The *Emergency Management Act 2005* stipulates that Local Governments have a responsibility to their community to prepare arrangements for hazards that may affect the local area.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0407.038 AND OFFICER'S RECOMMENDATION

Moved: Cr Bartron

Seconded: Cr Ward

That Council:

1. Adopt the attached Local Recovery Management Plan for the Shire of Narrogin as attached.
2. Authorise the Chief Executive Officer and the Chairperson of the Local Emergency Management Committee to sign the endorsed Local Recovery Management Plan.

CARRIED 9/0



Local Recovery Management Plan

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](#)'. 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

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 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

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 for Child Protection and Family Support
- 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.

Responsibilities con't

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 Child Protection and Family Support

- 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).
- Manage the provision of the Personal Hardship and Distress measures under the WA Natural Disaster Relief Arrangements, including counselling, emergency assistance and temporary accommodation (State EM Plan Section 6.10 and WANDRA)

Lifeline Agencies

- Provide a representative to the Local Recovery Coordinating Group;
- Undertake repairs and restoration of services;
- 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 Comprehensive 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 Comprehensive Impact Assessment is available from the Office of Emergency Management 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:

Activities

- One Stop Shop
- Short Term Accommodation
- Counselling
- Establish and managing emergency financial relief schemes
- Surveying and assessing the damage to public and private property
- Repairing and/or replacing public utilities, services and assets
- Assisting with the repair or replacement of private property
- Initiating programs to stimulate community morale and economic growth
- 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

Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA)

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 WANDRRA, 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 WANDRRA.

Declaration of Eligible Natural Disasters

Before any WANDRRA relief or recovery measures can be accessed, a disaster must be declared a “*natural disaster*”, in accordance with the criteria specified under the WANDRRA.

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

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 for Child Protection and Family Support). OEM is also the contact point for the Australian Government in respect of the NDRRA.

Appeals and Donations

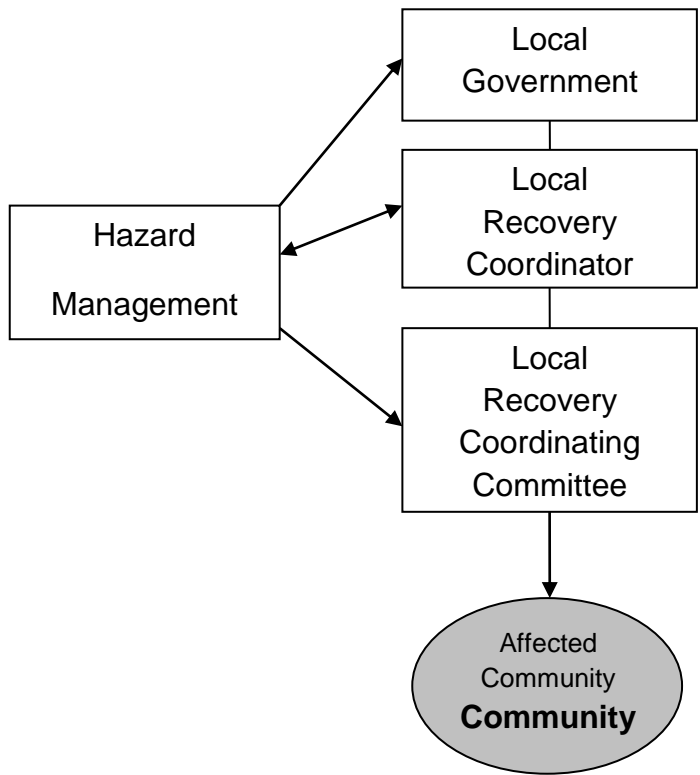
Where possible, donations of goods and services should be discouraged as they are difficult to manage. Donations of cash are more practicable to manage and provide the opportunity to utilize local services which in turn assists with the recovery of local business.

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.

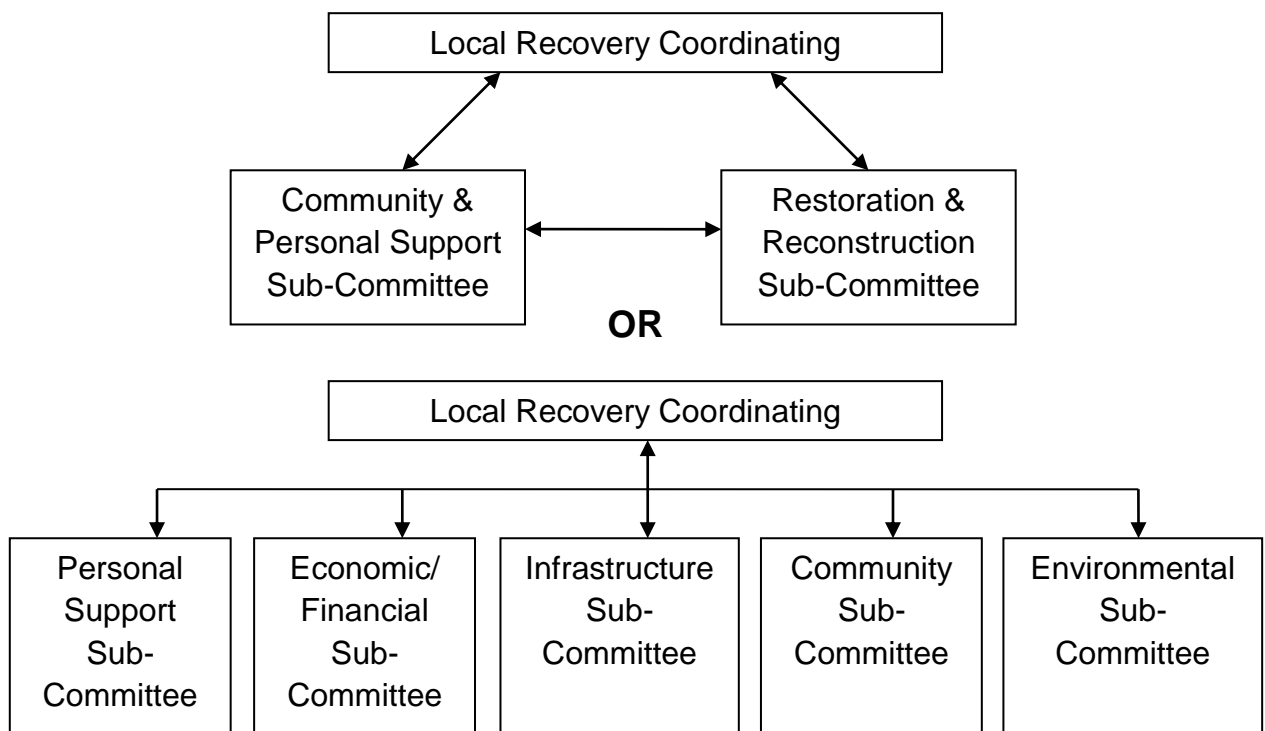
Donations of Goods: The donations of goods to assist victims to recover from an emergency may be arranged by non-government organisations. The distribution of the donated goods shall be undertaken by the organisations concerned. Non-government organisations such as [GIVIT](#) are able to assist in these areas.

Annex 1: Local Recovery Organisation
Initial Recovery Management Structure



Recovery Committee Structures

(depending upon community impact and complexity of event)



Annex 2 Contacts

(Recovery Specific) – SEE CONTACT LIST

Annex 3: Local recovery coordinator / coordinating group action checklist

Task Description	Complete
Within 48 hours*	
Local Recovery Coordinator to contact and alert key local contacts	
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	
Local Recovery Coordinator to receive initial impact assessment from the Controlling Agency	
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	
Local Recovery Coordinator and the local government to participate in the determination of state involvement in conjunction with the State Recovery Coordinator	
Meet with specific agencies involved with recovery operations to determine actions	
Further develop and implement event specific Communication Plan, including public information, appointment of a spokesperson and the local governments internal communication processes.	
Consider support required, for example resources to maintain a record of events and actions	
Within 1 week	
Participate in consultation on the coordination of completion of a Comprehensive Impact Assessment by the Controlling Agency	
Activate a recovery coordination centre if required	
Identify special needs groups or individuals.	
Determine the need to establish subcommittees, and determine functions and membership if necessary	

Develop an Operational Recovery Plan which determines the recovery objectives and details the recovery requirements, governance arrangements, resources and priorities	
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.	
Manage offers of assistance, including volunteers, material aid and donated money.	
Report to organisational hierarchy on likely costs/impact of involvement in recovery activities.	
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.	
Establish a system for recording all expenditure during recovery (includes logging expenditure, keeping receipts and providing timesheets for paid labour)	
Consider establishing a call centre with prepared responses for frequently asked questions	
Establish a 'one-stop shop' recovery centre to provide the affected community with access to all recovery services.	
Manage restoration of essential infrastructure/utilities.	
Brief media on the recovery program.	
Within 12 months	
Determine longer-term recovery strategies	
Debrief recovery agencies and staff	
Implement transitioning to mainstream services	
Evaluate effectiveness of recovery within 12 months of the emergency	

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:

10.1.033 PROPOSED LANEWAY CLOSURE AT THE REAR OF LOT 425 (NO. 13) FELSPAR STREET, NARROGIN

File Reference: 28.7.2
Disclosure of Interest: Nil.
Applicant: Nicholas Klaassen
Previous Item Nos: 10.1.056 24 May 2016
Date: 4 April 2017
Author: Leigh Medlen – Planning Assistant
Authorising Officer: Azhar Awang – Executive Manager Development & Regulatory Services.

Attachments

Attachment 1 – Schedule of Submissions.

Attachment 2 – Locational Plan identifying subject portion of laneway closure.

Attachment 3 – Minutes and resolution of Council meeting held on 24 May 2016.

Summary

Council is requested to consider the written submissions received in order to proceed with the proposed laneway closure at the rear of Lot 425 (No. 13) Felspar Street, Narrogin.

Background

Council received a request from the landowner of Lot 425 (No. 13) Felspar Street on 12 February 2015 requesting to close the rear laneway behind their property with the option to purchase the subject portion and amalgamate it into their property. If Council did not support the purchasing of the land the applicant requested the Shire of Narrogin plant trees along the laneway.

The matter was previously considered by Council at its meeting held on 24 May 2016. Council at that meeting resolved as follows:

“Council Resolution: 0516.017

That Council:

Pursuant to the requirements of the Transfer of Land Act 1893 and Land Administration Act 1997, advertise its intent to close the Right of Way between Earl Street and Lot 3 (No 160-162) Federal Street, Narrogin.

At the closing date of submission, the matter is to be reported to Council including all submissions received during the submissions period for Council’s further consideration.”

Since Council Resolution on the 24 May 2016 The Shire of Narrogin proceeded with advertising the proposal to close the subject portion of the laneway. Written submission closed on the 5 August 2016.

The subject portion of the laneway is 35m by 5m and is constructed of gravel, extending from Earl Street through to the rear of Narrogin Toyota. The laneway provides rear access for 7 properties, 4 ‘Single Residential’ properties, 1 ‘Water Supply Depot’ and 2 ‘Other Commercial’ zoned properties, commonly known as a Right of Way. The closure of the subject portion of the laneway would affect 3 properties.

Comment

The Shire of Narrogin considered the laneway closure of the subject portion of the laneway in accordance with the *Land Administration Act 1997, Section 52*, which involved public advertising in a newspaper circulating in the district for a period of 30 days.

After the closing date of the submission period, the Shire of Narrogin received written response from Department of Water, Water Corporation, Department of Planning and Western Power as shown in Attachment One. Four public submissions were also received.

Submission/Responsible Authority	Comment/Advice	Officers Comment
<p>Department of Water</p>	<p>No Objection</p> <p>There are no waterways or any sensitive water resources in the vicinity of the laneway; and the Departments GIS does not show any sewer pipes or water supply pipes within the laneway. The Department of Water therefore have no objection to the proposal.</p>	<p>Noted.</p>
<p>Water Corporation</p>	<p>No Objection</p> <p>The Water Corporation have no concerns regarding the proposal and therefore have no objection to the proposed laneway closure.</p>	<p>Noted.</p>
<p>Department of Planning</p>	<p>No Objection</p> <p>The Department of Planning state that the subject portion of the laneway clearly abuts the rear of 3 boundaries; it is however noted that these lots currently have direct frontage access of which are constructed public roads. The access from the front of the 3 properties would be unaffected by the proposed closure, the proposed closure is consistent with the West Australian Planning Commission policy framework. The Department of Planning therefore provide no objection to the proposed laneway closure.</p>	<p>The proposal abuts 3 properties. By closing the subject portion of the laneway it will limit rear access to two properties. Rear access is not limited to one of the properties as the applicant proposes to amalgamate the subject portion into their block and therefore retain access to the rear of their lot. The two properties that will have their rear access entirely restricted by the proposal are commercial land uses with direct frontage to Federal Street.</p> <p>While the primary access of these properties will not be impacted by the proposal rear access to car dealerships has the potential to play a role in the functioning of the business.</p>
<p>Western Power</p>	<p>No Objection/Provide Advice</p> <p>The proposal is near energised electrical installations and powerlines. Western Power therefore provide the advice for no person, plant or material to enter the 'danger zone' of an overhead powerline or other electrical network assets.</p>	<p>Noted.</p>

<p>Public Submission One</p>	<p>Objection</p> <p>The closure of the laneway would prevent rear access to Toyota car dealership. Public Submission One therefore objects to the proposal to close the subject portion of the laneway.</p> <p>Advised they are willing to purchase the subject portion of the laneway should it become for sale.</p>	<p>It is recommended that Council consider the role and functionality a rear laneway plays in the operation of a car dealership business.</p> <p>Two entry and exit points for a business based on trading and servicing cars has the ability to improve traffic flow within the business. This can be considered as critical to the functioning of the business due to the volume of cars using the premises daily.</p> <p>Improved traffic flow and traffic management on site has the potential to limit any possible adverse impacts to nearby street networks.</p>
<p>Public Submission Two</p>	<p>Objection</p> <p>The laneway provides Toyota with rear lane access. In the event of a major fire or explosion the laneway would give vital access to the premises as well as off Federal Street.</p> <p>While the adjacent land to the south of the lane-way is at yet undeveloped any future development may find the lane-way useful.</p>	<p>The rear laneway has the potential to provide Narrogin Toyota with another exit point, assisting with emergency management and evacuations.</p> <p>The land to the South of the laneway is the 'Water Supply Depot.'</p> <p>It is therefore recommended Council consider the function a rear laneway plays in emergency management for the two properties that would have their rear access restricted by the proposal.</p>
<p>Public Submission Three</p>	<p>Objection</p> <p>Impacts the effective functioning of Toyota, where the rear access and egress is required. Given that no other details from the applicant were provided to give balance to this proposal, the reasons behind the application remain obscure.</p> <p>Given the potential negative impact on the trading business of the Toyota franchise and evidence to the contrary suggests to offer the site for sale by tender so both interested parties could bid.</p>	<p>Noted. See officers comments provided in Submission One.</p>
<p>Public Submission Four</p>	<p>Objection</p> <p>Prevention of access to rear of our property. Access to the rear of the property is important to the dealership as it will assist in lessening congestion in front of the dealership when taking delivery of vehicles and for the convenience of customers.</p> <p>Advise that they would be interested in purchasing the laneway to facilitate access to the dealership.</p>	<p>Noted. See officers comments provided in Submission One.</p>

In general, all submissions received from service agencies and Government Departments provided no objection to the proposed closure of the subject laneway. Four public submissions were received, all objecting to the proposal due to the rear access of Narrogin Toyota being restricted as a result of the proposal.

Rear laneways provide alternative access points into properties which are typically encouraged in medium to high density development within metropolitan areas. While the surrounding residential properties are not examples of medium to high residential density it does not imply the laneway will not benefit the surrounding properties, particularly as it is already established.

Right of Way closure guidelines suggest upon Local Government's initial assessment safety, surveillance, amenity, usability and convenience of use should be taken in to consideration. Due to lack of surveillance and permeability of nearby streets laneways can often become of a place of anti-social behaviour. Commonly, anti-social behaviour can be a motivation to close laneways. The Shire of Narrogin has not previously received complaints regarding the laneway being a place of anti-social behaviour or safety concerns. Therefore, there are no social or functioning concerns associated with the laneway to justify the closure of the subject portion.

Right of way closure guidelines also suggest that Local Government's should investigate the impact to traffic and activity of the remaining portion of the Right of Way. The proposal limits rear access to Narrogin Toyota, which could potentially impact the functioning of the dealership. The proposal therefore creates adverse effects to the traffic and activity of the laneway and surrounding businesses.

It is therefore recommended Council do not support the closure of the subject laneway behind Lot 425 (No. 13) Felspar Street as currently, there are no safety concerns or functionality limitations to justify the closure of the subject portion.

In response to the applicants request regarding landscaping and the recommendation not to close the subject portion of the laneway, it is suggested due to the scale of the laneway that landscaping the subject portion may potentially limit the access to the commercial business as well and is therefore not recommended.

Consultation

- Azhar Awang – Executive Manager Development and Regulatory Services.
- Government Departments and relevant services agencies were asked to provide written comment regarding the proposal by 5 August 2016.
- Advertised for public comment and notification to affected and adjoining landowners.

Statutory Environment

Land Administration Act – Section 52 – Local Government may ask minister to acquire as Crown Land certain land in district.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2012– 2022.

Key Objective 6 – Infrastructure and Asset Management.

6.5 Develop a Town site revitalisation plan focusing on the central business district and additional generic street scape design for residential areas.

6.8 Develop the Towns Building infrastructure to ensure that they are economically and sustainable viable into the future to provide the needs of the community.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Do not support the subject laneway closure at the rear of the Lot 425 (No. 13) Felspar Street as shown in the attached plan for the following reasons:
 - a) Objections received for the closure of the subject portion from affected landowners and public submissions.
 - b) The proposed closure may adversely affect the traffic flow onto the existing commercial business.
2. Notify affected landowners, public submissions and relevant government departments/service agencies of Councils outcome.

COUNCIL RESOLUTION 0417.040

Moved: Cr Walker

Seconded: Cr Fisher

That Council:

1. Does not support the subject laneway closure at the rear of the Lot 425 (No. 13) Felspar Street as shown in the attached plan for the following reasons:
 - a) Objections received for the closure of the subject portion from affected landowners and public submissions.
 - b) The proposed closure may adversely affect the traffic flow onto the existing commercial business.
2. Notify affected landowners, public submissions and relevant government departments/service agencies of Councils outcome.

Reason for change:

Resolution point 1. Change 'Do not' to 'Does not'.

CARRIED 9/0

Planning Assistant

From: WONG Daniel <Daniel.WONG@water.wa.gov.au>
Sent: Friday, 22 July 2016 9:59 AM
To: Enquiries
Subject: ICR168260 - Proposed Laneway Closure at the Rear of Lot 425 (No. 13) Felspar Street, Narrogin

22nd July 2016

Our Reference: PA8543, WRD325789

Your Reference: 28.7.2

To: Shire of Narrogin

From: Department of Water

Attention: Azhar Awang

RE: Proposed Laneway Closure at the Rear of Lot 425 (No. 13) Felspar Street, Narrogin

Dear Azhar,

Thank you for referring the above proposal to the Department of Water (DoW) for comment.

There are no waterways or any sensitive water resources in the vicinity of the laneway; and the Department's GIS does not show any sewer pipes or water supply pipes within the laneway.

In view of the above, DoW has no objection to the proposed laneway closure.

Thank you.

Yours faithfully,

Daniel Wong

Environmental Officer
Department of Water
South West Region

Email: daniel.wong@water.wa.gov.au
Phone: 08 9726 4113
Fax: 08 9726 4100
Postal: PO Box 261, Bunbury, WA 6231
Location: 35-39 McCombe Road, Bunbury, WA 6230

Save time with Water Online

As your organisation is registered to use Water Online, we encourage you to lodge future referrals electronically via the Water Online customer portal at www.water.wa.gov.au. Water Online provides the fastest and most efficient process for submitting referrals or requests for planning advice. If you have any questions regarding the Water Online portal please contact our Business Support Unit on 1800 508 885 (select Option 2) or planning.enquiries@water.wa.gov.au.

Your Ref: 28.7.2
Our Ref: JT1 2011 07427 V01 - DEV344255
Enquiries: Charles Sabato
Direct Tel: 9420 2105
Fax: 9420 3193



05 July 2016

Chief Executive Officer
Town Of Narrogin
PO Box 188
NARROGIN WA 6312

Attention of: Azhar Awang

Town of Narrogin	
RECEIVED	
Directed to	Azhar
11 JUL 2016	
Ref No.	KR168177
Property File	
Subject File	28.7.2
C-Point No.	

Re: Proposed Laneway Closure - Lot 425 Felspar Street, Narrogin

Thank you for your letter dated June 15, 2016. The Water Corporation has no concerns with the proposed laneway closure.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Charles Sabato
Development Planner
Development Services



Government of Western Australia
Department of Planning
Wheatbelt Regions

Your ref: 28.7.2
Our Ref: 853/04/02/0011PV2
Enquiries: Helen Griffiths (6551 9368)

Chief Executive Officer
Town of Narrogin
PO Box 188
NARROGIN WA 6312

ATTENTION: Azhar Awang - Executive Manager, Development and Regulatory Services

TRANSMITTED BY EMAIL ONLY TO: enquiries@narrogin.wa.gov.au

Dear Azhar

**PROPOSED CLOSURE OF A PORTION OF LANEWAY AT THE REAR OF LOT 425
(NO. 13) FELSPAR STREET, NARROGIN**

I refer to your letter dated 15 June 2016 requesting comments on the above-mentioned proposal. The Department of Planning has reviewed the matter and provides the following comments:

- The subject portion of laneway proposed to be closed abuts the rear boundaries of Lot 425 (No.13) Felspar Street, as well as Lots 3 (No.160) and 5 (No.162) Federal Street.
- It is noted from aerial imagery that these lots currently have direct frontage access to Felspar Street or Federal Street, both of which are constructed public roads. This accords with the access requirements of the Western Australian Planning Commission's (WAPC) *Development Control Policy 1.1 - Subdivision of Land - General Principles*.
- As access to the lots would be unaffected by the proposed closure, the proposed closure is consistent with the WAPC's policy framework. The Department therefore raises no objection.

If you have any queries on the matter, please contact Helen Griffiths on 6551 9368, or by email to helen.griffiths@planning.wa.gov.au.

Yours sincerely

Thomas Della Vedova
Planning Manager
Wheatbelt Region

05 July 2016

Postal address: Locked Bag 2506 Perth WA 6001 / Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 9000 / Fax: (08) 6551 9001 / corporate@planning.wa.gov.au / www.planning.wa.gov.au
ABN 79 051 750 680
wa.gov.au

Planning Assistant

From: Customer Service Centre SSR <customer.service.centre.ssr@westernpower.com.au>
Sent: Thursday, 30 June 2016 12:32 PM
To: Enquiries
Subject: ICR168142 - FW: PROPOSED LANEWAY CLOSURE AT THE REAR OF LOT 425
FELSPAR STREET, NARROGIN
Attachments: PROPOSED LANEWAY CLOSURE.pdf

Dear Azhar

Thank you for contacting us about your proposed work.

As your proposed work is near energised electrical installations and powerlines, the person in control of the work site must ensure that no person, plant or material enters the "Danger Zone" of an overhead powerline or other electrical network assets.

The "Danger Zone" is set out in Western Australian Occupational Safety and Health Regulation 1996 – Specifically Reg 3.64. ([Link](#))

Any information provided to you by Western Power should not be used in isolation and we recommend that you refer to the Occupational Safety and Health Act 1984 and Occupational Safety and Health Regulations 1996. These documents outline WorkSafe WA requirements for working near electricity.

For queries relating to these requirements, visit [WorkSafe](#) or contact WorkSafe on 1300 307 877.

To help you plan your works around Western Power's infrastructure, please follow the links below:

[Working Near Electricity](#)

[Dial Before You Dig](#)

If you require information about Western Power's infrastructure including plans, please complete a request for Digital Data attached.

If you require Western Power to complete work on your behalf, please complete the appropriate application form using the link below:

[Customer applications](#)

Should your project involve any changes to existing ground levels around poles and structures, or you will be working underneath power lines or around underground cables, please contact Western Power on 13 10 87.

We are obliged to point out that any change to Western Power's network is the responsibility of the individual developer.

Ben
Customer Service Coordinator
Customer Service
Western Power – 363 Wellington Street Perth WA 6000

T: 13 13 51 Faults & Emergencies and 13 10 87 General Enquiries | F: (08) 9225 2660

E: enquiry@westernpower.com.au

W: westernpower.com.au



10.1.056 PROPOSED LANEWAY CLOSURE – LOT 425 (No.13) FELSPAR STREET NARROGIN

File Reference: 28.7.2
Disclosure of Interest: Nil
Applicant: Nicholas Klaassen
Previous Item Nos: Nil
Date: 17 May 2016
Author: Azhar Awang, Executive Manager Development & Regulatory Services

Attachments

- Aerial Photo

Summary

Council is requested to consider the proposed closure of a laneway located at the rear of Lot 425 (No 13) Felspar Street, Narrogin and extend in a westerly direction to the intersection of Earl Street, Narrogin.

Background

Council has received a request from Mr Nicholas Klaassen, Lot 425 (No 13) Felspar Street, Narrogin, seeking Council's permission to close the rear laneway of his property with the option to purchase this piece of laneway.

The area of laneway of interest to Mr Klaassen is approximately 5m wide and 30m in length.

A letter has also been received by Narrogin Toyota who has also expressed an interest in maintaining access onto their property via the laneway as part of their overall development of the dealership.

The laneway currently extends to Earl Street and provides rear access to Narrogin Toyota.

Comment

The laneway is currently of gravel base and backs onto eight (8) properties and all these properties have direct access onto a constructed road to the front of the respective properties. The rear laneway or commonly known as Right of Way (ROW's) provides an alternative access into the individual property. This is particularly the case in the metro area with a medium to high density development where rear access onto the property is encouraged due to the size of the property.

The area to the north of the laneway is predominantly single residential (R12.5), to the east the land use is a mixed of 'Other Commercial' and Residential and to the south is a mixed of 'Other Commercial' and the 'Water Supply Depot'.

The process requires the proposed laneway closure to be advertised for public comment and notifications to adjoining and affected land owners as well as relevant state agencies in accordance with Regulations 6 of the *Land Administration Regulations 1998*.

Consultation

- The Town will be required to advertise the proposed closure of the laneway to affected adjoining landowners and request comments from the relevant service authorities for a minimum period of 30 days. Upon the closure of the submission period, the proposal is tabled to Council for its final consideration.

Statutory Environment

Section 52 of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire a laneway, subject to compliance with the requirements in Regulation 6 of the *Land Administration Regulations 1998*.

Section 56 of the *Land Administration Act 1997* provides that a local government must indemnify the Minister for Lands against any claim for compensation in connection with the proposed laneway closure.

Policy Implications

Nil.

Financial Implications

Costs associated with the laneway closure includes application fees, advertising costs, costs of meeting requirements of relevant service agencies, survey costs and conveyancing costs of up to \$5,000.

Strategic Implications

The retention of the laneway is recommended in most circumstances to ensure efficient movement of pedestrian and traffic through the Town as part of the overall movement patterns.

Voting Requirements

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to the requirements of the *Transfer of Land Act 1893 and Land Administration Act 1997*, advertise its intent to close the Right of Way between Earl Street and Lot 3 (No 16-162 Federal Street, Narrogin).
2. At the the closing date of submission, the matter is to be reported to Council including all submissions received during the submissions period for Council's further consideration.



Copy of Minutes

ATTACHMENT 1 - PROPOSED LANEWAY CLOSURE

Cr Seale declared an interest in item 10.1.034. The nature of his interest was impartiality and he remained in the meeting.

10.1.034 OLD COURTHOUSE MUSEUM – MODIFY circa. 1976 PARTITION WALL

File Reference: 26.3.10
Disclosure of Interest: Nil
Applicant: Old Courthouse Museum Joint Management Committee
Previous Item Nos: 10.1.050 10 May 2016
Date: 3 April 2017
Author: Loriann Bell – Administrative Support Officer
Authorising Officer: Azhar Awang – Executive Manager Development & Regulatory Services

Attachments

Attachment 1 – Public Submission 1
Attachment 2 – Public Submission 2
Attachment 3 – Public Submission 3
Attachment 4 – Heritage Impact Statement Laura Gray
Attachment 5 – Photos of circa. 1976 partition wall
Attachment 6 – Floor plan Old Courthouse Museum

Summary

Council's consideration is requested for the proposed modification of the c.1976 partition wall to create an expanded door opening into the circa (c.) 1894 schoolroom section of the Courthouse Museum. This will facilitate a more functional use for the ongoing viability of the space, as the building is included in the State Heritage Register, and the Shire of Narrogin's Town Planning Scheme No 2 - Significant and Historic Places.

Background

Council endorsed the removal of the c. 1908 office structure at the Meeting held on 10 May 2016 with conditions that would protect the historical and social integrity of the building.

1. In accordance with clause 6.3.2 (b) and 6.3.2 (c) of the Town of Narrogin Town Planning Scheme No 2 give notice of the proposed removal of the internal office in the Old Courthouse Museum at Lot 1699 (no. 37) Egerton Street, Narrogin for public submissions for a period of 21 days;
2. Any submissions received after the submission period will be referred back to Council for its final consideration;
3. In the event that no submission is received, Council grants planning approval for the proposed removal of the internal office in the Old Courthouse Museum at Lot 1699 (no. 37) Egerton Street, Narrogin, subject to the following conditions:
 - a) *A photographic archival record is made of the structure prior to its removal according to the Guide to Preparing an Archival Record.*
 - b) *The surfaces shall be made good to match the existing in terms of material, profile and finish.*

4. Provide a copy of the above resolution to the State Heritage Office.
5. Upon completion of the above conditions and the successful application of the Lotterywest funding being received, the works shall commence on the removal of the office and refurbishment of the area.

In June 2016, following consultation with the users of the Old Courthouse Museum and the State Heritage Office, the Shire proposed to remove the c. 1908 bank partition, and advertised in accordance with Narrogin Town Planning Scheme No 2.

Comment

The Shire received submissions opposing the proposed removal of the c. 1908 bank partition and sought advice from a heritage and conservation consultant. Below is a table of Submissions received regarding the proposal.

Submission/Responsible Agency	Comment/Advise	Officers comment
Public Submission One: 9 June 2016	<p>Objection and Provides Advice:</p> <p>“Given it appears that the joint committee of the museum initiated this altercation with council and where same has been endorsed by the Heritage council and also adopted by council by an absolute majority resolution of council, the proposal is supported subject to the following conditions...”</p>	<p>Advice was sought from the State Heritage Office (SHO) regarding the proposed removal of the internal office. SHO approved the proposal with the following conditions;</p> <ol style="list-style-type: none"> 1. A photographic archival record is made of the structure prior to its removal according to the <i>Guide to Preparing an Archival Record</i>. 2. The surfaces shall be made good to match the existing in terms of material, profile and finish.
Public Submission Two 14 June 2016	<p>Objection and Provides Advice:</p> <p>“While it appears it was not part of the original building I believe it is important to preserve it as it helps to tell the story of the various uses of the building.</p> <p>I suggest you have a conversation with the town historian who will be able to much more eloquently than me plead the case for preserving the history of our town”.</p>	See Comment for Public Submission One.

<p>Public Submission Three: 23 June 2016</p>	<p>Objection: “I propose that instead of removing parts of the buildings history we embrace them and build a museum that includes all aspects of the buildings history, for the benefit of our town and its future generations, not to mention it becoming a more significant and interesting tourist attraction about the local history.”</p>	<p>The internal office is located within the 1894 schoolroom and the request for its removal came as a result of consultations with the two user groups with a view to render the space more usable.</p>
----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

On 17 March 2017, Council received advice from Laura Gray of Heritage Intelligence WA regarding the proposal and provide the following comments:

Retention of the 1908 bank partition and relocation within the building is a positive alternative to removal. However, retention insitu would be preferable due to the significant period from 1908 to 1925 when the Agricultural Bank occupied the building. The location and the very good condition of the partitioning clearly represents the bank’s association with the place.

The c.1976 partition is associated with the establishment of the Museum, and considered a lesser degree of significance than the bank partitioning. The Little significance of the partition arises predominantly due to the arbitrary location of that partition, and its fibrocement fabric, although it is associated with the establishment of the Museum for functional reasons that are now the impetus for the Museum to remove that partition. Removal of the c.1976 partition will open the space for more opportunities to interpret the Court function of the Courthouse Museum, while retaining the bank evidence by way of that partitioning remaining insitu, and enhance the museum experience.

It is proposed to extend the existing doorway in the c. 1976 partition wall by approximately 30cm, creating an opening to the c. 1894 schoolroom of 1100mm x 1100mm and is consistent with the advice received from heritage and conservation consultant Laura Gray whereby this partition wall is deemed to have minor significance as opposed to the bank partition which is deemed to be of Considerable Value.

This proposal is supported by the Old Courthouse Museum Joint Management Committee and it therefore requested Council support the proposal.

Consultation

- Old Courthouse Museum Joint Management Committee.
- Laura Gray of Heritage Intelligence WA.

Statutory Environment

State Heritage of Western Australia Act 1990 Section 11 Public authorities to assist in conservation of registered places

Town of Narrogin Town Planning Scheme No 2.

Clause 2.6 Significant and Historic Places.

Clause 6.3.2 Application for Special Approval.

Policy Implications

Nil

Financial Implications

Previous quote to remove the bank partition was \$2,350. It is anticipated the cost for the expanded doorway will be approximately \$1,000. This amount will be requested in the draft 2017/2018 budget.

Strategic Implications

Strategic Community Plan 2012– 2022.

Key Objective 1 – Economic Development.

1.5 Support Tourism, Arts and sports initiatives, recognising the economic impact that they provide to the businesses and general community.

Key Objective 6 – Infrastructure and Asset Management.

6.7 Create a development, heritage and maintenance plan for all of the Council's current and future building asset requirements.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Support the proposed works at the Old Courthouse Museum at Lot 1699 (No 37) Egerton Street, Narrogin for the widening of the existing door opening in the partition wall (c.1976) as shown on the attached plan,
2. That an amount of \$1000 be allocated in the 2017/2018 budget and
3. That the Old Courthouse Museum Joint Management Committee and those that made a public submission will be notified of the outcome.

COUNCIL RESOLUTION 0417.041

Moved: Cr Ward

Seconded: Cr Wiese

That Council:

1. Support the proposed works at the Old Courthouse Museum at Lot 1699 (No 37) Egerton Street, Narrogin for the widening of the existing door opening, to 1100mm, in the partition wall (c.1976) as shown on the attached plan.
2. That an amount of \$1000 be allocated in the 2017/2018 budget.
3. That the Old Courthouse Museum Joint Management Committee and those that made a public submission will be notified of the outcome.
4. Does not proceed with the removal of the internal office wall in the Old Courthouse Museum as resolved by Council resolution 0516.063 item 10.1.50 held on 10 May 2016.

CARRIED 9/0

Reason for change:

1. Resolution point 1, was amended to indicate the size of the door opening i.e. 1100mm:
2. Resolution point 4 was added, in order to discontinue this action.

Commonly-used abbreviations:

SHO	State Heritage Office
c.	circa

NARROGIN MOTEL

& Licensed Restaurant

56 Williams Road (PO Box 513)
NARROGIN 6312 Western Australia



Phone (08) 9881 1660

Fax (08) 9881 3008

reception@narroginmotel.com.au

The Chief Executive Officer

Town of Narrogin

Earl Street

NARROGIN WA 6312

Town of Narrogin	
RECEIVED	
Directed to	Aaron
03 JUN 2016	
Ref No.	ICR168016
Property File	A143450
Subject File	5.4.7
Plan No	

TOWN PLANNING SCHEME No 2- Proposed Removal of Internal Office (Old Court House Museum)

Dear Aaron

I refer to the above and your advertisement in the Narrogin Observer dated June 2nd, 2016, seeking public submissions in this matter and where the following comments are provided, as requested.

Administration

At the risk of sounding critical, I highlight the issue of your advertisement suggesting detail of this proposal would be available for inspection at the reception of the administration centre of the Town of Narrogin, where excluding some photos and a locality street map, the details provided were the same as the advertisement.

The concern in this matter is that to enable an evaluation by the public to design a submission the details are required of the intent, where the purpose behind this advertisement was missing. Providing photos does not provide the required detail to acquaint the public with sufficient data for them to make a judgement. For me to establish the facts behind this proposal, I had to search the minutes to learn the content, where this should have been provided, as advertised. I am however pleased to see the innovative thought council applied to this proposal in the balanced appraisal between the important preservation of the historical/heritage quality of the premises and the commercial aspect of saleable commodities.

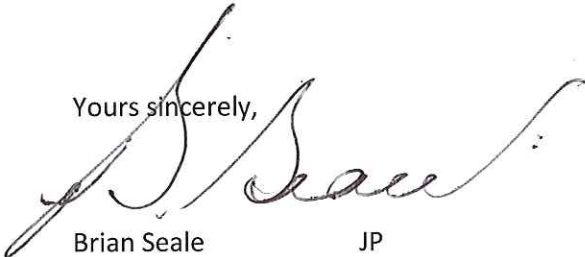
Furthermore, (to repeat my earlier comments), despite the fact that it is arguable that the C.E.O. even sees the advertisement prior to lodgement with the newspaper, nevertheless, the name of the C.E.O. is affixed to the foot of the advertisement, where he wears the brunt of unjustified criticism as if he prepared the advertisement, where it is important to protect him from the potential maligning resulting from same.

Submission

Given it appears that the joint management committee of the museum initiated this alteration with council and where same has been endorsed by the Heritage council and also adopted by council by an absolute majority resolution of council, the proposal is supported, subject to the following:

1. Given the heritage nature of this significant iconic premise of the town, it is recommended the safe and undamaged removal of the partitions and alteration to the premises, as proposed be supervised by a consultant with heritage preservation skills to ensure minimum damage is caused and the partitioning is preserved in case it is ever felt the return to its original status was justified, could be addressed.
2. The assurance of the safe storage of the removed partitioning in a suitable location/facility is recommended to enable reinstatement of the premises at a future date should a future council approved of same, where this would enable achievement of this endeavour.
3. The refurbishment is recommended to give the appearance respecting and representing the heritage quality of the building and consistent with the type of construction of the remainder of the building

Yours sincerely,



Brian Seale

JP

June 8th, 2017

Loriann Bell

From: Susan Simmonds <simmonds10@me.com>
Sent: Tuesday, 14 June 2016 6:40 AM
To: Enquiries
Subject: ICR168039 - Proposed Removal Internal Structure at Courthouse Museum

Attention Mr Aaron Cook:

Dear Mr Cook,

I have read the debate on Facebook regarding the proposed removal of the internal office at the Courthouse Museum.

While it appears it was not part of the original building I believe it is important to preserve it as it helps to tell the story of the various uses of the building.

I suggest you have a conversation with the town historian who will be able to much more eloquently than me plead the case for preserving the history of our town.

Kind regards
Sue Simmonds

Sent from my iPhone

Town of Narrogin
CEO Mr Aaron Cook

Miss Pauline Young
4 Hale Street Narrogin

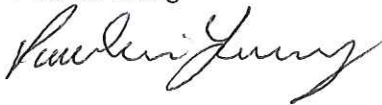
23/06/2016

Attention Mr Cook

Please find attached a copy of the online petition done by Care2 petitions regarding the removal of the office structure in the old courthouse museum. That was posted on the Narrogin Facebook page "Lost Narrogin"

Yours Sincerely

Pauline Young



Town of Narrogin RECEIVED	
Directed to	CEO / Azhar
27 JUN 2016	
Ret No.	1CR16824
Property File	
Subject File	26-3-10
C Point No.	

Shire Of Narrogin, CEO, Mr. Aaron Cook

Stop the Proposed Removal of the 1920's Office Structure in the State Heritage Listed Building, The Old Courthouse Museum, Egerton Street, Narrogin.

The Old Courthouse Museum has a long history of being adapted into several uses over many years. These uses form part of the building's history.

The building was built originally as the Narrogin School between 1894 to 1905. (Being only the front section of the building) It was later extended as the community grew and the need to occupy more students rose. The school later moved to its present location. Unfortunately there are none of the original fittings left from the buildings time as a school house. From information I have been given from the local town's historian, the building was then adapted into the town's courthouse. There are some original structures that remain in the museum from this time today. Including the Magistrates bench and criminal dock. Later the building was facilitated by The Agricultural Bank. This is when the office structure was built (1920's) and it was utilised by the bank manager. Later, the building was changed back into the courthouse throughout the 1950's, at which point the railings were added, to prevent the court spectators from entering the proceedings area. These railings still exist today. The courthouse then moved to its present location. It was then utilised by the R&I Bank of Australia but only for about 3 years.

The Shire of Narrogin CEO, Mr Aaron Cook is seeking public opinion on the proposed removal of the 1920's office structure which was the bank manager's office. By no later than 4pm on Friday 24th June 2016. The proposed removal of the structure is based on the grounds of "making more room", and on the grounds that it is not "original".

I strongly believe that this office structure forms part of the buildings history as does the courthouse structures, which could be later deemed as not "original" either. They are all original to the business that used them, but not to the school house. In the future are we to remove all of these historical structures based on "needing more room" or that they are not "original". The building itself has a permanent listing on the State Heritage Council of WA, and has a category 1. status. In reading the document that accompanies this listing it states under the title: Statements of Significant.

the place is representative of the Western Australian government practice of recycling and adapting government buildings for alternate uses;

Therefore, I strongly believe if we are remove the 1920's office structure from the building, this goes against that very statement, as the evidence of the buildings many adaptations will be gone forever.

I propose that instead of removing parts of the buildings history we embrace them and build a museum that includes all aspects of the buildings history, for the benefit of our town and its future generations, not to mention it becoming a more significant and interesting tourist attraction about the local history.

If you like me, strongly believe that this 1920's office structure should remain in place as part of this buildings history along with the other structures, some of which are not as old. Please sign

Page 1

this petition to prevent the proposed removal of yet another of our towns historic features being removed with very little forethought.
Thank you for your time.

	Name	From	Comments
1.	Pauline Young	Narrogin, Australia	I strongly object to the removal of the office structure.
2.	Patricia Barron	Narrogin, Australia	What is the reason to remove this?
3.	Math Davey	Bunbury, Australia	
4.	Patricia Vazquez	Mexico City, Mexico	
5.	Stephen Stubbs	ANCHORAGE, AK	
6.	Peta Pinkerton	Narrogin, Australia	
7.	lea oconnell	narrogin, Australia	
8.	Sue Simmonds	Narrogin, Australia	
9.	Isa Height	Narrogin, Australia	
10.	Janet Hayes	Dumberning, Australia	Leave the old buildings alone. To much local history is being removed
11.	Gail Hancock	Atwell, Australia	
12.	Jennefer Hemery	Pumphreys bridge, Australia	
13.	Peter Harrold	Bunbury, Australia	
14.	Jacqueline Oakes	East Victoria Park, Australia	
15.	Rachel Young	Narrogin, Australia	
16.	Glennis Whitney	Nth Rockhampton, Queensland Australia, Australia	
17.	Mike Hughey	VISTA, CA	
18.	Rahul kumar	hyderabad, India	
19.	peter samulkiewicz	dongara, Australia	with all the work being done to keep history alive in Narrogin by a few (migrants information) why remove whats already there.
20.	Helen Lloyd	Esperance, Australia	Leave history for future generations to appreciate the past.
21.	Serdar Murat	Vienna, Austria	
22.	Sandra Ferri	Bäretswil, Switzerland	
23.	Robert Ortiz	PHOENIX, AZ	
24.	Ed Site Issues Vieira	STATEN ISLAND, NY	

	Name	From	Comments
25.	Nigel Griffiths	Sheffield, United Kingdom	
26.	Glenn Byrnes	SYLMAR, CA	
27.	Lindsay Allison	Busselton, Australia	
28.	Judi Dawes	Busselton, Australia	
29.	Carol Saunders	Nattogin, Australia	
30.	BarbSite Issues Vieira	STATEN ISLAND, NY	
32.	Mafalda Fonseca	Vila Nova de Milfontes, Portugal	
33.	Pam Barciszewski	O FALLON, MO	
34.	Donna Hardie	Narrogin, Australia	
35.	Anne McCallum	Narrogin, Australia	
36.	Lisa Heal	Aveley, Australia	
38.	Eloise Jansen van Vuuren	Hannans, Australia	
39.	Kelly Griffiths	Narrogin, Australia	
40.	Brenton Hardie	Narrogin, Australia	
41.	caroline hutton	wandering, Australia	I believe this building should be kept intact . It has a long history in the town and many visitors/tourists come to town to see it. I have been visiting and working in narrogin for some 20 years and it is the first place I go to. The town has lost a lot of historical buildings and can't afford to lose any more. Volunteers at the museum have put a huge effort into running and maintain the building and it gives them realpurpose. Please don't destroy any more of the towns history...businesses are closing and people are leaving...Please give them something to visit and enjoy.
42.	RICKY SLOAN	HENDERSON, TN	
43.	Vanessa Buemi	Mount Nasura, Australia	
44.	Leonie Kirby	Narrogin, Australia	
45.	Ruth Darvall	Bunbury, Australia	Please keep our past as we'll have lots to answer to our ancestors & the migrants who built this town & surely it's not in any ones way
46.	Darryln Lloyd	S Fremantle, Australia	
47.	Melanie Kerrigan	Narrogin, Australia	
48.	Cacindra Paice	Narrogin, Australia	
49.	Melanie Dunbar	Bullsbrook, Australia	
50.	Sue Harrington	MARTINEZ, CA	

	Name	From	Comments
51.	Anne McCall	Meekatharra, Australia	Grew up in Narrogin still have family there, it is a disgrace that we australians do not see the importance of sustai i g our heritage and history for the next generations. We are mostly decendants from the colonial days, take a look at the UK they place a great deal of pride in mantaining the very old building. We are a realativly young country and need to do more to show how proud we are and of what we have achieved and honour those before us who had the insite to build these beautiful buildings.
52.	Isabel Araujo	Mexico, Mexico	
53.	CHRIS KULCZAK	OREGON, OH	
54.	Jen S.	INDIANAPOLIS, IN	
55.	Maria Buriani	Ferrara, Italy	
56.	Sandie White	Darkan, Australia	I think its wrong to destroy history. Please keep this building
58.	Gai Walker	Rockingham, Australia	
59.	Sally Connah	Wickepin, Australia	Why why why? Why take away a beautiful reminder of our past? What could they possibly replace it with that would be better? Another nasty boring concrete box with no character? Cmon Narrogin you should use some imagination and bring it back to life!! What about a small cozy cinema or for community support groups. SO everyone no matter where you are in the world or OZ. stand up and sign this petition and save another beautiful building from the demolition list.
60.	Louise Read	Thornlie, Australia	
61.	diane head	cuballing, Australia	
62.	Elizabeth Brawn	Mayfield, Australia	
63.	Guy Shepherd	Karratha, Australia	Wake up mr Cook it is a pice of Narrogins history
64.	Tatiana King	GRAFTON, MA	
65.	Patricia n Barry Moulton	Narrogin, Australia	
66.	Danelle Bird	Tincurrin, Australia	
67.	John Young	Narrogin, Australia	
68.	Tanya Shepherd	Narrogin, Australia	
69.	Yvette Harper	Narrogin, Australia	
70.	Tenessa Presland	Narrogin, Australia	
71.	Donna Robins	Canning Vale, Australia	
72.	Pam Boland	GROVETOWN, GA	
74.	Rosslyn Barber	Williams, Australia	

	Name	From	Comments
75.	Dennis Kaplan	MAYFIELD HEIGHTS, OH	
76.	Darryl Manuel	Arthur river, Australia	
77.	Ruth Coffey	Narrogin, Australia	
78.	Lisa Hall	Narrogin, Australia	
79.	Denise Paull	NARROGIN, Australia	
80.	Narelle Thornton	Narrogin, Australia	
81.	Mariana Lukacova	Moldava Nad Bodvou, Slovakia	
82.	Patricia Raffel	RALEIGH, NC	
83.	Bobbie Marwick	cuballing, Australia	
84.	Kim jackson	Peterboro, United Kingdom	
85.	Beatrice Lewis	Narrogin, Australia	
86.	sharyn levy	NARROGIN, Australia	We need to keep our towns history or there will be nothing in years to come.
87.	emily head	narrogin, Australia	
88.	ken head	cuballing, Australia	
89.	Steffanie Coles	Natrogen, Australia	
90.	Reginald rintoul	Grass Valley, Australia	I don't think any original building's should be altered or replaced or removed as it is our heritage and history I want for my daughter to be see and her children and children's children
91.	Rachael Morgan	Narrogin, Australia	
92.	seon sawkins	narrogin, Australia	

HERITAGE IMPACT STATEMENT

Name	<i>Courthouse Museum, Narrogin</i>
Address	Corner (southeast) of the Egerton and Earl streets, Narrogin.
Date	17 March 2017
Prepared by	Laura Gray: Heritage Intelligence (WA)
Prepared for:	Shire of Narrogin
Heritage Listings	Register of Heritage Places – InHerit Database no. 1804 Shire of Narrogin Municipal Inventory
Statement of Significance	<p>per State Heritage Office Registration documentation:</p> <p><i>Courthouse Museum, Narrogin</i>, a single-storey stone building with brick quoining and a corrugated iron gable roof, showing influences of Federation Free style and constructed in stages between 1894 and 1905, has cultural heritage significance for the following reasons:</p> <ul style="list-style-type: none">the place reflects changing educational requirements and expectations around the turn of the twentieth century, and the rapid growth of the Narrogin district;the place was designed by architect George Temple Poole, Colonial Architect and Superintendent of the Public Works Department (1885-1896), and typifies the scale, materials and design of his rural government buildings;the place is an elegant architectural piece with attractive use of local stone, brick quoined openings and corners, and arched doorways;the place is representative of the Western Australian government practice of recycling and adapting government buildings for alternate uses; and,the place is valued by the community of Narrogin and district for the significant contribution to the townscape and character of Narrogin in complementing and enhancing the historic aesthetic of the town.

HERITAGE IMPACT STATEMENT

Courthouse Museum, Narrogin

The proposal

Proposed relocation of the bank partition (1908) & removal of partition wall (c.1976) within the 1903 section of the *Courthouse Museum* to facilitate a more functional space for the ongoing viability of the place.

Aspects of the proposal that respect or enhance the heritage significance of the place.

The Schedule of levels (8.1) in the Conservation Management Plan shows that the 1908 partition is assessed as being of Considerable significance, whereas the c.1976 partition is deemed to be of Little significance. (refer to references)

Retention of the 1908 bank partition and relocation within the building is a positive alternative to removal. However, retention insitu would be preferable due to the significant period from 1908 to 1925 when the Agricultural Bank occupied the building. The location and the very good condition of the partitioning clearly represents the bank's association with the place.

The c.1976 partition is associated with the establishment of the Museum, and considered a lesser degree of significance than the bank partitioning. The Little significance of the partition arises predominantly due to the arbitrary location of that partition, and its fibrocement fabric, although it is associated with the establishment of the Museum for functional reasons that are now the impetus for the Museum to remove that partition.

Removal of the c.1976 partition will open the space for more opportunities to interpret the Court function of the *Courthouse Museum*, while retaining the bank evidence by way of that partitioning remaining insitu, and enhance the museum experience.

Aspects of the proposal that could have a detrimental impact on the heritage significance

Retention of the bank partition and relocation within the building is preferable to removal, but detrimental in the relocation and therefore loss of the actual significance of its existing original position within the building. Retention insitu would be preferable due to the significant period from 1908 to 1925 when the Agricultural Bank occupied the

HERITAGE IMPACT STATEMENT
Courthouse Museum, Narrogin

building, so the location and the very good condition of the 1908 partitioning clearly represents the bank's association with the place.

Alternative solutions that have been considered and why they have been discounted

Options to facilitate practical change are limited within the scope of the significance of the place.

Conclusion about the nature and extent of the heritage impact of the proposal.

The proposal to relocate the bank partition (1908) within the 1903 section of the *Courthouse Museum* would still have a detrimental impact on the heritage value of the place as it represents the significant banking function between 1908 and 1925. Although relocation is proposed within the same space, the significance would be greatly impacted, and possibly the fabric itself.

The proposed removal of the partition wall (c.1976) will have minimal impact on the significance of the place, and provides opportunities to experience the space as it was during the final courthouse function between 1947 and 1970.

The retention of the 1908 bank partitioning in its current position, together with the removal of the c.1976 partition will enhance the interpretation of two extensive periods of associations by the bank and the court, as well as providing further opportunities for the *Courthouse Museum*, that is also a long standing function of the place.

Facilitating ongoing viable functions is critical to the long-term conservation of the *Courthouse Museum*.

References & attachments

State Heritage Office Register documentation

Conservation Management Plan (Draft) 2017 *Courthouse Museum, Narrogin-*

Relative extracts are:

Policy 2.4 Retain and conserve the fabric of the 1894, 1903, 1905, 1908 and 1947 periods of development of the place.

Policy 2.12 CS CONSIDERABLE SIGNIFICANCE These areas are extremely important in terms of the place and should be conserved if the place is to retain its meaning and significance. The fabric should be retained, restored and conserved as appropriate.

HERITAGE IMPACT STATEMENT

Courthouse Museum, Narrogin

Policy 2.14 LS LITTLE SIGNIFICANCE This category can include additions and alterations made to the original fabric to accommodate changing requirements. They tend to be expedient and their impact upon the place ranges from neutral to moderately intrusive.

Policy 4.3 The Shire of Narrogin must refer any development proposal to the State Heritage Office for “approval” prior to endorsing any proposals or any works taking place.

HERITAGE INTELLIGENCE (WA)

Laura Gray JP M.ICOMOS B.Arch (Hons)

HERITAGE & CONSERVATION CONSULTANT

16 March 2017

HERITAGE IMPACT STATEMENT

Courthouse Museum, Narrogin



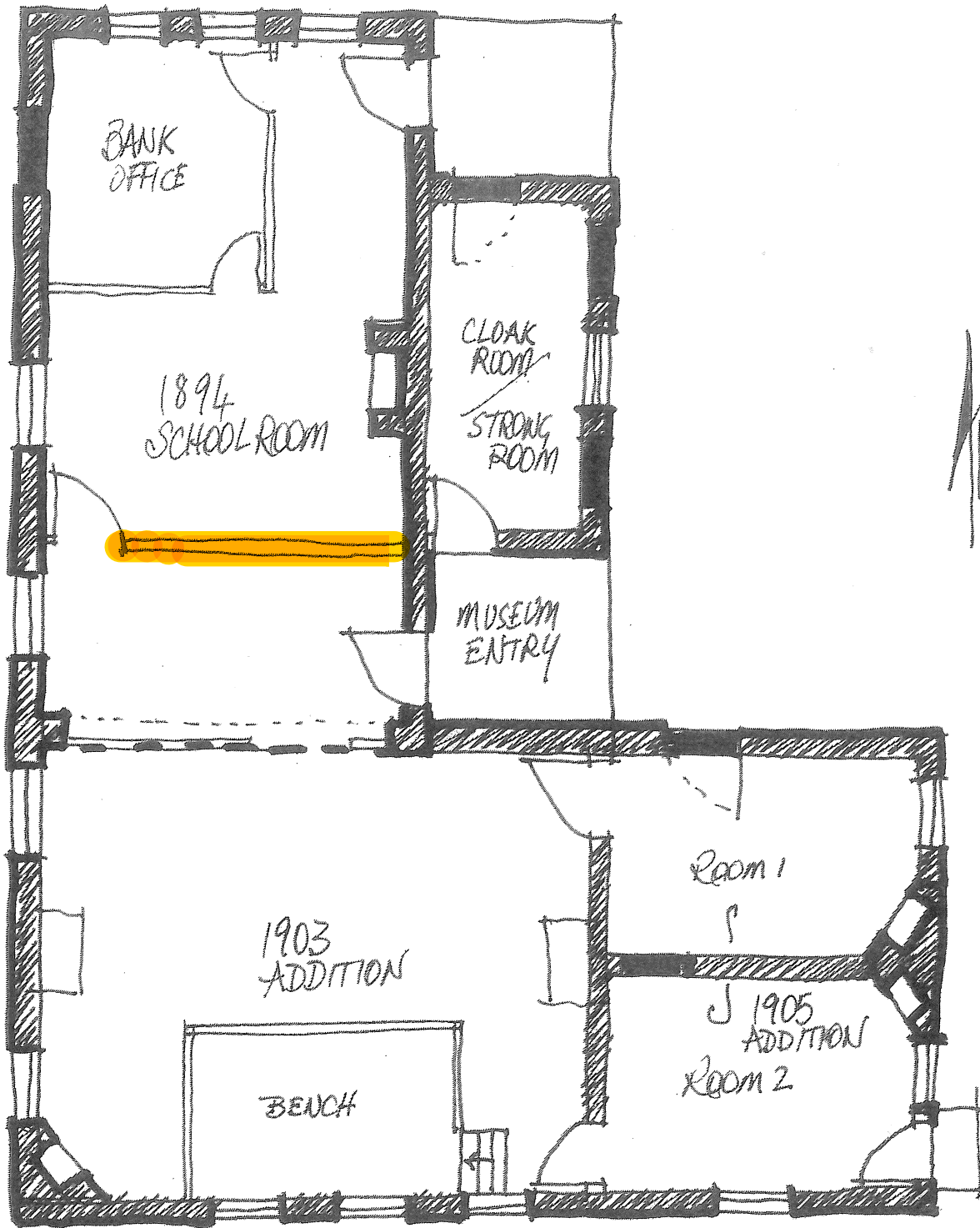
Interior: The c.1976 partition wall towards the south end of the 1894 school room.



Interior: The c.1976 partition wall towards the south end of the 1894 school room showing the doorway through to the Museum section. Window 3 (right).

Courthouse Museum, Narrogin
CONSERVATION MANAGEMENT PLAN

DRAFT January 2017



PLAN 1 Sketch Floor Plan

Courthouse Museum, Narrogin

CONSERVATION MANAGEMENT PLAN

10.1.035 NAMING OF THE NEW NICHE WALLS AT THE NARROGIN CEMETERY

File Reference:	5.4.12
Disclosure of Interest:	Nil
Applicant:	Nil
Previous Item Nos:	Nil
Date:	4 April 2017
Author:	Wendy Russell – Executive Support Officer
Authorising Officer:	Azhar Awang – Executive Manager Development & Regulatory Services

Attachments

Attachment 1 – Plan of the Niche Walls

Attachment 2 – Suggested Names for the Niche walls

Summary

Council's consideration is requested for the naming of the new Niche Walls at the Narrogin Cemetery.

Background

Phase one of the new Niche Walls project at the Narrogin Cemetery has now been completed.

As we are already receiving requests from the public for the placement of ashes it is necessary to clearly identify each wall to avoid confusion.

Comment

In order to start using the allotments in the niche walls, each wall needs to be uniquely identified. It has been suggested that the walls be given the names of Australian native plants rather than just being a generic name like the South Wall or Wall A.

It is proposed that each block of 2 walls be given the same name. The position on the wall will be identified with the standard letter for the column and number for the row.

Attached is a list of some suggested native plants as names for the walls. In compiling the list it was recognised that the Western Australian Department of Corrective Services uses native flowers as the names for many of their facilities the names of those facilities that are easily associated were removed from the list.

Consultation

- Aaron Cook – Chief Executive Officer
- Torre Evans – Executive Manager Technical & Rural Services
- Azhar Awang – Executive Manager Development & Regulatory Services
- Neil Mitchel – Merger Coordinator
- Neville Steicke – Dawsons Funeral Home

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There will be 12 plaques required at this time. Funds are available within the current budget allocation and are estimated to be \$5,000.

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.042 AND OFFICER'S RECOMMENDATION

Moved: Cr Ballard

Seconded: Cr Ward

That Council:

Approve the naming of the current niche walls located at the Narrogin Cemetery on Reserve 1875, Lot 1630 Lefroy Street, Narrogin as follows:

Shelter North Wall 1 and 2 Grevillea 1 and 2

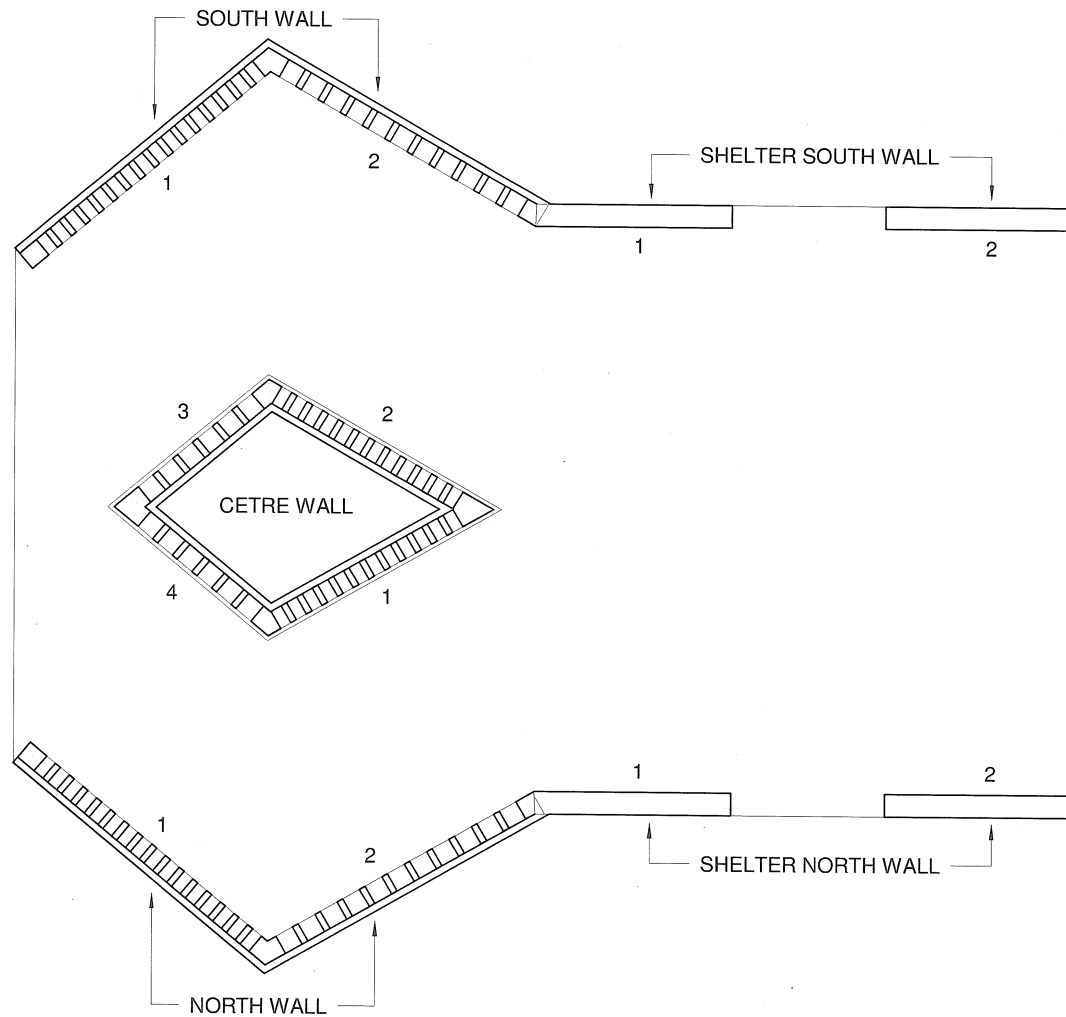
Shelter South Wall 1 and 2 Wattle 1 and 2

Centre Wall 1 to 4 Boronia 1 to 4

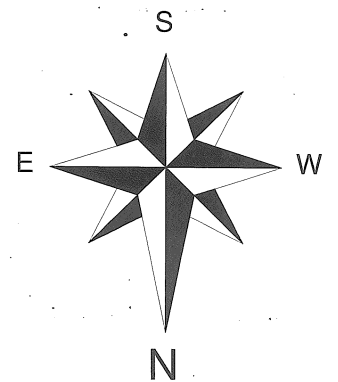
North 1 and 2 Kangaroo Paw 1 and 2

South 1 and 2 Emu Bush 1 and 2

CARRIED 9/0



1 GROUND FLOOR
1:80



CEMETERY NICHE WALL Shire of Narrogin GROUND FLOOR	1	DEC-2012	LOCATION ESTABLISHED	Project: DRAWINGS FOR: NICHE WALL FOR THE, SHIRE OF NARROGIN CEMETERY WILLIAMS Minutes Ordinary Council Meeting 12 April 2017	Designed By:	P & F KULKER	Scale:	1:80
	2	AUG-2014	DESIGN CHANGE		Drawn By:	JOSIAH FARRELL	Job No:	1601
	3	JUNE-2015	WORKING DRAWINGS		Checked By:		Dwg No:	A.02
	4	OCT-2016	P & F KULKER CONTRACT		Date:	APRIL 2017	page 155	
	5	APR-2017	WILLIAMS					
Rev	Date	Description						

Suggested Australian Native Plants for the Naming of the Niche Wall at Narrogin Cemetery



Boab



Boronia



Bottle brush



Daisy



Dampiera



Dryandra



Emu bush



Grass tree



Grevillea



Jarrah



Kangaroo paw



Karri



Marri



Melaleuca



Mulga



Orchid



Pea



Tea tree



Wattle



Wax flower

10.2 CORPORATE AND COMMUNITY SERVICES

10.2.036 NARROGIN REGIONAL LEISURE CENTRE SUNDAY TRADING

File Reference:	5.6.3
Disclosure of Interest:	Nil
Applicant:	Chief Executive Officer
Previous Item Nos:	10.2.042 12 April 2016
Date:	6 April 2017
Author:	Azhar Awang – Executive Officer Development & Regulatory Services
Authorising Officer:	Aaron Cook – Chief Executive Officer

Attachments

Nil

Summary

It is presented to Council to continue the operation of the Narrogin Regional Leisure Centre on Sundays with the current limited hours from 12 noon to 5pm.

Background

In April 2016 the former Town of Narrogin moved a motion to open the Narrogin Regional Leisure Centre on Sundays, with limited trading from 12 noon to 5pm for a period of 12 months so that the attendance and viability can be assessed.

The Sunday trading was established after Council moved to close the outdoor pool by utilising some of the savings incurred by providing a greater service provision to the residents on the additional day.

Comment

Currently the Sunday trading has been effective through increased attendance rates in that the Centre is regularly utilised by residents for a variety of services but mostly the Indoor Pool and Gym.

The Centre opening on the Sunday for limited opening hours does produce a small financial loss; however, this has been factored into the YMCA's expenses for the year and next years budget that will be presented to Council in the following meetings.

Due to the positive impact by having the Centre opened on Sundays to the general community through providing a place for youth to attend, families to utilise the Centre and individuals for fitness purposes it is recommended that the limited Sunday trading continue as part of the ongoing opening hours of the Centre.

Consultation

- Glenn Paddick – Manager of the Narrogin Regional Leisure Centre YMCA

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Currently there is no financial implication for the continuation of the Sunday limited trading as this financial impact has already been budgeted into the YMCA trading and subsidy paid by Council.

Strategic Implications

Strategic Community Plan 2012– 2022

Key Objective 2 – Community Development Services.

2.1 Continue to expand the Town’s capacity and reputation as a venue for events, sports and seminars of local and regional significance. Support Tourism, Arts and sports initiatives, recognising the economic impact that they provide to the businesses and general community.

2.2 Continue to develop and facilitate activities, engaging all age demographics, at the Narrogin Regional Leisure Centre that are sustainable and beneficial to the Community and the Centre Create a development, heritage and maintenance plan for all of the Council’s current and future building asset requirements.

2.3 Further develop and encourage and support youth activities and initiatives within Narrogin

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0417.043 AND OFFICER’S RECOMMENDATION

Moved: Cr Walker

Seconded: Cr Fisher

That Council:

Continue to open the Narrogin Regional Leisure Centre on Sundays through limited trading for a period of 5 hours, to be determined by the YMCA, and that this be allocated as part of the required opening hours of the YMCA contract of service with Council.

CARRIED 9/0

11. ELECTED MEMBER'S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING

Nil

CLOSURE OF MEETING

8.57 pm – President Ballard declared the meeting closed.