



11 JUNE 2020

Shire of Esperance

ORDINARY COUNCIL MEETING

23 JUNE 2020

ATTACHMENTS EXCLUDED FROM AGENDA

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EXT 001: LIVING ON BOARD VESSELS

Document Status:	Current	CM Ref:	D16/29038
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 <u>September 1998</u>	Resolution #:	O0316- <u>008O0998-103</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To set guidelines under which Council the Shire will permit persons living on board vessels in the harbour.

Policy

Subject to compliance with the Council's Shire's requirements regarding ablution facilities, effluent holding tanks and refuse disposal, Council the Shire does not object to living on board to a maximum of three (3) weeks at any one time in the Bandy Creek Boat Harbour or the Marina. No vessel shall be occupied for a total of more than 6 weeks within any 6 month period.

Should a greater number than three (3) weeks be required at any one time then the Director External Services or in his absence the Chief Executive Officer be given delegated authority to approve such applications.

Irrespective of the above, approval is required for any vessel that is proposed to be lived on in the Bandy Creek Boat Harbour or the Marina.

..... Policy Ends



EXT 002: REFUSE AND RECYCLING COLLECTION SERVICES

Document Status:	Current	CM Ref:	D16/29039
Responsible OfficerDocument Controller:	Manager Council Enterprises	Version No:	2
Date Adopted:	March 2010 6	Resolution #:	00316- 00800310- 1426
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure collection of Refuse and Recycling.

Policy

All properties able to be serviced by the waste and recycling collection service are required in accordance with the provisions of the *Waste Avoidance and Resource Recovery Act 2007* to have a refuse and recycling bin and will be charged in accordance with the Council's schedule of fees and charges.

..... Policy Ends



EXT 003: 2,4-D HIGH VOLATILE ESTER USE

Document Status:	Current	CM Ref:	D16/29040
Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016	Resolution #:	O0316-008
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

Guidelines for staff when assessing requests for the use of 2,4-D High Volatile Esters during summer and autumn periods between 1 December and 30 April.

Policy

A number of different chemical forms of the phenoxy herbicide 2,4-D are registered in Australia. They include:

High volatile esters: 2,4-D ethyl ester, butyl ester and iso-butyl ester.

Low volatile esters: 2,4-D ethyl hexyl ester and iso-octyl ester.

Non-volatile amines: 2,4-D dimethylamine, isopropylamine, diethanolamine, triethanolamine and triisopropanolamine.

This policy relates to the use of high volatile 2,4-D esters (ethyl, butyl and iso-butyl esters) between 1 December and 30 April.

The use of 2, 4-D High Volatile Esters within the Shire of Esperance during the above period shall:

- Be carried out in accordance with the applicable PERMIT TO ALLOW USE OF AN AGVET CHEMICAL PRODUCT CONTRARY TO INSTRUCTIONS as issued by the Australian Pesticides and Veterinary Medicines Authority; and
- Not be permitted within two kilometres of any gazetted townsite within the Shire or sensitive crop/industry (ie. tree farms or nurseries); and
- Not be permitted within one kilometre of any waterway regardless as to whether such waterway is a sensitive area or not.

Note: the state 10km buffer for grapes and tomatoes still applies, as does the 1km buffer for any sensitive or susceptible areas.

..... Policy Ends



EXT 004: APPLICATIONS LODGED BY SENIOR EMPLOYEES ~~STAFF OR ELECTED MEMBERS~~

Document Status:	Current	CM Ref:	D16/29041
Responsible Officer Document Controller:	<u>Manager Strategic Planning and</u> <u>Land Projects</u> <u>Manager</u> <u>Development and Statutory</u> <u>Services</u>	Version No:	2
Date Adopted:	March 2016 <u>July 2004</u>	Resolution #:	00316- 00800704- 0930
Date Reviewed:	April 2018	Resolution #:	00418-075

Objective

To ensure that all applications for development, land use or subdivision lodged by a Senior ~~staff~~ ~~Employee~~~~member~~ or Elected Member are referred to Council for consideration

Policy

Notwithstanding any delegation of Council functions, any development application (~~planning or building licence approval where exempt from requirement to obtain Planning Development Approval in accordance with Local Planning Scheme requirements~~) or subdivision application lodged by Senior ~~Staff Employees~~ (as defined in the operative Council Policy: ~~Staff-EXE 008~~ Senior Employees), Assessing Officer or Elected Member is to be referred to the Council for determination, except for an application:

- That is for that person's own place of residence or expansion/upgrading of a place of business that was previously approved and satisfies the objectives and development standards in:
 - Local Planning Scheme;
 - ~~t~~The Acceptable Development provisions of the Residential Design Codes, and
 - ~~a~~Any relevant adopted Planning Strategy, Local Planning Policy and/or Local Law.
- For a minor modification to an approved plan;
- An extension of time for a planning consent when there has been no circumstantial change other than the expiration of time; or
- For amalgamation of lots or realignment of boundaries.

..... Policy Ends



EXT 005: REFUSAL OF PLANNING APPLICATIONS

Document Status:	Current	CM Ref:	D16/29042
Responsible Officer/Document Controller:	Manager Strategic Planning and Land Projects	Version No:	2
Date Adopted:	March 2016 2008	Resolution #:	O0316- 008O0308- 1287
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To provide guidance as to when a development application can be refused without referral to Council.

Policy

Applications for Prohibited or "X" Uses

Where a development application is received that is classified as an "X" use (that is a use that is not permitted) or prohibited in accordance with the provisions of Local Planning Scheme No. 23, the application is to be refused as approval to an "X" use can only proceed by way of an amendment to the Planning Scheme.

Applications Prohibited by Scheme Provision

Where a development application is received that is inconsistent with a Scheme provision that does not have any discretion it will be refused, with the primary grounds of refusal being:

"The proposed development is inconsistent with 'Specify Clause' of the Scheme."

Applications Requiring Provision of Further Information

Where a request for further information has been made for a development application, the following procedure is to be followed:

- A letter requesting more information is to be forwarded to the applicant.
- If after the expiration of one (1) month no information is received, a further request for the outstanding information is to be sent to the applicant. This letter is to stipulate that should the information not be forwarded to the Shire within one (1) month of the date of the letter the application will be refused.
- ~~If after a further month no information is forwarded as per the second request, a third letter outlining the request for information is to be prepared. This letter is also to stipulate that should the information not be forwarded to the Shire within one (1) month of the date of the letter the application will be refused.~~
- d)c) A Planning Development Refusal be issued, with the primary ground for refusal being:

"Insufficient information has been supplied to enable assessment of the application to occur."

Applications for Unspecified Land Uses that are inconsistent with Objective of the Zone

Council Policy
EXT 005: Refusal of Planning Applications

| Where a [planning-development](#) application is received that is for a land use that is not defined it will be refused where the use is not consistent with the objective of the zone, with the primary ground for refusal being:

"The proposed land use is inconsistent with the objectives of the 'specify zone' zone."

Applications not acceptable to a Government Department

Where a development application is received that is referred to a government department it will be refused where the government department identifies that it cannot be approved.

..... Policy Ends



EXT 006 – NON-REFUNDABLE DEVELOPMENT SERVICES APPLICATION FEES

Document Status:	Current	CM Ref:	D16/29043
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 March 2010	Resolution #:	O0316- 008O0310- 1426
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure that time spent on the processing of Planning, Health and Building applications is remitted.

Policy

That where an application for Planning, Health and/or Building approval has been submitted, no part of the application fee shall be refunded if withdrawn after a period of 7 calendar days from the date received.

Applications withdrawn within the 7 day period are eligible to receive a refund of 50% of the original fee.

~~Any request for a refund of the Builders Registration Board (BRB) and Building and Construction Industry Training Fund (BCITF) levies, (if applicable,) or Builders Registration Board (BRB) Levy should be made direct to the BCITF Building and Construction Industry Training Fund Board and/or the BRB Builders Registration Board will be refunded in full.~~

If an applicant claims exceptional circumstances, they may apply in writing to the CEO for consideration.

..... Policy Ends



EXT 007: RETAINING WALLS

Document Status:	Current	CM Ref:	D16/29044
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 <u>February 1993</u>	Resolution #:	O0316- <u>008O0293-172</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

- To ensure that all retaining walls over 500 millimetres (mm) are of adequate construction for their intended purpose; ~~and~~
- To protect the visual amenity and landscape character of the locality, in particular that of adjoining properties and streetscapes; ~~and~~
- To minimize the loss of visual privacy or solar access to other premises through overlooking or overshadowing of adjoining dwellings; ~~and~~
- To limit excessive cutting or filling of sloping land and to encourage dwelling designs that complement and are sympathetic to the natural topography; ~~and~~
- To ensure that excavated material, or material used in filling and retaining of land is geo-technically stable and environmentally safe; ~~and~~
- To ensure that retaining walls are designed and constructed with sufficient strength to support any embankment together with any superimposed loads; ~~and~~
- To ensure that the excavation or filling of land that is a contaminated site, does not result in environmental harm or damage to ecosystems or harm to the safety and health of users and the general public; ~~and~~
- To minimize soil erosion through implementation of erosion and sediment control measures on all land disturbing activities to prevent the erosion and transportation of sediment through runoff from the site.

Purpose

The purpose and intent of this policy is to seek to ensure that changes to ground levels through the excavation or filling of land and the development of retaining walls do not adversely affect neighbouring properties or the natural landscape features and environmental values of a local area and to ensure that the material used in the filling of land is both geo-technically stable and environmentally sound.

Policy

All retaining walls on boundaries of lots, and/or subject to surcharge loads are to be constructed of stone, concrete, brick or other similar durable material; ~~the use of timber retaining walls is not permitted.~~

Council Policy
EXT 007: Retaining Walls

Any walls exceeding 500mm in total height, and/or subject to ~~an additional a~~ surcharge, ~~is proposed to be added to the existing retaining wall and/or in the case of tiered retaining walls exceeding 500mm in total height. These walls~~ shall be designed and ~~a~~ wet ink signed ~~detail~~ by a Practicing Structural Engineer which is to accompany the application submitted.

Tiered retaining walls must include the combined total height of all retaining walls i.e. must be assessed collectively.

..... Policy Ends



EXT 008: KERB AND FOOTPATH BONDS

Document Status:	Current	CM Ref:	D16/29045
Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016	Resolution #:	O0316-008
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure asset preservation of footpaths and kerbs.

Policy

A Kerb & Footpath Bond is required to be paid to the Shire of Esperance at the time of building Building Licence Application where there is a kerb and/or footpath in situ adjoining the development site. The Kerb & Footpath Bond is applied to ensure that Council assets are protected against damage. The full cost of repair to footpaths and kerbs is payable by the builder.

The amount of the Kerb & Footpath Bond is provided for in Council's operative Fees & Charges Schedule.

A biannual review of the financial implication to Council is conducted to ascertain increase in costs to repair kerbs to amend the amount.

..... Policy Ends



EXT 009: GEOTECHNICAL TESTING REQUIREMENTS FOR STRUCTURES

Document Status:	Current	CM Ref:	D16/29046
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 November 2001	Resolution #:	Q0316- 00801101- 0142
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To determine the geotechnical suitability of a site for a building or structure.

Policy

Geotechnical Testing Requirements for Structures

A geotechnical in-situ assessment of the site for all classes of buildings must be undertaken (except class 10) prior to lodgement of a building application with the Shire of Esperance. At the discretion of the certifying Building Surveyor, this requirement may be waived for residential building additions if the site has previously had a geotechnical test report and the additions are no greater than 50 square metres in area.

A geotechnical assessment of the site for a class 10 building may be required in circumstances where the size, location or site conditions necessitate.

Part A – Site Investigations

Testing shall be carried out in accordance with the current relevant Australian Standards, including, but not limited to:

- AS 1289 – Method of Testing Soils for Engineering Purposes; and
- AS 1726 – Geotechnical Site Investigations.

Testing shall be undertaken by a competent and suitably experienced person and test results shall be certified by a competent and suitably experienced structural or geotechnical registered a Qualified Engineer experienced in geotechnical investigations. Certified test results shall be submitted to the Shire of Esperance as supporting information for accompanying any building application for which this policy applies.

It is the responsibility of the certifying Qualified Engineer to ensure site investigations, testing methods and procedures are carried out correctly and that test results adequately reflect site conditions.

Building applications covered by this policy will not be accepted if geotechnical test results are not certified by a competent and suitably experienced structural or geotechnical Engineer and relevant supporting information is not supplied to the satisfaction of the Shire of Esperance.

Part B – Structural Design & Certification

Council Policy
EXT 009: Geotechnical Testing Requirements for Structures

Structural designs of slabs and footings for all buildings covered by this policy shall be undertaken with regard to the results of geotechnical/site investigation reports required under Part A of this policy. To this end, slabs and footings shall be designed and certified by a suitably qualified structural engineer Qualified Civil or Structural Engineer, as being suitable for the site classification determined and designed in accordance with the relevant Australian Standards and design specifications.

:-

Building applications covered by this policy will not be accepted if structural designs of slabs, footings and any supporting information are not supplied with the appropriate certification to the satisfaction of the Shire of Esperance.

Within the Shire of Esperance municipal boundaries, structural materials not specified in codes shall only be approved on production of a Certificate of Adequacy from an Engineer.

..... Policy Ends



EXT 010: METHOD FOR DETERMINING CLIMATE ZONE FOR PROPERTIES LOCATED OUTSIDE ESPERANCE TOWNSITE

Document Status:	Current	CM Ref:	D16/29047
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 July 2004	Resolution #:	Q0316-0080 0704-0930
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure that the construction of ~~any dwellings and additions~~ buildings comply with particular ~~the prescribed~~ energy efficiency ~~building requirements in the National Construction Code (NCC)~~, dependent upon which climate zone the property is located in.

Policy

~~National Construction Code: NCC Volume One – Part J and NCC Volume Two – Part 3.12. The above volumes both prescribe the requirements to meet energy efficiency in buildings depending on the classification.~~

~~Part 3.12 of the Building Code of Australia prescribes how Class 1 dwellings and additions must comply with particular energy efficiency building requirements, dependent upon which climate zone the property is located in. This policy only applies to building license applications electing to seek acceptance under the deemed-to-satisfy BCA requirements for this part.~~

Properties situated in localities which are wholly inside the Esperance Townsite boundary are in Climate Zone 5.

Where the climate zone cannot be accurately determined for those properties outside of the Esperance ~~T~~townsite, the following climate zones shall be assigned, according to Table C1 ~~below~~, to all properties inside each locality.

Climate Zone	Applicable Localities
Climate Zone 4	Buraminya, Salmon Gums, North Cascade
Climate Zone 5	Esperance, Bandy Creek, Boyatup, Cape Arid, Cape Le Grand, Condingup, Coomalbidgup, Dalyup, East Munglinup, Gibson, Howick, Israelite Bay, Merivale, Monjingup, Myrup, Neridup, Pink Lake, Sinclair, West Beach, Windabout
Climate Zone 6	Beaumont, Cascade, Grass Patch, Lort River, Mount Ney, Scaddan, Wittenoom Hills

..... Policy Ends



EXT 011: WIND LOAD RATING

Document Status:	Current	CM Ref:	D16/29048
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	January 2013	Resolution #:	<u>O0113-004</u>
Date Reviewed:	April 2018	Resolution #:	O418-075

Objective

To provide a standard for wind loads within the Shire of Esperance.

Policy

The minimum wind load rating for the Shire of Esperance district is deemed to be a minimum of N3.

Where a certified practicing structural engineer provides a certification lower than N3; or a calculation is provided by a suitably qualified person in accordance with AS 4055, this rating may be accepted by the Shire as an adequate assessment at the Shire's discretion.

..... Policy Ends



EXT 013: OUTDOOR EATING FACILITIES IN PUBLIC PLACES

Document Status:	Current	CM Ref:	D16/29050
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 September 2012	Resolution #:	Q0316-008 Q0912-022
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

The Shire recognises that appropriately located and designed outdoor eating facilities (alfresco dining area) can make a significant contribution to the vitality and ambience of public places and urban lifestyles. They offer opportunities for spontaneous and arranged social interactions or quiet reflection while introducing a visual vibrancy that can make a place memorable.

This Policy aims to provide a framework and urban design guidelines to promote the establishment of outdoor eating facilities in public places for the purpose of alfresco dining.

Policy

Policy aims are:

- To ensure that alfresco dining does not interfere with the safe and reasonable movement of pedestrian and vehicular traffic;
- To encourage high quality alfresco dining which enhances the amenity and vitality of the Shire of Esperance;
- To provide a comprehensive framework for the development, management and control of alfresco dining throughout the Shire of Esperance; and,
- To ensure that alfresco dining areas are accessible to all patrons, including people with disabilities.

Council Policy
EXT 013: Outdoor Eating Facilities in Public Places

ALFRESCO DINING

1) Policy Application Area

Alfresco dining areas will only be permitted to be established on a public place ~~directly~~ adjacent to a food business that has been issued with a Certificate of Registration of a Food Business by the Shire of Esperance.

2) Development Approval Requirements

i) ~~2.1.~~ Pedestrian Access;

(a) ~~2.1.1.~~ A minimum footpath width of 2.0 metres must be provided directly adjacent to the building, ~~or~~ running parallel to the street, unless otherwise approved by the Manager Development and Statutory Services for an ~~Outdoor Eating Facility~~ alfresco dining area to be considered;

(b) ~~2.1.2.~~ In areas of heavy pedestrian traffic, the Shire of Esperance may require a wider pedestrian thoroughfare or may prohibit alfresco dining altogether; and,

~~2.1.3.~~ Pedestrians must be able to make normal use of the footpath without being obliged to step into the road at any point or make other unwarranted detours.

ii) ~~2.2.~~ Distance from Kerb

A minimum ~~0.62~~ metre setback from the alfresco dining area to any kerb line is required to provide an appropriate separation distance from vehicles using kerbside ~~or parallel~~ parking adjacent to an alfresco dining area, and for the safety of ~~others~~ diners

iii) ~~Vehicle~~ Vehicle Sight Lines

✓

~~2.3.~~ Vehicle Sight Lines

Alfresco dining must not obstruct sight lines for either vehicles or pedestrians, both at road junctions and vehicle access crossovers.

iii)iv) ~~2.4.~~ Demarcation of Outdoor Eating Facilities / Alfresco Dining

The Shire ~~will~~ may provide footpath identification of the approved alfresco dining area utilising coloured bricks, small brass plaques or the like, placed at regular intervals (approximately every 2.0m) along the alfresco dining boundary.

3) Furniture

i) ~~3.1.~~ Placement of Furniture

(a) ~~3.1.1.~~ All furniture, including barriers must be placed and kept within the alfresco dining area and at all times must not compromise the access and safety of patrons or pedestrians;

(b) ~~3.1.2.~~ All furniture must be free-standing and removable, unless specific written approval has been given by the Shire;

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- (c) ~~3.1.3.~~ Where umbrellas or similar sun protection is provided, they must be adequately secured, contained within the alfresco dining area and of sufficient height (minimum 2.1 metres) above the ground to prevent injury to patrons and pedestrians. Depending upon the structure proposed, structural certification from a practising Structural Engineer may be required.

- ii) ~~3.2.~~ Number of Chairs

A maximum of one chair per square metre may be located in an alfresco dining area. Other items of furniture such as tables and umbrellas can be incorporated as necessary. Note: Number of patrons may be restricted by numbers of toilet facilities available.

- iii) ~~3.3.~~ Design and Materials

- (a) ~~3.3.1.~~ The design of the furniture, including barriers used for the alfresco activity should be in keeping with the style and character of the host building and reflect the interior of the business;
- (b) ~~3.3.2.~~ White tabletops and white chairs are not permitted in alfresco dining areas adjacent to public roads due to the possibility of glare;
- (c) ~~3.3.3.~~ Plastic tables and chairs are not permitted;
- (d) ~~3.3.4.~~ All furniture should be durable, waterproof, rust proof and weather resistant and should fold or stack for storage; and,
- (e) ~~3.3.5.~~ All furniture, including barriers must be maintained in a physically sound and aesthetically acceptable condition and in a good state of repair and be designed so that corners and fastenings do not create a potential hazard for patrons and pedestrian traffic to the satisfaction of the Shire.

- iv) ~~3.4.~~ Removal and storage of furniture

- (a) ~~3.4.1.~~ All furniture must be removed from the alfresco dining area at the close of business each day, unless otherwise permitted by the Shire of Esperance; and
- (b) ~~3.4.2.~~ The Shire of Esperance may require the removal of any furniture or structure from public areas at any time to allow the undertaking of street or footpath works, maintenance, cleaning or other works as necessary.

- v) ~~3.5.~~ Advertising

- (a) ~~3.5.1.~~ Advertising on furniture and structures may only bear the name of the associated establishment and/or the name of a commercial product sold within the premises; and,
- (b) ~~3.5.2.~~ Any additional signage must be approved by the Shire's ~~Executive Manager~~ Development & Statutory Services, and must not restrict access to any public thoroughfare as required by this Policy.

4) Operating Requirements

Council Policy
EXT 013: Outdoor Eating Facilities in Public Places

- i) **4.1.—Hours of Operation**
 - (a) **4.1.1.—**Unless otherwise specified by the Shire, hours of operation of the alfresco dining area may be determined at the discretion of the permit holder for the alfresco dining area;
 - (b) **4.1.2.—**Alfresco dining areas serving alcoholic beverages will be limited to the hours stipulated in the liquor licence; and,
 - (c) **4.1.3.—**The permit holder must ensure that no noise nuisance is created by the alfresco dining activity, and that any music complies in all respects with the *Environmental Protection (Noise) Regulations 1997*.
- ii) **4.2.—Consumption of Alcohol**
 - (a) **4.2.1.—**The consumption of alcohol within alfresco dining areas is only permitted subject to compliance with the proprietor obtaining the necessary approvals from the [Shire of Esperance](#) and Department of Racing Gaming and Liquor, and must ensure ongoing compliance with all Liquor Licence conditions; and,
 - (b) **4.2.2.—**Where alcohol is served, regular table service is mandatory and patrons must be seated at all times.
- iii) **4.3.—Cleanliness and Hygiene**
 - (a) **4.3.1.—**The permit holder is responsible for maintaining the [footpath alfresco dining area](#) in a clean and sanitary condition free of visible dirt and food material at all times. This includes removing grease stains, keeping the vicinity clear of litter and waste materials and the high pressure cleaning of the pavement, as and when required. No material from sweeping of the pavement is permitted onto the road or into the stormwater system.
- iv) **4.4.—Maintenance**
 - (a) The permit holder for the alfresco dining area is responsible for maintenance of the area over which the dining activity takes place and shall make good, to the Shire's satisfaction, any damage or staining to the surface
- v) **4.5.—Lighting**
 - (a) **4.5.1.—**Where alfresco dining occurs outside daylight hours, the permit holder for the alfresco dining area must provide adequate, clear and well distributed lighting to ensure the safety and amenity of both patrons and the public; and,
 - (b) **4.5.2.—**Outdoor lighting shall not cause a nuisance by way of light spill to any nearby premises.
- vi) **4.6.—Electrical Wiring**
 - (a) **4.6.1.—**All electrical wiring connected to lights, devices or appliances situated in or about the alfresco dining area shall not be placed:
 - (i) **4.6.1.1.—**On or under the alfresco dining area;

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- (ii) ~~4.6.1.2.~~ Above any part of a public place so as to interfere or obstruct the passage of— vehicles or pedestrians; and,
- (iii) ~~4.6.1.3.~~ In any manner or in any place which may be prejudicial to safety.

- (b) ~~4.6.2.~~ Any electrical wiring must be approved by the appropriate authority and must not be placed across any thoroughfare.

vii) ~~4.7.~~ Heating

- (a) ~~4.7.1.~~ Heaters must be Australian Gas Association (AGA) approved and be used in accordance with manufacturer's instructions, particularly in relation to required clearances from other combustible objects.
- (b) ~~4.7.2.~~ Fixed gas heaters are not permitted without the express written consent of the Shire.
 - (i) ~~4.7.2.1.~~ Any fixed or portable gas heater within the outdoor eating area is to be installed and regularly checked by a registered gas fitter to ensure they comply with:
 1. AS 5601/AG 601 – 2000 Gas Installations
 2. AS/NZS 1956 – 1997 Storing and Handling of LP Gas
 3. AS 4565 – Outdoor Radiant Heaters
 4. And any other relevant Gas Standard

- b) Dogs are only permitted in the outdoor eating area under the following conditions:-
 - i) Area is to be sufficiently signed to advise patrons that dogs are permitted in the alfresco dining area;
 - ii) Food premises to develop a dog management plan
 - iii) Dogs do not enter the inside of the food premises
 - iv) Area is to be kept clean at all times
 - v) Pedestrian access ways remain unobstructed at all times.

c) Smoking

- i) The Shire of Esperance supports any State Government initiative to introduce state wide smoking bans in alfresco dining areas
- ii) Smoking is not permitted within the alfresco dining area and the use of appropriate non-smoking signage by the permit holder is required.

No Smoking Permitted in Outdoor Eating Areas

5) Application and Administration Procedure

a) Assessment and compliance

- i) All applications shall be assessed in accordance with the requirements of this Policy and the Shire of Esperance Activities in Thoroughfares and Public Places

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EXT 013: Outdoor Eating Facilities in Public Places

and Trading Local Law 2016 and Local Government Property Local Law 2009, by the Shire's Health Services. The Shire's Planning Services shall be consulted during the assessment process.

- ii) Once an alfresco dining area has been approved and established, the Shire's Health Services is responsible for ensuring the permit holder complies with all imposed conditions of approval.

b) Application for Permit

- c) Notwithstanding the requirements of the Shire of Esperance Activities in Thoroughfares and Public Places and Trading Local Law 2016 and Local Government Property Local Law 2009, a proprietor of a food business seeking the issue of an Outdoor Eating Facility Permit shall make application to the Shire in writing on the prescribed form (Application for Traders License) and such application shall be accompanied by –

- i) The appropriate fee
- ii) Two (2) sets of plans of the proposed alfresco dining area to a scale of 1:50 showing –
 - (a) the location and dimensions of the proposed alfresco dining area and the means by which the eating area is to be separated from the balance of the street or public place;
 - (b) the position of all tables, chairs and all other structures proposed to be provided in the alfresco dining area;
 - (c) a description of the type and make of all tables, chairs and all other structures proposed to be provided in the alfresco dining area;
- iii) Two (2) sets of plans at a scale of 1:200 depicting the alfresco dining area and all land improvements thereon within 30 metres of the boundaries of the alfresco dining area.
- iv) Colour photograph(s) of the proposed furniture and other structures to be set up in the alfresco dining area.
- v) Proof of adequate insurance arrangements for public liability insurance, of not less than \$10,000,000.

The provision of an indemnity from the permit holder indemnifying the Shire in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.

- vi) Such other information as may be required by the Shire to be included in the application.

d) Renewal of Permit

On or by the 30 June each year the permit holder may apply to the Shire in writing, or on an application form (Application for Traders Permit), for a renewal of their Outdoor Eating Facility Permit. This written request must be accompanied by the prescribed fee and proof of adequate insurance arrangements for public liability insurance.

6) Cancellation of Permit

Council Policy

EXT 013: Outdoor Eating Facilities in Public Places

The CEO may, by notice in writing, cancel a permit at any time if the requirements of this policy or any specific condition of approval are not complied with.

7) Fees

Fees and charges are established in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*, listed in the Shire of Esperance Schedule of Fees and Charges.

..... Policy Ends



EXT 016: DIVIDING FENCES

Document Status:	Current	CM Ref:	D16/29053
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 2016 <u>February 1993</u>	Resolution #:	O0316- 008 <u>O0293-172</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ~~ensure~~establish a position on Shire contributions towards dividing fences, that Council has a
~~policy in relation to responsibility for dividing fences on other than Council residential lots.~~

Policy

The ~~Council Shire~~ will only contribute towards the cost of dividing fences on land adjoining
reserves or land being used for civic purposes where it sees a municipal need for the fence ~~on~~
~~other than Council residential lots.~~

..... Policy Ends



EXT 017: BORROWING OF MUSEUM EXHIBITS

Document Status:	Current	CM Ref:	D16/29054
Responsible Officer Document Controller:	Manager Community Support	Version No:	2
Date Adopted:	March 2016 <u>September 2003</u>	Resolution #:	O0316- 008O0903- <u>0697</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To enable some exhibit items to be loaned for specific purposes outside of the Museum.

Policy

That all requests for the loan of Museum exhibit items be at the discretion of the Museum Management Reference Group and subject to a signed agreement detailing the purpose of the loan, the loan return requirements and the action to be taken to prevent loss or damage.

..... Policy Ends



EXET 019024: CIVIC CENTRE HIRE FEES NOT TO BE WAIVED

Document Status:	Current	CM Ref:	D16/29057
Responsible OfficerDocument Controller:	Manager Community and Economic Development	Version No:	2
Date Adopted:	March 2016 September 1999	Resolution #:	00316- 00800999-152
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure that Civic Centre Hire Fees are not waived unless in extenuating circumstances and with the express approval of Council.

Policy

That the Esperance Civic Centre hire fees not be waived for any organisation unless extenuating circumstances can be shown to exist to the satisfaction of Council.

..... Policy Ends



EXT 020: ARTS COLLECTION

Document Status:	Current	CM Ref:	D16/29058
Responsible Officer Document Controller:	Manager Community Support	Version No:	2
Date Adopted:	March 2016 April 2009	Resolution #:	00316- 00800409- 1590
Date Reviewed:	April 2018	Resolution #:	00418-075

Objective

1. To manage, conserve and document the Shire of Esperance Art Collection.
2. To acquire artworks in accordance with the acquisition and development guidelines
3. To promote and facilitate public access to the Shire of Esperance Art Collection.

Policy

To ensure proper processes are in place for the acquisition and management of art works for the Shire of Esperance Art Collection.

Management

1. The Shire of Esperance aims to resource management of the collection appropriately, including an annual budget for the acquisition of art works and appropriate management and maintenance of the collection.
2. The Shire of Esperance ensures the conservation of the collection's holdings and aims for industry standards of environmental control and monitored secure collection storage and exhibition spaces.
3. The Shire of Esperance ensures that the collection is subject to regular valuation and appropriate insurance.
4. The Shire of Esperance maintains a complete catalogue including photographic, location and registration records, detailed provenance and artist's biography
5. The appropriate management and maintenance of the art collection will be overseen by ~~the Shire of Esperance Art Collection Advisory Committee~~ Council.

Acquisition

The Shire of Esperance is not bound to accept any works.

The ~~Shire of Esperance through the Shire of Esperance Art Collection Advisory Committee~~ Council may:

1. Acquire works of art which build upon strengths of existing holdings of the collection.
2. Acquire original, excellent and significant works by Esperance artists living and/or working in the Esperance region.

Council Policy
EXT 020: Arts Collection

3. Acquire works of art which relate to the experience of people living and/or working in the Esperance region.
4. Acquire those works of art which are of regional and aesthetic significance to the existing holdings and relevant to current acquisition priorities.
5. Acquire works by way of purchase, bequest or gift.
6. Not acquire art works which duplicate existing holdings.
7. Acquire art works with due consideration to cost, public safety, display, storage and transport issues at the time of acquisition.
8. Not acquire commercial prints or reproductions.
9. Accept donations that are the sole property of the donor and which accord with the acquisition policy with no conditions attached.

Loans

1. The Shire of Esperance does not accept permanent or indefinite loans. The collection may accept loans from time to time for exhibition purposes only.

Public Access

1. The Shire of Esperance Art Collection currently has no dedicated exhibition venue. The Shire of Esperance aspires to develop a permanent purpose-built exhibition and storage facility for the collection. In the meantime, the collection is required to be exposed to as wide an audience as possible, and this may encompass the use of temporary displays in appropriate places, for example, the Esperance Civic Centre, the Cannery Arts Centre, other Shire of Esperance premises and other appropriate community buildings.
2. The Shire of Esperance, from time to time, will present appropriately documented exhibitions from the collection, and public programs to enhance the appreciation of the collection. Exhibitions may be of a physical or digital nature.
3. There will be at least one public exhibition of artworks from the Shire of Esperance Art Collection each calendar year.
4. Interpretive information about the collection will be presented in a variety of publications and presentation forms and will be accessible to various audiences.
5. The Shire of Esperance researches and evaluates its collection and related material so that interpretation and exhibitions are carried out with integrity and resources are accessible to others for purposes of research.
6. The Shire of Esperance promotes the collection and its access program through a variety of means including the development of online access via the Shire of Esperance website.
7. Where appropriate, works from the Shire of Esperance Art Collection may be considered for travelling exhibitions subject to appropriate loan agreements being negotiated.

Art in Public Places

1. Artwork in public places (sculptures and external artworks) will be included as an integral part of the Shire of Esperance Art Collection. The use of art in public places has the capacity to enhance the environment and to engender a great sense of community pride, excitement and participation.

Council Policy
EXT 020: Arts Collection

2. Works may be acquired by either acquisition or commission ~~as per Public Art Policy EXT 017.~~

De-accessioning and Disposal

1. Works from the collection may be considered for removal from the collection if they are in poor condition, damaged or deteriorated beyond reasonable repair or conservation; duplicate or do not meet with the requirements of the collections policy statement. This process is known as de- accession.
2. The Committee may, from time to time, recommend works for de-accessioning for Council endorsement to proceed.
3. Any funds raised by the sale of a de-accessioned art work will be set aside for maintenance and management of the collection.

Responsibility

Responsibility for implementation of this policy lies with ~~the Shire of Esperance in consultation with the Shire of Esperance Art Collection Advisory Committee~~ Council.

..... Policy Ends



EXT 021: MUSEUM VILLAGE MARKETS

Document Status:	Current	CM Ref:	D16/29059
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	March 20 09 ¹⁶	Resolution #:	O0316- O08O0309- 1566
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

1. ~~This Policy~~^{To} regulates the operation of the Museum Village Markets within the Shire of Esperance. The objectives of this Policy are:
2. To encourage a mixture of commercial and non-commercial stall holders to increase the vibrancy and attraction of the Museum Village Markets to tourists and locals.
3. To encourage the participation of local community groups in the operation of the markets.

Policy

Application

This policy applies to Markets convened in the Museum Village Precinct or on a Reserve as approved by the Chief Executive Officer (CEO).

Definitions

- "Food Vendor" A person or persons preparing food on site for sale direct to the public.
- "Stall holder" A person or persons conducting a trading undertaking whom is authorised to do so by the Market Permit Holder.

Policy Statement (refer Council resolution O0710-1479)

1. From time to time the CEO will call for expressions of interest to operate markets at the Museum Village for a term of up to three years.
2. The CEO is delegated the authority to issue a permit to conduct a market to the person or organisation (the Permit Holder) offering the most advantageous proposition to grow the Museum Village precinct as a tourism focal point on the following conditions:
 - The Permit Holder will maintain a Public Liability Insurance Policy for a minimum amount of \$10 million and absolve council and its officers of any liability in relation to the Markets.
 - The Market Permit will be reviewed after each 12 month period and will be renewed annually pending satisfactory performance as determined by the CEO. (Local Government Property Local Law Section 3.13(h))

Council Policy
EXT 021: Museum Village Markets

- The Permit Holder must allow access to each stall area by statutory authorities whenever required to inspect stalls and products offered for sale for statutory compliance requirements.
3. The Permit Holder is authorised to charge a fee to market participants (stall holders, buskers, food vendors etc.). Such fees collected may be retained by the 'Permit Holder'. (Local Government Property Local Law Section 3.13 (i))
 4. Stall holders participating in the Markets will be exempt from the requirement to obtain individual stall holders permits from the Shire. (Activities in Thoroughfares and Public Places and Trading Local Law Section 6.7(3))
 5. Stall holders and food vendors intending to sell or distribute food products must notify the Shire's Environmental Health ~~Department~~ Services prior to doing so. (*Food Act 2008 Section 107*) A permit to operate a temporary food premise must be displayed in a prominent location at the point of sale or distribution. The Permit Holder will not allow any stall holders or food vendors to operate in the Museum Village Markets without the required permit.
 6. Market stalls may only be located on the grassed areas of the Museum Village precinct unless approval to occupy portions of built premises is obtained from either the occupier of the premise or the Shire of Esperance.
 7. Market activities shall not be conducted within the road reserve or on footpaths and must not block or impede direct access to Museum Village businesses.
 8. On designated market days Museum Village business proprietors may display and sell products and services from any part of their built premises, including non-leased verandas and decking. This condition is provided to increase the vibrancy and attraction of the Museum Village Markets to tourists and locals in accordance with objective 2 of this Policy. The Museum Village business proprietors will not be required to pay a stall holders fee to the Market permit holder.
 9. The Permit Holder shall ensure the market site is cleared of all refuse when trading has ceased.
 10. Failure to comply with any of the terms and conditions of this Policy may result in withdrawal of the Market Permit and/or refusal to renew or reissue the Market permit.
 11. Any damage to Shire of Esperance infrastructure due to the activity is to be reinstated by the Permit Holder to the satisfaction of Council.

..... Policy Ends



EXT 022: FIRE MANAGEMENT - ROADSIDE BURNING

Document Status:	Current	CM Ref:	D16/29060
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	2
Date Adopted:	September 2007 <u>October 2004</u>	Resolution #:	<u>O1004-0967</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To ensure that roadside burning does not take place without the written consent of ~~Council~~the Shire of Esperance.

Policy

Roadside burning shall not take place without the written consent of ~~the Council~~the Shire.

When examining such applications ~~Council~~Shire will:

1. ~~g~~Grant approval only if the burn is to be supervised by the relevant Bushfire Brigade;
2. ~~O~~Only consider the burn as part of a broader fire management plan;
3. ~~R~~Restrict burning to one side of the road only during any one year;
4. ~~P~~Prefer to see that the burn has ecological advantages to the road verge as well as fire hazard abatement;
5. ~~N~~No firebreaks will be permitted to facilitate the burn unless the roadside vegetation strip is greater than 20 metres wide and then only if in Council's opinion the break is necessary for the protection of the roadside vegetation; and the firebreak complies with the requirements of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;
6. ~~R~~Refer the proposal to the Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions ~~in the assessment of the prior to considering the~~ application; ~~and~~
7. ~~A~~Applicant to advise ~~the Shire Council~~ of actual burning date so that ~~the Council is able to monitor~~ the frequency/heat of burns and therefore estimate the ecological value/disadvantage of burns to individual roadsides can be monitored.

..... Policy Ends



EXT 023: SANITATION AND RECYCLING

Document Status:	Current	TRIM Ref:	D16/29061
Document Controller:	Manager-Council-Enterprises	Version No:	2
Date Adopted:	March 2016	Resolution #:	O0316-008
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

- ~~1. To ensure that guidelines are in place for litter drives.~~
- ~~2. For Council to endeavour to recycle products within the Council wherever possible.~~

Policy

Litter Drives

~~That Council policy on litter drives be:~~

- ~~1. All persons working within road reserves should do so in accordance with the requirements of the Main Roads Western Australia Code of Practice for Roadworks.~~
- ~~2. Collected rubbish placed in tied bags in a heap will be picked up by Council, with the litter drive Coordinator to provide adequate notice to the Executive Manager Engineering Services for the collection of tied bags within two (2) working days after the event.~~

Recycling

~~The Council will endeavour to recycle products within the Council where possible.~~

..... Policy Ends



EXT 024: BUSHFIRE MANAGEMENT

Document Status:	Current	CM Ref:	D16/29062
Document Controller/Responsible Officer:	Manager Community Support	Version No:	3
Date Adopted:	May 201 2 ⁴	Resolution #:	O0514-100 <u>O0512-029</u>
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

1. Fire incident management and the imposing and reviewing harvesting, machinery and vehicle movement bans within the district of the Shire of Esperance.
2. To ensure that Bushfire Control Officers have the necessary experience and training to hold these positions.
3. Management of applications from landowners to vary or to be exempt from standard firebreak requirements.
4. Conditions under which Declared or Proclaimed Plants or refuse of those plants may be burnt during the prohibited burning season.
5. To ensure consultation between the Chief Bushfire Control Officer and the CEO of the Shire of Esperance in relation to the issuing of these permits.
6. To ensure that a mobile firefighting unit is in place when track chaining is in progress.
7. To ensure that a mobile firefighting unit is in place when post-harvest stubble slashing is in progress.

Policy

Division and Management of District for Harvest Bans and Burning Permits

That for the purposes of fire incident management and imposing and reviewing Harvesting, Machinery and Vehicle Movement Bans and the district of the Shire of Esperance be divided into six zones – West Coast Zone, West Zone, North Zone, East Zone, East Coast Zone and Urban Rural Zone and include the following sub-zones:

- West and West Coast Zones be divided into two sub-zones down the Lort River, which provides a natural boundary.
- East and East Coast Zones to be divided into two sub-zones from Mt Ridley, along Bronzewing Road, Kau Rocks Road, Kettles Road and Daniels Road.
- North Zone be divided into two by the Brigade boundaries of Southern Mallee and Salmon Gums.
- Naming of the sub-zones be by numbering 1 and 2 within each existing Zone, using Esperance town as a "hub" and numbering away from town.

Council Policy
EXT 024: Bushfire Management

Each zone is to have a 'senior' control officer referred to as a Senior Bushfire Control Officer. These officers and the Chief Bushfire Control Officer shall also be appointed Fire Weather Officers. It is accepted that the Chief Bushfire Control Officer may also be appointed a Senior in control of a zone.

The Chief Bushfire Control Officer shall have ultimate authority for fire control and imposition and review of Harvesting, Machinery and Vehicle Movement Bans although in relation to harvest bans he must make every effort to liaise and consult with the Senior Control Officers in each zone. Senior Control Officers should make every effort to be available to assist the Chief Bushfire Control Officer with the imposition and review of harvest bans.

Qualifications of Bushfire Control Officers

That a person being nominated and elected to the position of Bushfire Control Officer is required to have practical firefighting experience and to have successfully completed the Fire and Emergency Service Authority Fire Control Officers (FCO) Course within twelve (12) months of being appointed and to undergo subsequent refresher training every 5 years.

Exemption/Variation of Firebreaks

That the Chief Executive Officer in consultation with the relevant bushfire brigade captain be authorised to issue approval for applications from landowners to vary or be exempt from the standard firebreak requirements., ~~provided applications satisfy conditions specified in the annual firebreak notice.~~

Any variation to be considered must reflect the intent of the *Bush Fire Act 1954* with a view to preventing the outbreak, spread or extension of a bushfire.

Burning of Declared and Proclaimed Plants During the Prohibited Burning Season

That Declared or Proclaimed Plant or the refuse of those plants may be burnt during the PROHIBITED BURNING PERIOD so long as the burning is carried out subject to conditions below:

Permit to burn proclaimed plants and refuse thereof

- Subject to sections 24-36 inclusive of the *Bush Fire Regulations 1954* (*Bush Fires Act 1954* as amended)

Permit to burn a declared plant and refuse thereof

- Subject to sections 24 and 36A of the *Bush Fire Regulations 1954* (*Bush Fires Act 1954* as amended)

and the following MINIMUM REQUIREMENTS:

- The area to be burnt does not exceed 40ha and is surrounded by a fire break to a width of not less than 10 metres.
- Provide at least one fire unit minimum 800 litres capacity and 3 people to be constantly in attendance at the burning operations from the time the fire is lit until it is completely extinguished and to assist in keeping the fire under control and prevent it from spreading beyond the land on which the burning operations are conducted.
- The fire shall not be lit except between the hours of four o'clock in the afternoon and ten o'clock in the evening and extinguished by midnight of the same day.

Council Policy
EXT 024: Bushfire Management

- The fire shall not be lit unless and until notice of intention to do so has been given at least four days before commencing the burn to:
 - every occupier of land adjoining the property on which the burn is to take place.
 - the Bush Fire Control Officer for the district.
 - the Department of ~~Conservation and Land Management~~ Biodiversity, Conservation and Attractions (DBCA).
 - an officer or employee of each notifiable authority.
 - the area to be burnt to be inspected by a Fire Control Officer for that area before any permit is issued by the Chief Executive Officer .
 - the Chief Executive Officer after consultation with the inspecting Fire Control Office may impose any other condition as sees fit to prevent the escape of fire

Authority to Issue Clover Burning Permits During Prohibited Burning Period

That the Chief Bushfire Control Officer in consultation with the Chief Executive Officer be the person responsible within the Shire of Esperance for the issuing of clover burning permits during the Prohibited Burning Period.

Track Chaining

That a mobile firefighting unit of not less than 800 litre capacity be situated in the paddock when track chaining is in progress during the Restricted and Prohibited Burning period.

Post-Harvest Stubble Slashing

That post-harvest stubble slashing can only be undertaken during the Restricted and Prohibited Burning Periods under the following conditions:

- A mobile firefighting unit of not less than 800 litres capacity be situated in the paddock whilst stubble slashing is in progress.
- A minimum of 2 x 9 litre fire extinguishers must be carried on all slashers.
- A 2-way radio communications unit must be installed on all vehicles.

There is to be a total ban on stubble slashing between 23 December and 2 January.

Guidelines for Vehicle and Machinery Movement Bans

A Harvesting, Machinery and Vehicle Movement Ban will be put in place when the Fire Danger Index (FDI) reached 32 on the Grass land Fire Danger Meter – McArthur Mark 4.

On days a Very High fire danger or above is forecast by the Bureau of Meteorology, a radio sched will take place at 7am, where weather conditions and a plan for the day will be established by the Senior Fire Control officers across the Shire.

A Harvesting, Machinery and Vehicle Movement Ban will be implemented when the 32FDI is reached. A Ban can be in place across the whole Shire or individual Zones. Lifting the Ban, when weather conditions ease and the FDI falls below 32, can be lifted the same way.

When a Ban is implemented, it will be communicated by text message, updates on the Harvest Ban Hotline, [Facebook](#) [Social Media](#), the Shire Website and ABC Radio.

Council Policy
EXT 024: Bushfire Management

There will be an automatic Harvesting, Machinery and Vehicle Movement Ban in place on Christmas Day and New Year's Day annually.

The following definitions shall apply to the guidelines on the ban if vehicle and machinery movement under Regulation 38A of the *Bush Fires Act 1954*.

Laneway: A laneway is defined as having a constructed, trafficable surface, a minimum of three (3) metres wide, free of all inflammable material. Overhanging vegetation has to be pruned back so as not to come into contact with parts of a vehicle.

Mobile Firefighting Unit: A mobile firefighting unit is defined as a vehicle fitted with a 400 litre tank, an operational firefighting pump and radio communications.

Harvest Ban: A ban on the operation of all grain harvesting vehicles and machines within a Shire or part of a Shire and during a time, as specified in a notice or broadcast (Reg 38A).

Total Vehicle and Machinery Movement Ban: A ban on the movement of all vehicles and machinery within a Shire or part of a Shire and during a time as specified in a notice or broadcast (Reg 38A) with the exception of the movement of vehicles and machinery on made gazetted roads, laneways and yards. The following activities are permitted provided these comply with specified conditions.

Specified Conditions

1. Loading and offloading of grain, fertiliser and feed is only permitted on sites which are approved and registered by Council on an annual basis and which are clear of all inflammable material save live standing trees to a radius of at least 25 metres. A mobile firefighting unit shall be in attendance at all times and accompany the grain carting vehicle when travelling on a laneway between the registered site and a made gazetted road.

(Please note that an owner or occupier of a site may appeal to the Chief Bush Fire Control Officer in cases where approval was not granted or granted subject to additional conditions).
2. Water carting for stock and domestic purposes provided it is accompanied by a mobile firefighting unit, or alternatively, the water carting vehicle acts as the mobile firefighting unit and meets minimum specifications (this also requires the retention of 400 litre of water at all times).
3. All necessary travel within piggeries, sheep or cattle feed lots, provided this is undertaken in a mobile firefighting unit.
4. All necessary carting of livestock provided that such a vehicle is accompanied by a mobile firefighting unit.
5. Activities which received specific exemptions from Council or a Chief Bush Fire Control Officer.
6. All other activities or operations may only be undertaken during Total Vehicle and Machinery Movement Bans after approval has been granted by Council. Approval has to be sought on an individual basis. Approval may be subject to specified conditions. It should be noted that approval may not be granted.

Burning of Blue Gum Plantations

~~A Permit to Burn must be sought by the landowner from a Permit Issuing Officer within the Brigade area prior to the burning of Blue Gum Plantations. A standard condition of this permit~~

Council Policy
EXT 024: Bushfire Management

will include the completion of the Burning Blue Gum Plantation Guidelines – Version 2 April 2014 (Attached at Appendix 2)

REGISTRATION FORM

LOADING AND OFF LOADING SITE

SHIRE OF

Fire Season:

Location Address:	Owner / Occupier Address:
Location Number:	Name:
Nearest Road:	Residential Address:
Locality:	Postal Address:
	Phone No:

Diagram of Location / Site

Minimum specifications for a registered loading/offloading site are an area of at least twenty-five (25) metre radius free of all inflammable material save live standing trees, with a constructed roadway or laneway between the site and a made gazetted road clear of all inflammable material to a width of three (3) metres.

Loading and offloading on this site as well as travel to and from this site is permitted during vehicle movement bans provided that a mobile operational fire fighting unit (as specified in Council's regulations) is in attendance during loading and offloading operations and accompanies the vehicle on laneways between the registered site and a made gazetted road.

(Please note that additional fire safety conditions may be specified.

The above site and laneway meets/does not meet minimum conditions (delete as appropriate).

Inspected by Rank Date:

Council Policy
EXT 024: Bushfire Management

The registration has to be reviewed annually.

Comments or Additional Conditions

.....

.....

Council Policy
EXT 024: Bushfire Management

BURN PRESCRIPTION FOR PLANTATIONS						PAGE 1 OF 2
PERMIT REQUIRED FOR ALL PLANTATION BURNS				BURN AREA (ha): <input style="width: 100px;" type="text"/>		
DATE OBTAINED: <input style="width: 100px;" type="text"/>		PERMIT NUMBER <input style="width: 150px;" type="text"/>				
LANDOWNER <input style="width: 150px;" type="text"/>		BRIGADE <input style="width: 150px;" type="text"/>				
REQUIREMENTS TO BE MET						
MAXIMUM burn area (cell size) 500ha EXTERNAL BUFFER to be minimum 20 metres trafficable MINERAL EARTH break (15-20 km/hr TRAFFICABLE) POWER LINES to have minimum 15 metres of MINERAL EARTH break both sides of centreline Min WATER supply of 20,000 litres with fast fill capabilities ACCESSIBLE by firefighting appliances						
Burn Map (scale 1 : 50,000) WHICH SHOULD INCLUDE THE FOLLOWING <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Area to be burnt <input type="checkbox"/> Buildings </div> <div> <input type="checkbox"/> Access <input type="checkbox"/> Neighbouring Boundaries </div> <div> <input type="checkbox"/> Water Points <input type="checkbox"/> Roads </div> <div> <input type="checkbox"/> Power Lines/Utilities <input type="checkbox"/> Neighbour Buildings </div> <div> <input type="checkbox"/> Hazards </div> </div>						
MAP & PRESCRIPTION DISTRIBUTION: Neighbours, Esp Shire, Surrounding Bush Fire Brigades, Dept of Parks & Wildlife, Dept of Fire & Emergency Services.						
COMPLETED DATE <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/>		LANDOWNER INITIAL <input style="width: 50px;" type="text"/>				
FIRST 100ha OF AREA TO BE BURNT REQUIRES THE FOLLOWING RESOURCES: (min 2 crew per appliance) 2 X fire fighting appliances with a minimum of 2,000 litres water carrying capacity each. (Truck) 1 X Light Tanker with a minimum of 500 litres water carrying capacity. (ute) Minimum 1 x MACHINE capable of assisting with CONTAINMENT if needed, to be ON SITE throughout duration of burn EVERY ADDITIONAL 200 ha THEREAFTER REQUIRES: (min 2 crew per appliance) 1 X Fire fighting appliance with a minimum of 2,000 Litres water carrying capacity 1 X Light Tanker with a minimum of 500 litres water carrying capacity. EXAMPLE: A burn area of 500ha will require 4 x trucks (min of 2,000L ea) 3 x fast attacks (min 500L ea) 1 x machine						
PRE BURN CHECKLIST						
NOTIFICATIONS (1 week prior to the burn & on the day of the burn)						
ADJOINING LANDOWNER/S Name <input style="width: 100px;" type="text"/> Phone <input style="width: 100px;" type="text"/>		Name <input style="width: 100px;" type="text"/> Phone <input style="width: 100px;" type="text"/>		Name <input style="width: 100px;" type="text"/> Phone <input style="width: 100px;" type="text"/>		
ESP SHIRE Phone: 90710666 Fax: 90710600		FCO Phone: <input style="width: 50px;" type="text"/> Fax: <input style="width: 50px;" type="text"/>		BRIGADE Phone: <input style="width: 50px;" type="text"/> Fax: <input style="width: 50px;" type="text"/>		
HORIZON POWER Phone: 90723400 Fax: 90723401		DPAW Phone: 90832100 Fax: 90713657		DFES Phone: 90713393 Fax: 90717304		
COMPLETED DATE <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/>		LANDOWNER INITIAL <input style="width: 50px;" type="text"/>				
TRAFFIC MANAGEMENT (One day prior to commencement of burn) Road signs installed as per Traffic Management Plan <input style="width: 50px;" type="text"/> Consideration given to school bus route <input style="width: 50px;" type="text"/> Consultation with Shire Engineering Branch <input style="width: 50px;" type="text"/> Courtesy call to Esperance Police <input style="width: 50px;" type="text"/>						
PRE DETERMINED SUPPRESSION In the event of an escape fire, is there a contingency plan in place <input style="width: 50px;" type="text"/> Escape route designated <input style="width: 50px;" type="text"/>						
SMOKE ISSUES Businesses / utilities nearby that could be affected by smoke have been informed ie airports, schools etc <input style="width: 50px;" type="text"/>						
COMMUNICATIONS PLAN All resources at the burn are working on a designated radio channel <input style="width: 50px;" type="text"/> FCO and Brigade know the communication channel <input style="width: 50px;" type="text"/>						
COMPLETED DATE <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/> / <input style="width: 50px;" type="text"/>		LANDOWNER INITIAL <input style="width: 50px;" type="text"/>				
WEATHER FORECAST BOM 4 day forecast <input style="width: 50px;" type="text"/> 4 day outlook with an FDI up to HIGH with light to moderate WINDS forecast.						
DAY OF THE BURN CHECK Forecast max wind speed: <input style="width: 50px;" type="text"/> km/h Forecast wind direction: AM <input style="width: 50px;" type="text"/> PM <input style="width: 50px;" type="text"/> Max Temp Forecast <input style="width: 50px;" type="text"/> c						
ACTUALS		WIND SPEED <input style="width: 50px;" type="text"/>		WIND DIRECTION <input style="width: 50px;" type="text"/>		
				MAX TEMP <input style="width: 50px;" type="text"/>		

Council Policy
EXT 024: Bushfire Management

BASIC SIGN LAYOUT	
<div style="text-align: center; margin-bottom: 10px;"><div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">200M</div><div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">200M</div><div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">200M</div></div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"><div style="text-align: center;">A</div><div style="text-align: center;">B</div><div style="text-align: center;">C</div></div>	<div style="text-align: center; margin-bottom: 10px;">A</div> <div style="text-align: center; margin-bottom: 10px;">B</div> <div style="text-align: center;">C</div>

Council Policy
EXT 024: Bushfire Management

..... Policy Ends



EXT 025: ~~ESPERANCE SEAFRONT CARAVAN PARK~~

PRICING

Document Status:	Current	TRIM Ref:	D17/20730
Document Controller:	Manager Community and Economic Development	Version No:	1
Date Adopted:	July 2017	Resolution #:	O0717-169
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

This policy provides direction for use of the 'range' pricing as specified within the Shire of Esperance Annual Schedule of Fees and Charges for accommodation offerings at the Esperance Seafront Caravan Park.

Policy

The potential to offer small discounts on accommodation pricing recognises the importance of finding ways of attracting visitors to Esperance outside of the peak seasons and keeping them in town for additional days.

Tourism in Esperance is exceptionally seasonal. The range pricing is designed to provide flexibility:

- During off-peak periods (periods of the year when occupancy rates are expected to be below 50%); and
- With group bookings and promotional activities that benefit the park.

Historical data is to be utilised to identify 'off-peak' periods and discounted pricing is only to be continued until 50% occupancy is achieved. It is recognised that different styles of accommodation may have different periods in which it is appropriate to offer discounted pricing.

It is important to note that 'discounted pricing' is considered to be any price below the maximum identified within the 'range'.

Any discounts applied for groups or promotional activities will give regard to the number of sites being booked in a single block, the level of occupancy already booked/expected for that period and the longer term benefits expected (repeat visits, value of promotional activity etc).

..... Policy Ends



EXT EXE 0265: SPORTING ASSOCIATION GROUND FEES

Document Status:	Current	CM Ref:	D17/20732
Responsible Officer/Document Controller:	Manager Community and Economic Development	Version No:	1
Date Adopted:	July 2017	Resolution #:	O0717-169
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

This policy provides the methodology for utilising the Sporting Association Ground Fees "Charge per Unit" as specified within the Annual Shire of Esperance Schedule of Fees and Charges.

Policy

This policy applies to seasonal users of Shire of Esperance sporting grounds. Council will set a 'unit' charge for the seasonal use of Shire of Esperance sporting fields. Seasonal sporting association fees will be calculated based on the following formula:

Number of Grounds x Field Size x Length of Season x Impact x Junior Discount = No. of units.

The number of units is then multiplied by the "charge per unit" to determine the total owing by each seasonal user.

Notes:

Field size is determined per 5000m² (approximately). All football/cricket ovals are rated as being 20,000m².

Season Length is measured either as ½ year or full year.

Impact of each sport on the grounds is measured as either high or low.

The *Junior Discount* (at a rate of 75%) is only applied in instances where there is no senior competition with regards to that particular sport.

Allowance is for 1 day of competition or club day per sport per field. No charge for training however competition/club days have priority. Additional days attract an additional charge, although discretion is available where a full day's activity is split across two days without impacting on other sports and/or resulting in a lower impact on the sporting grounds.

Sports will not have their fee increase by more than \$300 or 10% (whichever is greater) in a single year (unless they add an additional ground or day to their previous booking).

..... Policy Ends



EXT 027: MUSEUM COLLECTION

Document Status:	Current	CM Ref:	D17/25901
Responsible OfficerDocument Controller:	Manager Community Support	Version No:	1
Date Adopted:	September 2017	Resolution #:	O0917-214
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

To provide a clear and consistent framework for the acquisition, management and development of the Shire of Esperance Museum Collection. The purpose of the Collection is to create a set of physical and digital resources relating to the Esperance region that can be used to:

- enrich knowledge, understanding and experience of the history of the Esperance Region;
- interpret the history and development of the region;
- conserve historical resources for the benefit of the community and future generations;
- provide a historical education and research facility for the community.

Policy

All Collection activities will follow best practice principles of museum collection acquisition and management and adhere to the following core principles;

1. Council is committed to establishing sustainable partnerships with community groups and organisations to communicate the rich social, cultural and natural history of the Esperance region.
2. Council accepts that it has a responsibility to provide for the long-term care and preservation of the Museum Collection and assets that document or portray the social, cultural and natural history of the Esperance region.
3. Council will facilitate the strategic role of the Museum as a catalyst for cultural development by directing funding for the management and storage of the Museum Collection subject to financial and physical constraints.
4. The Museum will only acquire Indigenous cultural items of significance to the region in circumstances where the item has provenance and in consultation with the local Indigenous Community.
5. Council will exercise due diligence to establish the valid ownership of an item. No item will be acquired, whether by purchase, donation, loan, bequest or exchange, unless Council is satisfied that a valid title of ownership is held.
6. To be considered for acquisition by purchase or donation an item must be of a quality and condition that is relevant to this policy.
7. No items should be acquired with conditions or restrictions on how they may be used or displayed in the future.

Council Policy
EXT 027: Museum Collection

8. No item shall be acquired from significant heritage sites and buildings where acquisition and removal would diminish the significance of the place, except in circumstances where the item is at risk.
9. Items will only be acquired when the Museum can provide appropriate resources and storage to ensure their safety.
10. Council will maintain appropriate insurance on both the Museum building and contents.

Acquisition Principles

The Museum collects items that are relevant to the Esperance region, with an emphasis on items that hold provenance and significance to the region and related to people closely associated with the area at key periods in history. Items having provenance and significance to the Esperance region are considered for acquisition from pre-European settlement to present day within a historic and thematic scope.

Acquisition is dependent on the availability of supporting documentation or other evidence of the provenance and significance of the item.

In some exceptional cases items may be acquired without provenance or significance to the Esperance region if the item was typically used in the region or if the item interprets the history of the region.

Accessioning is the formal process of documenting an item into the Collection.

Assessment of Significance

The assessment of significance is the process of researching and understanding the meaning and value of items and collections. Items will be assessed to determine their significance before being accepted into the Collection.

Four primary criteria and four comparative criteria are used to assess significance. The primary criteria are historic, aesthetic, scientific/research potential and social/spiritual. The comparative criteria evaluate the degree of significance and these are provenance, representativeness or rarity, condition or intactness and interpretative potential.

The assessment of significance can also be used to help decide whether an item should be deaccessioned from the Collection.

Deaccessioning

Deaccessioning is the formal process of removal of an item from the Collection. Deaccessioning of any item is not lightly undertaken and is carefully considered before actioning.

Possible reasons for deaccessioning items include:-

1. The item is damaged beyond repair or requiring conservation disproportionate to its significance;
2. Repatriation of cultural material to an Indigenous community with proof of a valid claim;
3. The item is deemed to represent an occupational health and safety risk;
4. The item no longer relates to the acquisition principles;
5. Duplication in the collection;
6. Appropriate storage space no longer being available; and
7. Theft or loss.

Council Policy
EXT 027: Museum Collection

Where possible the original donors or donor descendants will always be notified that their item has been identified for deaccessioning with a view to returning the items or negotiating a mutually agreeable alternative.

Method of Disposal

The methods of disposal in order of desirability are:

1. Return to the donor or donor descendants.
2. Transfer or exchange to another appropriate organisation.
3. Sale with proceeds retained by the Museum.
4. Destroy or recycle.

Shire of Esperance staff, volunteers or elected members may not purchase, or otherwise obtain, deaccessioned items outside of formal processes. An exception would be if the staff member, volunteer or elected member originally donated the item.

Loan Principles

No items will be accepted on indefinite or long term loan. Loans in or out may only be arranged for fixed periods and for specific purposes.

Loans will be accepted/permitted for a period of up to twelve months for the purposes of exhibition or research to /from appropriate institutions, or as determined by the Chief Executive Officer.

Loans will be accepted or made on a case-by-case basis, ensuring all loans are returned by the date indicated on the loan documentation.

With the agreement of both parties loans can be re-negotiated prior to the return date.

The Museum reserves the right to request the return of the item if the need arises.

Ethics

The Esperance Museum will only acquire items having a legal and ethical provenance and in accordance with State and Federal law and international agreements between Australia and other countries.

The collection of items will always be conducted in accordance with the standards of the Code of Ethics of Museums Australia Inc. [or its subsequent review](#) and National Standards for Australian Museums and Galleries.

Definitions:

Accession:	refers to the process of documenting an item for inclusion in a museum collection.
Acquisition:	refers to the process of obtaining legal possession of an item for accessioning into a collection. Acquisitions can be by donation, purchase and bequest.
Collection:	includes physical objects and archives. Archive material includes items such as photographs, documents, audio files, digital files artworks, published items, community organisation records.
Deaccessioning:	refers to the process of removing an item from a museum collection and the recording of the disposal of this item from a collection.

Council Policy
EXT 027: Museum Collection

- Item:** can be a physical object or archive material.
- Ownership:** refers to an item or collection where a clear legal title, without restrictions or conditions, has been established. The Esperance Museum seeks to obtain clear legal title for all items acquired for its collections.
- Provenance:** The origin and/or subsequent history of the material can be thoroughly documented and authenticated. Assessment of museum collection material includes documentation of its known chain of ownership.
- Significance:** refers to the historic, aesthetic, scientific and social values that an item or collection has for past, present and future generations.

..... Policy Ends



EXT 028: STREET ENTERTAINERS AND BUSKING

Document Status:	Current	CM Ref:	D18/373
Responsible Officer/Document Controller:	Manager Development and Statutory Services	Version No:	1
Date Adopted:	January 2018	Resolution #:	O0118-013
Date Reviewed:	April 2018	Resolution #:	O0418-075

Objective

1. To ensure that the Shire of Esperance is active, energising and attracts people;
2. To encourage activities that contribute life to Esperance and opportunities for alternative voices to be heard through public performance; and,
3. To provide an equitable system of use for popular busking sites.

Scope

- Applies to all reserves/land that is owned by or vested to the Shire of Esperance;
- Does not apply to public and private events or to markets;
- Does not include the staging of events; and,
- Does not apply within areas subject to a lease area.

Definitions

Busker – An entertainer who provides impromptu performances for the public by playing a musical instrument, dancing, singing, clowning or juggling, or doing other acts of similar nature in public places.

Performance – Musical, dramatic or other entertainment substantially involving musical, theatrical, or circus performance skills.

Dangerous materials and implements – Materials and implements that pose risk, hazard or uncertain outcomes for people including flammable materials and chemicals, fire, fireworks, smoke, flares, heated elements, or anything giving off a level of heat or toxicity that poses a threat of harm or damage to members of the public and public property. Dangerous implements include knives, spears, swords, spikes, and sharp implements of any kind that pose a threat of harm to the general public.

Policy

The Shire of Esperance recognises that:

- Buskers make an important contribution to the cultural life of an area by reflecting styles, values and the issues of society at large;
- Buskers provide entertainment and thought provoking experiences to residents, visitors and members of the general public;

Council Policy
EXT 028: Street Entertainers and Busking

- Busking is a valid means for people to make a living; and
- Busking should not unduly interfere with pedestrian traffic, the conduct of business, or contribution to a lack of safety.

Proponents of applicable street entertaining and busking are to apply for consent.

Applications will be considered on their individual merits.

All approvals will be valid for a maximum of one (1) month. A longer period can be considered depending on the circumstances of the case.

General Criteria:

Consideration for street entertaining and/or busking activities and allocation of sites will need to address the following:

1. Compliance with the reserve's purpose;
2. Compliance with statutory planning requirements, i.e. development controls, Local Planning Scheme objectives and amenity issues;
3. The reserve must be managed by the Shire of Esperance. If its management is the responsibility of another Authority appropriate written permission must be submitted with any application;
4. Compliance with the provision of any relevant Shire Local Law;
5. Approval from Minister for Lands if applicable; and,
6. Obtain public liability risk insurance in an amount and on terms reasonably required by the local government.

Conditions:

In relation to street entertaining and/or busking in all permitted areas within the Shire of Esperance:

1. Entertainers must hold their permit at all times and present to Shire officers upon request;
2. Entertainers must not unreasonably interfere with pedestrian flow or public amenities or cause obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference;
3. Entertainers may receive a monetary appreciation from the audience for their performance but may not solicit funds in a way which is likely to cause a discomfort to any individual;
4. Entertainers must keep the site in use clean while they are working and ensure that their use of the site does not pose a threat to public safety;
5. Entertainers may only use amplification that is battery operated. Mains voltage amplification is prohibited. Excessive amplification will not be tolerated. Loud acts may be asked to lower their volume or cease busking. The Shire reserves the right to impose a decibel limit on amplified sound in appropriate circumstances;
6. Entertainers may not offer goods or services for sale, display, demonstrate or advertise goods for sale or associate themselves with such advertising in conjunction with their performance;

Council Policy
EXT 028: Street Entertainers and Busking

7. Authorised Officers may at any time direct a busker to cease busking if the officer is of the opinion that the performance is loud, intrusive, is causing public inconvenience, or is likely to cause harm to the public or property. The entertainer must immediately comply with such a direction.
8. Entertainers must comply with all directions issued by Authorised Officers, members of the WA Police Force, Ambulance, Fire and Emergency Services.
9. The Shire may revoke or modify permits if the permit holder fails to comply with the requirements and conditions of approval.
10. Busking permits may be revoked or modified in any circumstance where persons:
 - a) Are deemed by an authorised officer to be causing a nuisance;
 - b) Do not keep their site safe and clean while working;
 - c) Cause obstruction to pedestrians or vehicular traffic and entrances to shops or buildings;
 - d) Interfere in any way with an approved entertainment or activity without permission;
 - e) Sell or offer for sale any articles or commodity;
 - f) Use dangerous implements or material as part of a performance without a special busking permit to do so;
 - g) Authorised officers reserve the right to prohibit use of a restricted area, designated site or such area as may be specified while road works are in progress, or while a special event is in progress. It is possible that restrictions on busking may be imposed during such occasions as New Years' Eve, Australia Day, Anzac Day or other events; and,
 - h) The use of designated sites for busking activities will be monitored by the Shires Authorised Officers.

Council Policy
EXT 028: Street Entertainers and Busking

Special Notes:

SCHEDULE "A" MINIMUM REQUIREMENTS FOR PERFORMERS

Type of Performer	Fire Blanket & Extinguisher	Noise Management	Insurance
Solo Musicians & Musical Groups	N/A	Yes	Recommended
Circus Acts, i.e. acrobats, cyclists and & jugglers	N/A	Yes	Required
Fire Acts	Yes	Yes	Required
Statue & Mime Artists	N/A	N/A	Recommended
Balloon Artists and & Face Painters	N/A	N/A	Recommended

Code of Practice

A performance, with the exception of pavement or visual artists, can continue in one location for no more than 60 minutes. After performing in one location, the performer or busker:

- Must move at least 50m from that location; and,
- Cannot return to, or within 50m of, that location within 2 hours.

A performer or busker who is performing pavement or visual art:

- Must use chalk;
- Cannot use spray paint unless it has been approved for a specific event by the Shire of Esperance; and,
- Must return the location, including the pavement surface, to its former condition unless otherwise approved.

A performance must not involve:

- Anything that is offensive or obscene, the commission of a nuisance; or
- Any activity or act, which endangers the safety of the public or an animal, or damage to public property.

Use of dangerous materials & implements in Busking and Street Entertainment:

The Shire of Esperance recognises that many buskers and street entertainers operating in the Shire use materials and implements in their practices that may reasonably be viewed as dangerous. However, the Shire of Esperance also acknowledges that, in the hands of skilled and experienced performers, the use of fire and potentially dangerous implements such as knives and swords, in circus or juggling acts, lends an appealing theatrical element that is popular with the viewing public.

The purpose of this Code of Practice, is to ensure that the use of dangerous materials and implements is restricted to performers who have highly developed skills and experience in their use, and who are acutely aware of the need to ensure the safety of the public as well as their own safety when using them, as well as having their own public liability.

Council Policy
EXT 028: Street Entertainers and Busking

Special permits:

Performers using dangerous materials and implements must hold a current Special Permit to use these items in their acts. All general conditions applying to busking and street entertainment in Esperance apply to the holding of a Special Permit.

Application for these permits will only be considered when the application is accompanied by public liability insurance.

Performers holding Special Permits must display them at all times in a prominent position while performing their acts using dangerous materials and implements. Performers must have a safety management plan.

Conditions for Special Permits:

- a) Performers holding a Special Permit, when using dangerous materials or implements in their acts, must adhere to the following conditions in the interests of public safety, and their own. The performer must, at all times:
 - b) Ensure the health and safety of the audience witnessing the performance.
 - c) Ensure that public and private property is not damaged in the course of the performance.
 - d) Define the performance space to be used, by establishing a physical boundary of at least 2 metres between herself/himself and the audience utilising one of the following options:
 - ~~R~~opes or chains; and/or
 - Chalk line (if the surface to be drawn on is not of a porous material such as granite or sandstone, and if the line drawn is water-soluble and removed once the busker has completed the act).
 - e) Include a "Work Cover" approved Fire Blanket/water based extinguisher in their performance kit that is kept visible and accessible throughout the performance.
 - f) In the case of the use of flammable liquids, fuels are limited to kerosene, firewater or scented lamp oils (e.g. citronella) only. No other fuels will be permitted.
 - g) Store and transport any flammable liquids permitted under the Code of Practice in accordance with Section 7 of the Australian Dangerous Goods Code, which states:
 - h) "Only portable plastic containers of no greater than a 5 litre capacity can be used"
 - i) Containers conspicuously marked with the words "HIGHLY FLAMMABLE", in capital letters on both sides of the container of Class 3 flammable liquids, and the name of the liquid in the container, e.g. Kerosene etc.
 - j) Use a container as a drip tray for flares or torches, or preferably use a pre-soaking method for the flares or torches. Shire of Esperance will not tolerate drip stains on ground surfaces that are not immediately removed or able to be removed by the busker using the site after the act has been completed.
 - k) If using dangerous implements in a performance, as defined under the State Act covering prohibited weapons, all edges of metal implements must be blunted and rendered non-dangerous (the use of any mechanical devices is not permitted). An implement would be determined as blunt if it were rendered incapable of piercing human skin if thrown, or if pressure were directly applied to the edge against human skin.

Council Policy
EXT 028: Street Entertainers and Busking

- l) Performers must have their own public liability and are encouraged to have personal accident insurance.

Restrictions on special permits:

All conditions applying to buskers and street entertainers in Esperance, apply to holders of Special Permits.

Special Permits are only issued to individual buskers, not groups. That is, each busker in a group must hold a current Special Permit, if they are to use these items.

Process for obtaining a special permit

Special Permits may be applied for from the Shire of Esperance [External Services vents Management Department](#) located at Windich Street, Esperance WA 6450.

..... Policy Ends



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Executive Management Summary

May 2020

Corporate Resources

Outcome: 16.1 A financially sustainable and supportive organisation achieving operational excellence

Strategy: 16.1.1 Provide responsible resource and planning management for now and the future

ACTION

16.1.1.6 Manage Corporate Resources

Director Corporate Resources

Strategic Plan adopted by Council with minor changes. Changes being made before including on website as the revised plan.
Draft budget being developed during the month with proposed workshops with Council during late June.
Decision to change corporate reporting software with change over to happen during July.
Draft Fees and Charges adopted by Council for next year to be included within the 2020/21 budget.
Records working through a number of old records and maps as well as digitising old building licenses
HR commencing the rollout of annual performance reviews for all staff.

Last Updated 03/06/2020

Asset Management**Outcome:** 16.1 A financially sustainable and supportive organisation achieving operational excellence**Strategy:** 16.1.1 Provide responsible resource and planning management for now and the future**ACTION****16.1.1.1 Manage Asset Management Directorate****Director Asset Management**

The teams are progressing budget preparations and proposals for the new financial year, which will be presented to Council in the next month. Most projects are progressing along well.

Last Updated 04/06/2020

External Services**Outcome:** 16.1 A financially sustainable and supportive organisation achieving operational excellence**Strategy:** 16.1.1 Provide responsible resource and planning management for now and the future**ACTION****16.1.1.9 Manage External Services Directorate****Director External Services****Last Updated** 09/06/2020
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Council Priorities - Executive Summary July 2019 to June 2020

Chief Executive Officer

Outcome: 15.1 Community confidence and trust in Council

Strategy: 15.1.1 Provide transparent and accountable leadership

ACTION

15.1.1.1 Represent and communicate community priorities at Federal, State, Regional and Local level

Chief Executive Officer

Due to COVID-19 restrictions there has been little to no opportunity to pursue this strategy during May.

Last Updated 08/06/2020

15.1.1.2 Facilitate regular public Council meetings

Chief Executive Officer

Due to Covid19 restriction only the following briefings were given to Council:

Community Grants Program - Applications

Salmon Gum Hall

Proposed Norseman Road/Esplanade Road upgrades

Jetty Headland Kiosks

Procurement Policy Review

Last Updated 08/06/2020

15.1.1.5 Provide Leadership and Direction to Implement the Corporate Business Plan

Chief Executive Officer

Held regular meetings with IMT, State Agencies and other Stakeholders regarding Covid-19 response and recovery. Weekly emails to Staff on Covid-19 updates and developments. Visited several outstations and ensure welfare checks made to staff.

Last Updated 08/06/2020

Outcome: 16.1 A financially sustainable and supportive organisation achieving operational excellence

Strategy: 16.1.1 Provide responsible resource and planning management for now and the future

ACTION

16.1.1.3 Advocate for improved access to non-local government services

Chief Executive Officer

Due to COVID-19 restrictions there has been little to no opportunity to pursue this strategy during May.

Last Updated 08/06/2020

Council Priorities - Executive Summary July 2019 to June 2020

Chief Executive Officer**Outcome:** 16.1 A financially sustainable and supportive organisation achieving operational excellence**Strategy:** 16.1.1 Provide responsible resource and planning management for now and the future**ACTION****Outcome:** 16.2 An organisational and community culture that encourages innovation and embraces change**Strategy:** 16.2.1 Proactively lead the community through innovation and change**ACTION****16.2.1.1 Facilitate Councillors requirements to represent the community****Chief Executive Officer**

Due to COVID-19 restrictions there has been little to no opportunity to pursue this strategy during May.

Last Updated 08/06/2020



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Council Priorities Summary

May 2020

Asset Management

Outcome: 5.1 Services, infrastructure and public places that meet and adapt to community needs and changing priorities

Strategy: 5.1.1 Ensure services, infrastructure and public places are aligned to community needs now and in the future

ACTION

5.1.1.6 Construction of New Indoor Sports Stadium Redevelopment

Administration Officer Asset Management

Construct New Indoor Sports Stadium -

May 2020 - Project moving forward - Completion date revised for 1 July 2020 - Watercorp have begin boring, Display cabinets installation, Kitchen fit-out, Amenities Plumbing in progress

Redevelopment of the Noel White Pavilion -

May 2020 - Asbestos Removal was successfully completed, removal of ACM commenced, Fabrication of remedial columns is ongoing.

Last Updated 05/06/2020

Outcome: 5.2 Active, attractive and affordable town which the community is proud of

Strategy: 5.2.1 Create a vibrant, modern and safe built environment that reflects the community's identity

ACTION

5.2.1.1 Construct Esperance Waterfront Stage 3 – Tanker Jetty Replacement

Director Asset Management

Replacement Jetty have started on site works with the first pile in the project being driven on the 22 nd April, the two sets of land based piles are now complete, raked piling into the sea will commence next month.

Deconstruction of the Tanker Jetty is nearing completion.

Last Updated 05/06/2020

5.2.1.3 Implementation of Town Centre Streetscaping

Manager Parks & Environment

The shire recently endorsed the terms of reference for a Streetscape Advisory Committee , expressions of interest are currently open for community representation on the committee.

Last Updated 05/06/2020

Outcome: 7.1 Sustainable, high quality assets which meet the needs of the community

Strategy: 7.1.1 Maintain the Shire's robust asset management practices and maintenance programs

Asset Management

Outcome: 7.1 Sustainable, high quality assets which meet the needs of the community

Strategy: 7.1.1 Maintain the Shire's robust asset management practices and maintenance programs

ACTION

7.1.1.6 Manage Tanker Jetty

Administration Officer Asset Management

May 20 - Replacement - Maritime Constructions have begun Piling works. Successfully piled piles 1 through to 3

Last Updated 08/06/2020

Outcome: 9.2 A community that works together as custodians of a pristine environment

Strategy: 9.2.1 Maintain and improve condition of natural assets and reserves sustainably, taking into consideration recreational, environmental, cultural and economic values

ACTION

9.2.1.4 Implement Dempster Head Management Plan

Manager Parks & Environment

Signage has been delivered from local sign contractor. Trail markers will be installed shortly to identify the official walk trail network.

Rabbit control - Oat trails have started and calici virus has been released at Dempster Head, as per recommendations in the management plan. Environmental Officers are monitoring the area following the release.

Successful grant through Federal Government's Communities Environment Program (CEP) for works at Dempster Head, \$20,000. Works associated with this grant will commence in the next few months.

Last Updated 08/06/2020

9.2.1.5 Coordinate Pink Lake Feasibility Study

Manager Parks & Environment

The Shire is expecting to be briefed on the draft outcomes of the feasibility report in the next few months.

Last Updated 08/06/2020

Outcome: 11.1 Be innovative in effectively using and protecting our water resources

Strategy: 11.1.1 Develop and implement water reuse programs and infrastructure to optimise the efficient use and reuse of our water resources

Asset Management**Outcome:** 11.1 Be innovative in effectively using and protecting our water resources**Strategy:** 11.1.1 Develop and implement water reuse programs and infrastructure to optimise the efficient use and reuse of our water resources**ACTION****11.1.1.1 Coordinate implementation schedule for Eastern Suburbs Water Re-use Scheme Master****Director Asset Management****Plan**

The Eastern Suburbs Water Supply Scheme mainline upgrade is progressing steadily , currently working down Norseman Road with around 80% complete.

Last Updated 04/06/2020

Council Priorities - Executive Summary July 2019 to June 2020

External Services

Outcome: 2.1 Everyone has access to quality health facilities and educational opportunities

Strategy: 2.1.1 Facilitate improved access to health and welfare programs and education opportunities in the community

ACTION

2.1.1.4 Develop Public Health Plan

Manager Development & Statutory Services

Work has recommenced with the Shire's Public Health Plan in the form of data analysis of the recently completed surveys. This work is being prioritised as time allows with the health teams COVID-19 response and work demands.

Last Updated 07/05/2020

Outcome: 5.1 Services, infrastructure and public places that meet and adapt to community needs and changing priorities

Strategy: 5.1.1 Ensure services, infrastructure and public places are aligned to community needs now and in the future

ACTION

5.1.1.3 Manage the Wylie Bay Landfill Closure Plan

Manager Council Enterprises

Staff are working towards constructing a portion of the perimeter track for Phase 2 to allow safe access to the landfilling area.

DWER have contacted the Shire with regard to whether we will be seeking an extension to the Wylie Bay Landfill closure date of 31 December 2022 due to the abandonment of Lot 12 Kirwan Road. No formal response has been provided to date.

Last Updated 03/06/2020

5.1.1.4 Plan for & Construct New Landfill Site

Manager Council Enterprises

GHD Pty Ltd are the successful consultant for the Site Selection Criteria study. It is intended that Council will be heavily involved in the process of defining the criteria.

Last Updated 03/06/2020

Outcome: 6.2 Public transport systems that meet the needs of the community

Strategy: 6.2.1 Work with public transport providers to ensure Esperance is connected and accessible

ACTION

External Services

Outcome: 6.2 Public transport systems that meet the needs of the community

Strategy: 6.2.1 Work with public transport providers to ensure Esperance is connected and accessible

ACTION

6.2.1.2 Review the Airport Masterplan

Manager Council Enterprises

A contract was awarded to Aviation Projects (Keith Tonkin) to update the Airport Masterplan. Mr Tonkin was organised to brief Council on 21st April 2020 to consult with Council regarding any future direction you are seeking with the Airport, however due to the travel restrictions, including the 'hard' border installed for WA this will be put on hold.

It is now intended to commence community consultation and Council consultation via video & phone calls.

Last Updated 03/06/2020

Outcome: 10.1 A community that is empowered and motivated to minimise waste

Strategy: 10.1.1 Targeted reduction of waste with an emphasis on resource recovery and waste minimisation

ACTION

10.1.1.2 Investigate Food Organics & Garden Organics Processing

Manager Council Enterprises

Staff presented to Council during a Briefing Session on Tuesday 21st April 2020. it is understood that Council want the FOGO planning to be a lower priority so no further work will be undertaken until direction is given from Council.

Last Updated 01/05/2020

Outcome: 10.3 A community that actively avoids single use products

Strategy: 10.3.1 Build capacity and raise awareness of individual responsibility to minimise packaging waste

ACTION

10.3.1.1 Implement the Community Waste Strategy

Manager Council Enterprises

Due to COVID-19 the actions within the Waste Strategy have not progressed in the last month

Last Updated 03/06/2020

Outcome: 12.1 Esperance is seen as a destination of choice to live, work, invest and visit

External Services

Outcome: 12.1 Esperance is seen as a destination of choice to live, work, invest and visit

Strategy: 12.1.1 Leverage our environmental, built, cultural and social assets in the promotion of Esperance

ACTION

12.1.1.2 Develop Master Plan for the James Street Cultural Precinct

Manager Community & Economic Development

A consortium of Place Laboratory and Pracsys were the successful consultants to undertake this project. Initial meetings have occurred and the project has commenced.

Last Updated 05/06/2020

Outcome: 12.2 Support our businesses to grow, adapt and assist in building capacity

Strategy: 12.2.1 Develop partnerships to actively support economic growth

ACTION

12.2.1.1 Develop Tourism Strategy

Manager Community & Economic Development

The engagement phase of this project has been undertaken exclusively via telephone and video conferencing due to Covid. Information from this is currently being collated.

Last Updated 05/06/2020

Outcome: 12.3 Esperance is a vibrant and welcoming tourism town

Strategy: 12.3.1 Promote awareness in Esperance on the value of tourism

ACTION

12.3.1.1 Manage the Esperance Visitor Centre

Manager Community & Economic Development

The Visitor Centre operated on limited opening hours throughout May. Initially this was purely to assist locals requiring TransWA bus tickets and National Parks passes, with additional services required towards the end of the month as border restrictions were loosened. Bookings have started to pick up in the last couple of weeks however the centre continues to be significantly quieter than normal.

Last Updated 05/06/2020

Executive Services

Outcome: 12.3 Esperance is a vibrant and welcoming tourism town

Strategy: 12.3.1 Promote awareness in Esperance on the value of tourism

ACTION

12.3.1.2 Promote Esperance as a Tourism Destination

Manager Marketing & Communications

Continual improvement of the Visit Esperance website - Last month with the COVID-19 pandemic we were not encouraging tourists to visit Esperance, rather we created and pushed The Holiday at Home campaign - in partnership with the City of Kalgoorlie Boulder. We kept people up to date regarding when borders were open. We continue to update all sections of the Visit Esperance to discourage beach camping and bush camping within the district during these unprecedented times - in order to keep all safe and help slow the spread of the virus. Camp sites were open during the month. The Visit Esperance What's On Calendar is still being redeployed to help out local businesses communicate to potential customers their services and opening hours/delivery times. We have been working with Visitor Staff to create and develop the Retail section of the Visit Esperance website . For displaced travellers stuck in Esperance we have worked closely with the Shire IMT Committee to ensure these travellers have a safe and secure place to stay to ride out the pandemic – they have now been moved to the YHA and once borders were open many of the travellers have moved on . The YHA decision was well received by the community and travellers.

Last Updated 08/06/2020



we make it
happen

Annual Road Program Monthly Report

May 2020

Council Priorities - Executive Summary July 2019 to June 2020

Asset Management

Outcome: 6.1 Road networks that meet the needs of our community and provide safe movement for all users

Strategy: 6.1.1 Deliver a diverse, efficient and safe transport system

ACTION	Status	Progress	Last Update
6.1.1.2 Renew, upgrade and build new rural infrastructure	Manager Asset Operations		
Dunn Rocks Road - Merivale Road to Lime Road	In Progress	95	6/05/2020
Quast Road - Burnside Road 3km west	Not Started	0	11/10/2019
Holt Road - Hwy to Burnside Rd	Not Started	0	11/10/2019
Merivale Road - Stone Henge	In Progress	5	9/04/2020
Fisheries Road - Shao - Lu Road and Tagon Road	Completed	100	10/03/2020
Eleven Mile Beach Road - East of Helms Drive	In Progress	10	8/06/2020
Various road grids	In Progress	3	9/04/2020
River Road - Gravel resheet west of Clare	In Progress	40	8/06/2020
River Road - Between Cascades and Oldfield Road	In Progress	20	8/06/2020
Styles Road - Logans Road to Kents Road	Not Started	0	11/10/2019
Alexander Road - End of farm land to Camping area	In Progress	5	8/06/2020
Richardson Street - From Townsend St 280m south	Not Started	0	11/10/2019
Grass Patch Road - Williams to Belgian Rd	In Progress	60	8/06/2020
Muntz Road from the end of formation approx 5km south	In Progress	95	8/06/2020
Dunn Street (Salmon Gums) - From Salmon Gums West to Moore St	Not Started	0	11/10/2019
Plunkett Road - 3km north of Logans Rd	Not Started	0	11/10/2019
Logan Road - Guest Road to Styles Road	Not Started	0	11/10/2019
Eldred Road (East) - Between Davies Road and Hobby Road	Not Started	0	11/10/2019
Parmango Road - end of reconstruction to Beaumont Rd	In Progress	85	8/06/2020

Council Priorities - Executive Summary July 2019 to June 2020

Asset Management**Outcome:** 6.1 Road networks that meet the needs of our community and provide safe movement for all users**Strategy:** 6.1.1 Deliver a diverse, efficient and safe transport system

ACTION	Status	Progress	Last Update
Howick Road - Henke to Muntz Road	In Progress	90	8/06/2020
Meyer Road Between Kettles and Howick Road	In Progress	95	8/06/2020
Belgian Road - Rolland and Grass Patch Rd	In Progress	40	8/06/2020
Belgian Road - Bishop Rd to Loffler	In Progress	40	8/06/2020
Circle Valley Road - Resheet 3km west of Davis Rd	Not Started	0	11/10/2019
Karl Berg Road - 3.5km north Heyward Rd	In Progress	95	8/06/2020
Fisheries Road - Goldfields to Merivale Road	In Progress	15	8/06/2020
Dempster Road - Approx 2.8 km south of Ridley Rd (form & sheet)	In Progress	7	8/06/2020
Truslove Road - Cox rd to turner rd	Not Started	0	11/10/2019
Various Tourist Signage	In Progress	75	6/05/2020
Gibson Dalyup Road - East of Hockeys Rd	Completed	100	8/06/2020
Keenan Road - North of Eleven Mile Beach Rd	In Progress	15	8/06/2020
Fleming Grove Road - Yates to Dempster Road	Completed	100	10/03/2020
Springdale Road - South Coast Hwy Intersection	In Progress	7	6/05/2020
Styles Road - Kents Road to Ridley Road	Not Started	0	11/10/2019
Ridley Road - Between Tom Eucalypt Rd and Dempster Rd	Not Started	0	11/10/2019
Dempster Road - Section south of Norwood Road	In Progress	7	8/06/2020
Lewis Street - Between Hwy and Rodgers st	Not Started	0	11/10/2019
Various Culverts	In Progress	85	6/05/2020
Merivale Road - Dunn Rock Road to Daniels Road	Completed	100	6/05/2020

Council Priorities - Executive Summary July 2019 to June 2020

Asset Management**Outcome:** 6.1 Road networks that meet the needs of our community and provide safe movement for all users**Strategy:** 6.1.1 Deliver a diverse, efficient and safe transport system

ACTION	Status	Progress	Last Update
Grigg Street - Seal Entry Road and carpark	Not Started	0	11/10/2019
Hobby Road - Between Swan Rd and Holts Rd	Not Started	0	11/10/2019
6.1.1.3 Renew, upgrade and build new urban infrastructure	Manager Asset Operations		
Heenan st ROW - Sim st to Pink Lake rd	Completed	100	10/03/2020
Kipping RD - South Coast Hwy to Cul de sac	Not Started	0	11/10/2019
Goldfields Road - McLarty St to 44 Goldfields Rd	Completed	100	8/06/2020
Goldfields rd - Daw drive to Frank Freeman drive	Not Started	0	11/10/2019
Various Urban Roads - Crack Sealing	In Progress	75	8/06/2020
Corry st - Emily st to Cul de sac Head	In Progress	40	6/05/2020
Pink Lake rd - Shared Path Corridor Concept	Not Started	0	11/10/2019
Jetty Rd - Norseman Rd to E.S.W.S pump shed	Not Started	0	11/10/2019
Freeman st - Ocean st to Frederick st	Not Started	0	11/10/2019
Pink Lake Rd - Sims St to Paine Rd	In Progress	95	6/05/2020
Irvine - outfall extension - end of existing pipe to high water mark	In Progress	20	6/05/2020
Dempster St - Brazier St to Gladston St	Completed	100	8/06/2020
Maple st - North rd to Beech st	In Progress	5	8/06/2020
Adventure Land Paths - Adventure Land	In Progress	80	6/05/2020
Camelia cres - Wildcherry Sump to Munji close	Completed	100	10/03/2020
John St & Laurel Ct	Completed	100	10/03/2020
Simpson st Retention Basin - Coppin st to Scanlon st	In Progress	75	6/05/2020

Council Priorities - Executive Summary July 2019 to June 2020

Asset Management**Outcome:** 6.1 Road networks that meet the needs of our community and provide safe movement for all users**Strategy:** 6.1.1 Deliver a diverse, efficient and safe transport system

ACTION	Status	Progress	Last Update
Sinclair st - Fisheries Rd to 360m North	In Progress	15	8/06/2020
Senior Citizens - Forrest st	Completed	100	10/03/2020
Civic Centre - Council Place to Jane st	Completed	100	8/06/2020
Black st - Padbury st to G.S.G Stadium	Not Started	0	11/10/2019
Kerbing works - Industrial Area	In Progress	90	8/06/2020
Retention Basin Cleaning	In Progress	70	6/05/2020
Jane st - Tupper st to Leake st	Completed	100	10/03/2020
Garden Rd - Pink Lake Rd to 160m South	Completed	100	10/03/2020
Twilight Beach Carpark - Opposite Gazebo - West of Twilight rd	Completed	100	10/03/2020
bandy Creek Weir Crossing - Daw drive to Fishing boat access rd	Completed	100	10/03/2020
Sheldon rd - Harbour rd to Norseman rd	Completed	100	6/05/2020
Longbottom Court - longbottom Lane to Cul de sac (Lot 20)	Not Started	0	11/10/2019
Esplanade - Boat Ramp Carpark	In Progress	85	6/05/2020
Pink Lake Slip Rd - Backland st to Freeman st	Not Started	0	11/10/2019
Trails Master Plan	Not Started	0	11/10/2019
Norseman Rd East side - Daphne St to Nugent Street	Completed	100	8/06/2020
Observatory Beach Carpark - Twilight Beach Rd	Completed	100	8/06/2020
Civic Centre - Pink Lake to Andrew st	Completed	100	8/06/2020
Pink Lake rd - Backland st to Milner st	Completed	100	8/06/2020
Kerbing works - Urban Area	In Progress	50	8/06/2020

Council Priorities - Executive Summary July 2019 to June 2020

Asset Management

Outcome: 6.1 Road networks that meet the needs of our community and provide safe movement for all users

Strategy: 6.1.1 Deliver a diverse, efficient and safe transport system

ACTION	Status	Progress	Last Update
Pink Lake Rd - Foy St to Birch st	Not Started	0	11/10/2019
Heritage Interp Trail	Completed	100	10/03/2020
Chaplin st - outfall extension - end of existing pipe to high water mark	In Progress	75	6/05/2020
Alana St - Cherrywell Rd to 140m South	In Progress	25	6/05/2020
Harbour rd - Brazier rd to Sim st	In Progress	5	9/04/2020
Phyllis st - outfall extension - end of existing pipe to high water mark	In Progress	10	6/05/2020